



Transport  
for NSW

# **Transport for NSW**

## **Responses to Post-Hearing Questions**

Portfolio Committee No. 6 - Transport and  
Customer Service

Operation of the Point to Point Transport (Taxis  
and Hire Vehicles) Act 2016

Hearing Date – Friday, 25 September 2020

## Questions taken on Notice

**QUESTION: Page 48 of the hearing transcript**

**1. The Hon. SCOTT FARLOW:** Just on that point, have you got any information with respect to the COVID period and what you are collecting on a monthly basis so far?

**Dr DE KOCK:** As I say, we would normally collect about \$5 million per month, but I would have to take the exact details of what we have actually collected each month for the last six months during this COVID period on notice—unless Mr Wing has further details on the moneys that are collected.

**Mr WING:** I think we would have to seek further information from Revenue NSW.

**ANSWER:**

Revenue NSW (Revenue) is the agency responsible for collecting the Passenger Service Levy from taxi and booking service providers.

Revenue publish data on the amount collected each quarter on their website <https://www.revenue.nsw.gov.au/help-centre/resources-library/statistics>

**QUESTION: Page 49 of the hearing transcript**

**2. The Hon. JOHN GRAHAM:** Perhaps on notice just give us a quick idea of how many special late applications were accepted. Was that a big number or a small number?

**Dr DE KOCK:** I will have to take that on notice.

**ANSWER:**

Transport for NSW (TfNSW) received 20 late applications for the Additional Assistance Payment Scheme (AAPS).

**QUESTION: Page 49 of the hearing transcript**

**3. The Hon. DANIEL MOOKHEY:** When will the last payment of that \$42.1 million go out?

**Dr DE KOCK:** I will have to take the exact date on notice, depending on when people put in the applications and how people have chosen for their payments to be made.

**ANSWER:**

The last payment under the AAPS is expected to be made in July 2021.

**QUESTION: Page 50 of the hearing transcript**

**4. The CHAIR:** When it became clear that the criteria that you were working with was actually leading to two-thirds of that fund not being used, was there an attempt to then recalibrate that criteria to ensure that the fund could actually go to the next group of people who had felt hardship?

**Dr DE KOCK:** I was not there at the time. I am not aware of that, but I will take it on notice.

**ANSWER:**

All applications under the AAPS were assessed under the criteria recommended by the Panel and approved by the Minister. The hardship criteria was not amended during the period where applications were being assessed. Amongst others, membership of the Panel included the NSW Taxi Council.

At the time that the hardship criteria and assessment processes were determined by the Panel and recommended to the Minister, it was not known how many people may apply for the AAPS nor how many applicants were likely to meet the criteria.

The process of determining whether applicants met the criteria established by the Panel commenced in October 2018 and was completed in June 2019.

The total number of successful applications under the AAPS was not finalised until June 2019.

**QUESTION: Page 51-52 of the hearing transcript**

**5. The Hon. JOHN GRAHAM:** To that point, the NSW Taxi Council turned up and said it did not know, and you are saying it should have, given the structure. Was the industry informed that the majority of these funds, which have been allocated, had not been spent? Is this the first time that this information has been made public?

**Dr DE KOCK:** I would have to take that on notice.

**ANSWER:**

Details about the outcomes of the AAPS including the total number of applicants, total number of payments and total funds to be paid was published on the NSW Parliament website in response to a question taken on notice at budget estimates for Portfolio Committee No.6 Transport and Customer Service on 28 October 2019.

See responses provided to Questions 18 – 20

<https://www.parliament.nsw.gov.au/lcdocs/other/12845/Supplementary%20hearing%20-%20QONS%20-Transport%20and%20Roads%20combined%20-%20Constance%20and%20Toole.pdf>

**QUESTION: Page 52-53 of the hearing transcript**

**6. The Hon. JOHN GRAHAM:** Sorry, we did interrupt the answer. I just want to be clear that your submission says that the eligibility criteria was recommended by the Panel and was then approved by the Minister. I just want to confirm that is correct?

**Dr DE KOCK:** Yes, then it was delegated to Transport for NSW to run the application process and finish the process.

**The Hon. JOHN GRAHAM:** Yes, I understand.

**The Hon. DANIEL MOOKHEY:** On notice, can you give us the date that the Minister approved the criteria?

**Dr DE KOCK:** I will have to take that on notice.

**ANSWER:**

The then Minister for Transport and Infrastructure approved the framework for the AAPS (known then as the Industry Additional Assistance Scheme) on 22 February 2018 including eligibility criteria recommended by the Panel.

**QUESTION: Page 53 of the hearing transcript**

**7. The CHAIR:** Just to clarify, the criteria was never advised, it was just the same criteria from the beginning until the closure date of the hardship fund?

**Dr DE KOCK:** I would have to take that on notice.

**The CHAIR:** If you could, and if you could let us know if there were any communications with the Minister to let the Minister know that the amount of the fund was not being spend, or any sort of communication suggesting that the criteria ought to be less tight or less strict to ensure that more of that money was getting out.

**Dr DE KOCK:** I will have to take that on notice as well.

**ANSWER:**

All applications under the AAPS were assessed under the criteria recommended by the Panel and approved by the Minister. The hardship criteria was not amended during the period where applications were being assessed.

Extensive information and guidance about the approved hardship criteria was published on the TfNSW website.

At the time the hardship criteria and assessment process were determined by the Panel and recommended to the Minister, it was not known how many people may apply for the AAPS nor how many applicants were likely to meet the criteria.

The total number of successful applications under the AAPS was not finalised until June 2019.

The Minister for Transport and Road's office was advised of the outcomes of the AAPS in a briefing on 2 July 2019.

**QUESTION: Page 53 of the hearing transcript**

**8. Dr DE KOCK:** Yes. The passenger service levy is collected for the sole purpose to provide assistance to the taxi industry and cannot be used for other purposes.

**The Hon. DANIEL MOOKHEY:** It is held in a special purpose account at the Treasury, is it not?

**Dr DE KOCK:** It is actually collected by Revenue NSW and, as I said before, it is collected on the sole purpose for providing assistance to the taxi industry.

**The Hon. DANIEL MOOKHEY:** To the best of your knowledge, is it not paid into a consolidated fund?

**Dr DE KOCK:** I will have to take that on notice.

**ANSWER:**

The Passenger Service Levy is paid into consolidated revenue. The *Point to Point Transport (Taxi and Hire Vehicles) Act 2016* provides that Assistance funds are to be provided from money appropriated by Parliament for that purpose.

The *Appropriations Act 2016* and the 2016-17 Budget provides up to \$250 million for an industry adjustment package over 3 years commencing in 2016-17, including:

- \$142 million for taxi licensees facing hardship as a result of the changes
- \$98 million in 2016-17 for transition assistance of \$20,000 per perpetual licence, for up to 2 licences, for taxi licensees who obtained a licence before 1 July 2015, to help them adjust to a more competitive market
- Up to \$10 million for a buy-back scheme for perpetual hire car licence owners.

Budget Paper No.3 notes that this package will be funded by a temporary levy on all point to point transport providers, equivalent to \$1 per trip for up to five years.

**QUESTION: Page 54 of the hearing transcript**

**9. The Hon. DANIEL MOOKHEY:** Did the 727 people who made an application but were then refused a payment offered any appeal process or appeal right?

**Dr DE KOCK:** There was no appeal process as part of the process that was in place.

**The Hon. DANIEL MOOKHEY:** Were they given reasons for rejection?

**Dr DE KOCK:** I will have to take that on notice.

**ANSWER:**

There were three main reasons why AAPS applications were unsuccessful:

- An applicant's gross income and net assets were higher than the approved thresholds and, after consideration of all the circumstances of the person, a payment was not supported.
- The applicant did not provide all information requested in the application form.
- The application was missing key information and/or the information provided raised issues such that it was not possible to verify an applicant's financial circumstances.

Applicants were advised of these reasons when they were notified that their AAPS application was unsuccessful.

**QUESTION: Page 54 of the hearing transcript**

**10. The Hon. DANIEL MOOKHEY:** Did the industry assistance panel decide that there would be no grounds for appeal?

**Dr DE KOCK:** The industry assistance panel did not create a route for appeal in their processes and procedures at the time.

**The Hon. JOHN GRAHAM:** Was that approach signed off by the Minister?

**The Hon. MARK BANASIAK:** Well, yes, I think.

**Dr DE KOCK:** I will have to take that detail on notice.

**The Hon. DANIEL MOOKHEY:** Did Transport for NSW ever provide advice to establish an appeal mechanism?

**Dr DE KOCK:** I will have to take that on notice.

**ANSWER:**

TfNSW contacted applicants on multiple occasions seeking necessary information that hadn't been provided as part of the original application.

**QUESTION: Page 55 of the hearing transcript**

**11. The Hon. DANIEL MOOKHEY:** I accept that you were not present, and thank you for providing us with the information that you remember, but the Deputy Secretaries are now both the heirs to these decisions. Do you have any information you can add? Who was the Secretary's delegate from Transport for NSW to the panel? Or was it the Secretary himself?

**Dr DE KOCK:** I would have to take it on notice who the actual individual was.

**The Hon. DANIEL MOOKHEY:** Does the panel still exist?

**Dr DE KOCK:** Not to my understanding, no.

**The Hon. DANIEL MOOKHEY:** When was it abolished?

**Dr DE KOCK:** I would have to take that on notice as well.

**ANSWER:**

The TfNSW delegate on the Taxi and Hire Vehicle Industry Assistance Panel was the Executive Director, Transport Policy.

The Taxi and Hire Vehicle Industry Assistance Panel last met on 27 June 2019.

The Panel continues to be constituted under the *Point to Point Transport (Taxis and Hire Vehicles) Act 2016*.

Additionally, applications for the AAPS opened in July 2018 and closed in December 2018. The application time was extended until May 2019 for those who were able to prove there were exceptional circumstances as to why they were incapable of providing an application during the application period.

**QUESTION: Page 55 of the hearing transcript**

**12. The Hon. JOHN GRAHAM:** Did Transport receive other representations? This was the subject of a fair bit of discussion in the industry. Did the Minister receive representations that went to Transport saying that this money is not getting out?

**Dr DE KOCK:** Not that I am aware of and I will have to take the details on notice.

**ANSWER:**

TfNSW and the then Minister for Transport and Infrastructure received a broad range of correspondence from stakeholders regarding the AAPS including when money allocated would be paid

TfNSW acknowledges that the complex nature of processing AAPS applications. TfNSW wrote to all AAPS applicants on 5 March 2019 to apologise for delays in processing and assessing AAPS applications. At this time, TfNSW committed additional resources to the processing of applications in order to address these delays.

**QUESTION: Page 55 of the hearing transcript**

**13. The Hon. MARK BANASIAK:** Who appointed Ms Sue Baker-Finch for this inquiry? Was it a direct ministerial appointment or did someone advise him of Ms Baker-Finch's suitability?

**Dr DE KOCK:** I was not there at the time so I will have to take that on notice.

**ANSWER:**

Ms Sue Baker-Finch was selected and appointed by TfNSW to undertake the review consistent with the NSW Government's Procurement Guidelines. Given the regional focus of the Review, Ms Baker-Finch, who has a background in both regional, local and State business chambers, was selected to lead the review.

**QUESTION: Page 56 of the hearing transcript**

**14. The Hon. DANIEL MOOKHEY:** I accept that, and I accept that you cannot comment on the Government's decision. But from Transport for NSW's perspective, you are saying that the report has been provided to Government, by which I presume you mean to Cabinet. Is that right, or was it to the Minister?

**Dr DE KOCK:** The report has been provided to Government.

**The Hon. DANIEL MOOKHEY:** Who in Government got the report? Was it the Secretary of Transport for NSW, the Minister or Cabinet?

**Dr DE KOCK:** The report has been provided to the Minister.

**The Hon. JOHN GRAHAM:** We were told this morning that it was provided in June. Can we confirm when it was provided?

**Dr DE KOCK:** I will have to provide the exact timing on notice.

**The Hon. JOHN GRAHAM:** I accept you cannot tell us when it comes out the other end; that really is up to Government. But if you can tell us when it was submitted, given we



have been told it was in June, that will be helpful.  
**Dr DE KOCK:** I will take on notice the exact timing of that.

**ANSWER:**

Ms Sue Baker-Finch provided her Independent Review of Point to Point Transport to the Minister for Transport and Roads, and the Minister for Regional Transport and Roads in July 2020.

**QUESTION: Page 58 of the hearing transcript**

**15. The Hon. JOHN GRAHAM:** Doctor, can I just take you back to your evidence about the eligibility criteria? I just want to check these three stages of the process and what was briefed. The eligibility criteria were signed off and recommended and then the Minister approved. I just want to be clear. The individual decisions in these 531 cases that were approved—or the ones that were knocked back—did not go to the Minister, did they?

**Dr DE KOCK:** No, they stayed within the Department. We had delegated authority to make those determinations.

**The Hon. JOHN GRAHAM:** Exactly, as is appropriate. But the Minister would have been briefed on the fact that \$100 million was not spent. Can you confirm that?

**Dr DE KOCK:** I will have to take that on notice. I was not there at the time.

**The Hon. JOHN GRAHAM:** Could you also confirm the dates of those briefings?

**ANSWER:**

Minister for Transport and Road's Office was briefed on the outcomes of the AAPS on the 2 July 2019.

**QUESTION: Page 59 of the hearing transcript**

**16. The Hon. DANIEL MOOKHEY:** What work has Employee Relations done on chapter 6 and its role in the rideshare or taxi industry?

**Mr HEUSTON:** Our role is largely one of compliance. We will regularly update and review our materials, educational offerings and advice across the board. We will provide that to people in the industry through things like workshops, webinars, online materials and fact sheets. They are aimed at what the existing arrangements are under chapter 6 rather than something else.

**The Hon. DANIEL MOOKHEY:** On notice, can you provide us with the set of materials that you just referred to—whatever worksheets are available with respect to the chapter 6 determination for the taxi industry and point to point industry? I am asking specifically whether you have prepared any policy advice as to any changes that might be required to chapter 6 to encompass the emergence of rideshare.



**Ms FOY:** We have not prepared any information for any advice in that respect. We work largely around the compliance with chapter 6. I am very happy to provide any information but I do note it is also publicly available through [industrialrelations.nsw.gov.au](http://industrialrelations.nsw.gov.au).

**The Hon. DANIEL MOOKHEY:** Sure, but do you mind just putting it on notice so I can put it on the evidence record?

**Ms FOY:** Of course, naturally. Our role is largely one of compliance. We have a phone number that taxi drivers can phone into to seek either information or assistance. We have had cause over the last couple of years to follow up certain matters with the IRC with respect to some prosecution action taken by the department with compliance matters, but it is a very small proportion. I think there have only been about 13 industrial complaints since 2015. I am very happy to get copies of that information that we provide and have that submitted into the evidence.

**AND**

**QUESTION: Page 60 of the hearing transcript**

**17. Mr HEUSTON:** If I might just qualify one point, some of the educational and advisory services that we offer are not readily printable. It will include things like e-learning modules and video.

**The Hon. DANIEL MOOKHEY:** Perhaps on notice you can provide a description of what it is that you do, at whatever level you can provide.

**ANSWER:**

This is a matter for the Department of Premier and Cabinet.

**QUESTION: Page 60 of the hearing transcript**

**18. The Hon. SCOTT FARLOW:** On notice to Dr De Kock, you were obviously referring to a document in terms of the criteria and some of the thresholds in making determinations. I am not asking you to hand over that document today but, on notice, would you be able to give us that criteria and some of those thresholds that you talked about so the Committee has some clarity in its deliberations?

**Dr DE KOCK:** I will take that on notice, yes.

**ANSWER:**

The following information about the AAPS including information regarding the recommendations of the Panel, the approved financial hardship criteria and the assessment of an applicant's net wealth was published on the TfNSW website to assist applicants for the AAPS to understand the process for assessing applications.

<https://www.transport.nsw.gov.au/projects/point-to-point-industry-assistance/additional-assistance-payment-scheme-legacy>

**QUESTION: Page 60 of the hearing transcript**

**19. The Hon. SCOTT FARLOW:** And you were talking before about the extension for special circumstances. Have you got any further clarity around when that ended in terms of the extension for special circumstances?

**Dr DE KOCK:** I am going to have to take that on notice.

**ANSWER:**

The Panel determined that late applications under the AAPS close on 15 May 2019 where exceptional circumstances could be shown to have prevented a timely application.

**QUESTION: Page 61 of the hearing transcript**

**20. The Hon. JOHN GRAHAM:** We know a little bit of information about how people perceive the costs. That is also work that has been completed, I think, by IPART or it makes up part of the family of reports that IPART has brought through the system.

**Mr WING:** I am happy to see if there is any further work that IPART has done on total fare impacts. It may have been that they did work as well which the department might have seen, because the department sets the maximum fares for rank and hail.

**The Hon. JOHN GRAHAM:** Yes. Understood.

**Mr WING:** But I am certainly happy to go and see if we have got any more from IPART which talks about fare structures.

**ANSWER:**

Maximum fares for rank and hail taxi services are regulated and set by TfNSW. It is understood most taxi service providers in NSW also charge the maximum fare for their booked services.

The most recent fares order was made in January 2018 and can be found at <https://www.transport.nsw.gov.au/system/files/media/documents/2018/taxi-fares-order-2018.pdf>.

Since 2012 IPART has regularly surveyed residents of Sydney, other urban and the rest of NSW about their use and perceptions of taxis and other forms of point to point transport. In 2017 the survey questionnaire was revised to better reflect regulatory changes to the market for taxis and other point to point transport services which came into effect in November 2017. Parallel questions for taxis, rideshare and limousine and other hire vehicles were added to the questionnaire.

The results of the most recent (November 2019) survey are available at <https://www.ipart.nsw.gov.au/files/sharedassets/website/shared-files/investigation-administrative-publications-survey-of-point-to-point-transport/consultant-report-orima-research-2019-point-to-point-transport-survey.pdf>.

The 2019 survey report includes information on value for money of the three service types (pp 37- 42) and fares for last reported trip of each (pp72-78). The survey found that “Sydney users of rideshare services reported a lower average fare than did users of taxi services, for trips of the same estimated length.” p 73.

**QUESTION: Page 62 of the hearing transcript**

**21. The Hon. JOHN GRAHAM:** Is there any reason why this Committee should not recommend that you in fact do this? Do you have any objection that you want to raise before we make a recommendation that we see IPART's view as being fundamentally correct and you should get moving and get doing this?

**Mr WING:** I do not object to it. It would be a policy decision but I do not object to it, no.

**The Hon. JOHN GRAHAM:** You have not provided any advice to the Minister or the agency on your capacity to do this or you have not intervened in this question from your point of view.

**Mr WING:** Yes. If the matter were raised we would talk to them about capacity but—

**The Hon. JOHN GRAHAM:** The matter has been raised by IPART but you have not—

**Mr WING:** I guess what I am saying is I have not had any discussions. The matter was raised before my time so I will go back and see whether there were any discussions.

**ANSWER:**

IPART's recommendation that the Point to Point Transport Commissioner collect information on fares is a policy matter for TfNSW.

Neither the current Point to Point Transport Commissioner nor his predecessor have had discussions with TfNSW in relation to this matter.

**QUESTION: Page 63 of the hearing transcript**

**22. The Hon. DANIEL MOOKHEY:** I am looking at your website now and it says that in August 2020 the average transfer price for a Sydney Metropolitan Transport District unrestricted licence was \$77,500. That is what your website says. Do you have that trend data by any chance?

**Mr WING:** We have the data over time, which is on the website.

**The Hon. DANIEL MOOKHEY:** Yes, on the website it only has August 2020. You used to have trend data on the website that you would publish over a couple of months. You have trend data for New South Wales outside of Sydney taxi licence prices, for the Newcastle Transport District taxi licence you have trend data and you also do for Wollongong. But for metropolitan Sydney you seem to only be publishing per month.

**Mr WING:** Let me go and have a look at that and see what we can produce.

**The Hon. DANIEL MOOKHEY:** I have seen it before. You used to publish it. Is it possible on notice that we can get the month-by-month average transfer price for the Sydney Metropolitan Transport District going back until when the reforms started in 2016?

**Mr WING:** The commission started in November 2017.

**The Hon. DANIEL MOOKHEY:** No, when did the reforms go into effect? The Act came into effect in 2016, did it not?

**Mr WING:** The commission commenced in 2017. The Act was passed in late 2016.

**The Hon. DANIEL MOOKHEY:** Can we get it back to the date of the commencement of the Act?

**Mr WING:** Yes. We will go and see what we can find.

**The Hon. DANIEL MOOKHEY:** If you want to give us any more, we will take that too. But at least that, so that we can see what the impact has been on the transfer prices for licences as well.

**ANSWER:**

Taxi licence transfer prices are published on the Point to Point Transport Commissioner's website <https://www.pointtopoint.nsw.gov.au/taxi-licensing/taxi-licence-transfer-prices>. Toward the bottom of this webpage are links to taxi licence transfer prices. The Sydney Metro data link shows transfer prices from January 2011 onwards. The Regional data shows transfer prices from December 2017 onwards.

Transport for NSW publish data for taxi licence transfer prices in relation to transfers which occurred prior to the start of the *Point to Point Transport (Taxis and Hire Vehicles) Act 2016* in November 2017 for Sydney Metropolitan, Newcastle and Wollongong <https://www.rms.nsw.gov.au/about/corporate-publications/statistics/public-passenger-vehicles/licence-transfers/index.html>.

**QUESTION: Page 64 of the hearing transcript**

**23. The Hon. DANIEL MOOKHEY:** Have you ever issued a notice to produce to Uber that would tell you how many trips are being performed by Uber each year in Sydney?

**Mr WING:** We might be able to determine that information. The question that we need to discuss with Revenue NSW is around the secrecy provisions under the Taxation Administration Act.

**The Hon. DANIEL MOOKHEY:** Yes, I know all about those as well.

**Mr WING:** I am not saying that we would not. I am very happy to go and talk to Revenue NSW. I am just saying that—

**The Hon. DANIEL MOOKHEY:** We are asking you questions on a couple of levels, some of which would trigger the tax secrecy provisions. At the level of the taxpayer, it would, but it is actually not clear whether or not they are a taxpayer for the purposes of the levy. They are collecting it; they are not paying it. I am not sure that they do apply to Uber, Ola or any other taxi company or network either. That is the first level. But the level we are

interested in is how much of the levy is coming from the rideshare component versus the rank-and-hail component.

**Mr WING:** I understand the question and all I can say is we will go and talk to them and see what can be produced, especially at that collective level.

**ANSWER:**

The Point to Point Transport Commissioner has not issued to Uber a notice of the type referred to in the question

Neither the Commissioner nor Revenue NSW collect information in a way that identifies the amount of levy coming from booked services versus the rank and hail component.

Service providers submit levy returns to the Commission as either a Taxi Service Provider (TSP) or a Booking Service Provider (BSP). Some service providers that are both TSPs and BSPs, report only as BSPs and do not separately identify which of their reported trips were rank and hail.

**QUESTION: Page 64 of the hearing transcript**

**24. The Hon. DANIEL MOOKHEY:** I am sure you recall one of the excellent pieces of information that the task force provided in its report was on page 121 at table 3, "number of taxi licences held by owners" and then at table 4, "ownership of licences by companies, individuals, networks and partnerships". On notice, can we get that updated?

**Mr WING:** Can I take on notice that I will go and look at that table and find out whether I can?

**The Hon. DANIEL MOOKHEY:** Let me put it to you this way. Can you go and have a look at the table, can you see whether or not you can update the information and, if you can, can you update the information?

**Mr WING:** If I can just take that as a general yes, I will go to the table.

**The Hon. DANIEL MOOKHEY:** There are technically three questions on notice.

**ANSWER:**

Updated table attached at Tab 1.

**QUESTION: Page 68-69 of the hearing transcript**

**25. The Hon. DANIEL MOOKHEY:** I just want to get to what is the ratio of licence owners to taxi drivers. I believe it used to be six or seven to one: for every one licence, there were seven people eligible to drive the taxi. Do you have any information as to how we could effectively see what it is like now?

**Mr WING:** We could look for any information that is around. I think you would not be wrong in assuming that there is a multiple involved, yes.

**The Hon. DANIEL MOOKHEY:** Clearly. Part of the reason is that we are trying to get to the bottom of how many people are exiting taxis and entering rideshare, or exiting the driver pool altogether. Equally, in so far as some claim that drivers have had adverse income effects it is helpful to know over what pool. There is really nothing more in these questions other than the fact that it would be useful to have this data as we can assess it. Are you in a position to provide us with any information about that?

**Mr WING:** Let me see what we have, yes.

**ANSWER:**

The Point to Point Transport Commissioner does not hold records of the number of taxi or hire vehicle drivers (including rideshare drivers) registered for all taxi and booking service providers.

**QUESTION: Page 69 of the hearing transcript**

**26. The Hon. DANIEL MOOKHEY:** Do you have a geographical breakdown or allocation of that 100,000? Are you in a position to get that for us?

**Mr WING:** I can ask the part of Transport for NSW that issues driver licences, yes.

**The Hon. DANIEL MOOKHEY:** Equally, are you in a position to tell us about the geographical disbursement of taxi licences?

**Mr WING:** We do have that data. I do not have it sitting in front of me but we can provide it.

**ANSWER:**

The geographical breakdown of the residential address of drivers with a PT code on their drivers licence is attached at Tab 2.

Taxi licence geographical operating areas attached at Tab 3.

## SUPPLEMENTARY QUESTIONS

### QUESTION:

1. Of the original \$98m for taxis + \$10 m for hire car allocations some \$5.5 m seems to have disappeared or been allocated elsewhere. Where did the money go? (this amount seems to have been “conveniently” forgotten)

(a) Who authorised the re-allocation of moneys originally allocated for distribution to Owners to be re allocated to the "Training Schools" or other entities?

(b) What other individuals, entities, businesses, or enterprises received moneys from the fund? Or indirectly via State Revenue?

(c) Who were they and how much?

(d) Did the Taxi Council Driver Training School receive moneys?

(e) If so, were the moneys received allocated from the original scheme, the compensation for Hire cars scheme (non taxed?) the final hardship fund scheme? Or from Revenue NSW?

### ANSWER:

1. To date \$145,866,754 in industry assistance has been approved to be paid. Of the original \$250 million industry assistance allocation \$104,133,246 remains unspent.

(a) The Panel recommended that industry assistance payments be made to taxi training schools. The Minister approved this recommendation. The *Point to Point Transport (Taxis and Hire Vehicles) (Industry Adjustment) Regulation 2016* was amended on 29 June 2018 to extend the Transitional Assistance Payment Scheme to Taxi Training Schools that met the criteria set out at clause 4B of schedule 3.

(b) In accordance with the *Point to Point Transport (Taxis and Hire Vehicles) (Industry Adjustment) Regulation 2016* payments of additional assistance were made under the following schemes:

- \$94.24 million to more than 4000 eligible taxi licence holders under the Transition Assistance Payment Scheme (\$20,000 for each eligible taxi licence, up to two licences);
- \$8.30 million to 99 eligible hire vehicle licence holders in respect of 150 eligible hire vehicle licences under the Additional Assistance Hire Vehicle Payment Scheme;
- \$1.17 million to taxi training schools detrimentally impacted by the point to point reforms under the Taxi Training School Payment Scheme; and
- \$42.13 million to persons detrimentally impacted by the point to point reforms under the Additional Assistance Payment Scheme.

(c) No payments were made from the industry assistance fund outside the Transition Assistance Payment Scheme, Additional Assistance Hire Vehicle Payment Scheme; Taxi Training School Payment Scheme and Additional Assistance Payment Scheme.



- (d) Details of money received by Taxi Training Schools was contained in the response to the Taxi Industry Order for Papers in May 2020 (document reference: TRA.500.069.0161 in the privileged bundle). Information contained in this document was subject to a claim for privilege on the basis of commercial-in-confidence.
- (e) Payments under the Taxi Training School Payment Scheme were made from Transitional Assistance Payment scheme funds, not from the Additional Assistance Payment Scheme (for financial hardship).

**QUESTION:**

**2. Statement from Dr DE KOCK:**

*We have seen the growth of booked services from companies like Ola and Uber. The view of the panel was that for the taxi drivers, there were actually increased employment opportunities as part of the reforms and the deregulation of the point to point industry.*

**(a) How come in the circumstances these entities suddenly became eligible for special hardship “Assistance”?**

**ANSWER:**

Ola and Uber were not eligible for, and did not receive, any payment of assistance funds.

**QUESTION:**

**3. Refer to excerpt from Transport for NSW:**

*Taxi training schools*

*The Minister also approved TAP 2 payments to be made to certain eligible taxi training schools that provided training courses to the taxi industry*

*To be eligible for a transitional assistance payment a taxi training school must have been a registered training organisation (as defined in the National Vocational Education and Training Regulator Act 2011) and, immediately before 18 December 2015, be carrying on the business of providing training courses approved by Transport for NSW to taxi drivers and/or taxi operators.*

*In addition the taxi training school must have been able to demonstrate that they were detrimentally affected by the changes made to the regulation of the taxi industry.*

*The amount of transitional assistance funds paid to each eligible taxi training school was determined by Transport for NSW in accordance with guidelines issued by the Panel.*

*The AAHVP Scheme distributed almost \$8.3 million to 99 eligible hire vehicle licence holders, for 150 eligible hire vehicle licences.*

**(a) Which Minister approved TAP 2 payments to be made to certain eligible taxi training schools, as referred to above?**

**(b) Who paid the Training Schools?**

**(c) Was the Taxi Council involved in the criterion established for payment to “Training Schools”?**

**ANSWER:**

- (a) The then Minister for Transport and Infrastructure.
- (b) Payments under the Taxi Training School Payment Scheme were made by TfNSW in accordance with the *Point to Point Transport (Taxis and Hire Vehicles) (Industry Adjustment) Regulation 2016* and the recommendations of the Panel which were approved by the Minister.
- (c) The representative of the NSW Taxi Council on the Panel was not involved in discussions about the criteria for payment under the Taxi Training School Payment Scheme. As a taxi training school the NSW Taxi Council had a conflict of interest in relation to the Taxi Training School Payment Scheme and it was appropriate that they not participate in discussions and about that scheme.

**QUESTION:**

**4. The Hardship assessment Panel was to be composed of the following members.**

**From the Government:**

*A nominee of the Secretary of Transport,*

*A nominee of the Secretary of Treasury,*

*A nominee of the Secretary of Premier and Cabinet.*

**Plus**

*A nominee of the CEO of the NSW Taxi Council*

*(Nominated as Deputy CEO Nick Abraham)*

**(a) Who were the government nominees? (by name)**

**(b) How often did the Panel meet?**

**(c) Were all members always present?**

**(d) How long were the meetings?**

**(e) Did the Panel always consist of the same nominees from the various Government departments?**

**(f) Were minutes of meetings, or recordings, or transcripts of meetings, or any records taken? If not, why not?**

**ANSWER:**

- (a) The Delegate of the Secretary of Transport on the Panel was the Executive Director, Transport Policy. The persons holding this position who attended the Panel in an official capacity include, Anthony Wing, Kelly Miller, Gail LeBransky, Jessica Linsell and Natalie Pelham.

The Delegate of the Secretary of Treasury on the Panel was Geoff Rumble.

The Delegate of the Secretary of Department of Premier and Cabinet was Sally Walkom and Donna Awad.

- (b) The *Point to Point Transport (Taxis and Hire Vehicles) Act 2016* provides that the procedure for calling Panel meetings is to be determined by the Panel itself. The Panel met on 25 occasions between 1 July 2016 and 27 June 2019. In addition, the Panel conducted business on an 'out of session' basis when required. This occurred on at least 8 occasions.
- (c) On few occasions not all Panel members were able to attend. .
- (d) The length of Panel meetings varied depending on the matters to be covered at that meeting. A typical Panel meeting ran for two hours.
- (e) See above at (a).
- (f) Minutes of all Panel meetings were taken and circulated to members for approval.

**QUESTION:**

5. *In a statement by the NSW Taxi Council at conclusion of hearing, they stated that the role of the NSW Taxi Council on the Panel through the deputy CEO was as an observer, with no ability to vote or decide.*

**In the opinion of the NSW Government:**

- (a) What purpose did the Taxi Council representative serve?**
- (b) Was his attendance a paid commission?**
- (c) If paid, paid by whom? – Revenue NSW or via the Assistance packages.?**
- (d) Is the Government extracting moneys for “Administration fees” from the \$250 million to be collected “Levy fund”?**
- (e) If so, how much to date?**
- (f) If not, from where? From NSW Consolidated Revenue Fund?**
- (g) Why was nothing disclosed by Government members in regard to unexpended moneys until portfolio committee 6 hearings?**
- (h) Was there Ministerial direction in this regard?**

**ANSWER:**

- (a) The purpose of the representative of the NSW Taxi Council on the Panel was to ensure that the views of the taxi industry could be heard by the Panel.
- (b) Members of the Panel were not paid.
- (c) See above.
- (d) No.
- (e) See above.
- (f) Costs for the administration of the industry assistance schemes have been met from the existing TfNSW budget.
- (g) Details about the AAPS including the total number of applicants, total number of payments and total funds to be paid was published in response to a question taken on notice at budget estimates for Portfolio Committee No.6 Transport and Customer Service on 28 October 2019.
- (h) No.

**QUESTION:**

6. Dr DE KOCK stated during the hearing “The NSW Taxi Council was part of the panel to represent the industry, so that was the voice of the industry part of that panel.”

**(a) How could the NSW Taxi Council be the “voice of the Industry” when according to their representative, he had no voice?**

**ANSWER:**

Under the *Point to Point Transport (Taxis and Hire Vehicles) Act 2016*, the NSW Taxi Council representative did not have a vote on matters before the committee. However, the NSW Taxi Council was actively and energetically represented on the Panel. TfNSW considers that the views and concerns of the NSW Taxi Council were, at all times, carefully considered by the Panel.

**QUESTION:**

7. Dr DE KOCK stated during the hearing: Ms Sue Baker-Finch has completed her report and provided that to Government and it is now being considered by Government.

**(a) Was Ms Sue Baker-Finch aware of the unexpended \$100 million prior to completing her report”**

**(b) How much of the \$12.6 million has been distributed?**

**ANSWER:**

- (a) The terms of reference for the Point to Point Independent Review 2020 included a consideration of whether there is a case for further assistance in view of:
- the objectives and nature of the point to point transport reforms; and
  - the Government’s announced commitment to assist traditional industry members through those reforms.

During consultation with TfNSW, Ms Baker-Finch was advised that the industry assistance scheme allocation had not yet been exhausted.

- (b) Of the \$12.6 million; \$12,038,727 has been distributed. See below for details:

**1. Financial assistance to WAT vehicle owners**

\$2.52 million allocated and \$2,195,300 issued. This assistance remains available for those who register an eligible WAT.

**2. Financial assistance for owners of other registered taxis (as at 1 May 2020)**

\$7.54 million allocated and \$7,519,700 issued. This assistance remains available to those who can demonstrate their taxi was registered as at 1 May 2020.

**3. Annual Taxi Licence Fee Relief**

\$1.55m was set aside to cover up to six months of the taxi licence fees, of which \$1,365,277 has been used for that purpose.

**4. Authorisation Fee waiver**

\$968,000 was set aside to provide a waiver of the first \$500 payable of the 2018/19 authorisation fees, of which \$958,500 has been used.

## Tab 1

### Profile of taxi licence owners

Table 1. Number of taxi licences held by owners

Taxi licences held	Number of owners	Total licences
1	3,668	3,668
2	520	1,040
3	154	462
4	66	264
5	26	130
6 or more	83	1,215
<b>Total</b>	<b>4,517</b>	<b>6,779</b>

Table 2. Ownership of licences by type

Ownership	Number of owners	Total Licences
Company	427	881
Individual	2908	3678
Individual Partnership	988	1214
Authorised Service Provider	194	1006
<b>Total</b>	<b>4517</b>	<b>6779</b>

**Tab 2**

(DIR4583) Residential postcodes of drivers with the Passenger Transport (PT) Licence Code (T011) (based on information extracted from DRVMIS: 16-10-2020 12:32:40).

## Postcodes with 5 or less drivers

Postcode	Count
1885	1 - 5
2001	
2057	
2059	
2308	
2311	
2312	
2328	
2329	
2336	
2338	
2339	
2355	
2356	
2359	
2369	
2371	
2379	
2381	
2382	
2388	
2395	
2398	
2401	
2402	
2403	
2404	
2405	
2406	
2409	
2415	
2425	
2426	
2465	
2472	
2475	
2545	
2555	
2563	
2588	
2602	
2604	
2611	
2623	
2626	
2629	
2632	

## Postcodes with greater than 5 drivers

Postcode	Count
2000	6
2007	6
2008	6
2009	6
2010	6
2011	6
2015	6
2016	6
2017	6
2018	6
2019	6
2020	7
2021	7
2022	7
2023	8
2024	8
2025	8
2026	8
2027	8
2028	8
2029	8
2030	8
2031	9
2032	9
2033	9
2034	9
2035	9
2036	9
2037	10
2038	10
2039	10
2040	10
2041	11
2042	11
2043	11
2044	11
2045	11
2046	11
2047	12
2048	12
2049	12
2050	12
2060	12
2061	12
2062	12
2063	12
2064	12

<b>Total drivers</b>	<b>118,768</b>
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Postcode	Count
2644	
2647	
2648	
2649	
2655	
2656	
2658	
2660	
2665	
2668	
2669	
2672	
2675	
2681	
2701	
2703	
2706	
2712	
2713	
2714	
2717	
2721	
2722	
2725	
2729	
2730	
2731	
2732	
2733	
2734	
2736	
2737	
2739	
2792	
2793	
2798	
2803	
2805	
2806	
2807	
2809	
2818	
2822	
2823	
2824	
2831	
2833	
2834	
2836	
2843	
2844	
2847	
2864	

Postcode	Count
2065	13
2066	13
2067	13
2068	13
2069	13
2070	13
2071	13
2072	13
2073	13
2074	14
2075	14
2076	14
2077	14
2079	15
2080	15
2081	15
2082	16
2083	16
2084	16
2085	16
2086	17
2087	17
2088	18
2089	18
2090	18
2092	18
2093	20
2094	20
2095	21
2096	21
2097	21
2099	21
2100	21
2101	21
2102	22
2103	22
2104	22
2105	23
2106	23
2107	23
2108	23
2110	23
2111	23
2112	24
2113	24
2114	24
2115	25
2116	25
2117	26
2118	27
2119	27
2120	28
2121	28

<b>Total drivers</b>	<b>118,768</b>
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Postcode	Count
2865	
2866	
2867	
2869	
2873	
2879	
2898	
2904	
2906	
2912	
2913	
2914	
3003	
3011	
3084	
3170	
3204	
3338	
3644	
3690	
3691	
3707	
4014	
4300	
4310	
5070	
6025	
6062	
6101	
7000	
7315	

Postcode	Count
2122	28
2125	29
2126	29
2127	29
2128	29
2130	29
2131	29
2132	30
2133	31
2134	31
2135	31
2136	32
2137	33
2138	33
2140	33
2141	33
2142	34
2143	34
2144	35
2145	36
2146	36
2147	37
2148	37
2150	37
2151	37
2152	38
2153	38
2154	39
2155	39
2156	39
2157	39
2158	39
2159	39
2160	40
2161	41
2162	41
2163	42
2164	42
2165	42
2166	43
2167	44
2168	44
2170	45
2171	46
2172	46
2173	46
2174	46
2175	47
2176	48
2177	50
2178	50
2179	51
2190	51

<b>Total drivers</b>	<b>118,768</b>
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Postcode	Count
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Postcode	Count
2191	51
2192	51
2193	52
2194	52
2195	54
2196	55
2197	56
2198	56
2199	57
2200	57
2203	57
2204	57
2205	57
2206	59
2207	60
2208	60
2209	60
2210	61
2211	62
2212	62
2213	63
2214	63
2216	63
2217	67
2218	69
2219	69
2220	70
2221	70
2222	71
2223	71
2224	73
2225	73
2226	73
2227	73
2228	74
2229	74
2230	77
2231	77
2232	77
2233	79
2234	81
2250	82
2251	82
2256	84
2257	90
2258	90
2259	91
2260	91
2261	94
2262	95
2263	96
2264	98
2265	98

<b>Total drivers</b>	<b>118,768</b>
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Postcode	Count
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Postcode	Count
2267	99
2278	100
2280	100
2281	101
2282	101
2283	102
2284	103
2285	104
2286	104
2287	104
2289	105
2290	105
2291	105
2292	107
2293	107
2294	109
2295	109
2296	111
2297	115
2298	116
2299	116
2300	117
2302	117
2303	118
2304	119
2305	121
2306	122
2307	123
2315	123
2316	124
2317	125
2318	126
2319	127
2320	127
2321	128
2322	128
2323	129
2324	132
2325	133
2326	134
2327	136
2330	138
2333	138
2334	139
2335	139
2337	140
2340	140
2341	143
2343	143
2344	144
2346	144
2347	147
2350	148

<b>Total drivers</b>	<b>118,768</b>
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Postcode	Count
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Postcode	Count
2352	149
2353	150
2354	150
2357	151
2358	152
2360	154
2361	155
2365	157
2370	158
2372	159
2380	159
2390	161
2400	161
2420	162
2421	163
2422	165
2423	165
2427	168
2428	168
2429	168
2430	172
2431	174
2439	175
2440	176
2441	177
2443	179
2444	180
2445	182
2446	183
2447	184
2448	184
2449	187
2450	187
2452	188
2453	188
2454	192
2455	196
2456	196
2460	196
2462	196
2463	199
2464	199
2466	202
2469	202
2470	203
2471	203
2473	204
2474	204
2477	204
2478	206
2479	207
2480	209
2481	215

<b>Total drivers</b>	<b>118,768</b>
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Postcode	Count
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Postcode	Count
2482	215
2483	216
2484	218
2485	225
2486	225
2487	231
2488	232
2489	232
2500	233
2502	234
2505	234
2506	237
2508	239
2515	241
2516	245
2517	251
2518	251
2519	252
2525	253
2526	255
2527	258
2528	261
2529	264
2530	267
2533	269
2534	272
2535	273
2536	274
2537	277
2538	277
2539	279
2540	281
2541	282
2546	283
2548	283
2549	289
2550	292
2551	293
2556	294
2557	296
2558	301
2559	303
2560	306
2564	309
2565	310
2566	323
2567	326
2568	327
2569	330
2570	333
2571	335
2572	336
2573	336

<b>Total drivers</b>	<b>118,768</b>
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Postcode	Count
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Postcode	Count
2574	337
2575	339
2576	345
2577	347
2578	364
2579	368
2580	368
2581	376
2582	377
2583	378
2586	381
2587	385
2590	385
2594	389
2619	390
2620	394
2621	396
2622	398
2627	405
2628	421
2630	422
2640	430
2641	433
2642	436
2643	440
2646	462
2650	468
2651	470
2652	474
2653	479
2663	480
2666	484
2671	494
2680	494
2700	495
2705	495
2710	499
2711	508
2715	527
2720	529
2745	533
2747	540
2748	561
2749	573
2750	589
2752	595
2753	600
2754	601
2756	605
2757	606
2758	613
2759	615
2760	619

<b>Total drivers</b>	<b>118,768</b>
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Postcode	Count
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Postcode	Count
2761	633
2762	643
2763	648
2765	649
2766	665
2767	675
2768	691
2769	700
2770	729
2773	736
2774	749
2775	765
2776	797
2777	800
2778	815
2779	817
2780	825
2782	835
2783	846
2784	850
2785	856
2786	886
2787	886
2790	923
2794	961
2795	963
2799	975
2800	988
2804	991
2810	1,016
2820	1,027
2821	1,072
2825	1,077
2827	1,105
2829	1,136
2830	1,237
2832	1,333
2835	1,338
2840	1,351
2845	1,516
2848	1,700
2849	1,829
2850	1,970
2852	2,359
2870	2,793
2871	2,872
2877	2,955
2880	3,195

<b>Total drivers</b>	<b>118,768</b>
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**Tab - 3**  
**Taxi Licences by Area of**  
**Operation**

<b>Locations containing 5 or less taxi licences</b>	
<b>Operating locations</b>	<b>Number of TLH</b>
Aberdeen	1 - 5
Alstonville	
Ballina	
Balranald LGA	
Bargo	
Batemans Bay	
Bega	
Bellingen	
Bermagui	
Berry / Shoalhaven Heads	
Blackheath	
Blaxland / Glenbrook	
Blayney	
Bombala	
Bourke	
Bowraville	
Branxton / Greta	
Bungendore	
Byron Bay / Suffolk Park / Ewingsdale / Bangalow	
Camden / Wollondilly area - (constituting Camden LGA & Wollondilly LGA, excluding the towns of Bargo, Picton, Thirlmere & Tahmoor, & excluding any area within the Metropolitan Transport District).	
Cobar	
Condobolin	
Cooma Airport	
Coonabarabran	
Coonamble	
Coonamble (the township of)	

<b>Locations containing greater than 5 taxi licences</b>	
<b>Operating locations</b>	<b>Number of TLH</b>
Albury	6
Armidale	6
Bathurst	7
Broken Hill	7
Casino, Coraki	7
Cessnock	8
Coffs Harbour, Sawtell	8
Cooma	8
Cowra	8
Dubbo	8
Forbes	9
Gosford Wyong LGA (TX) & the townships of Wyee & Wyee Point	10
Goulburn	10
Grafton	10
Griffith LGA	11
Gunnedah	11
Inverell	12
Katoomba	13
Kempsey, Crescent Head	13
Kurri Kurri, Weston	13
Lismore	14
Lithgow	14
Maitland, Thornton & Woodberry in the city of Maitland, the townships of Beresfield, Tarro & Hexham in the city of Newcastle Council Area & the townships of Raymond Terrace, Medowie, Campvale & Ferodale in the Port Stephens Shire	14
Mittagong, Bowral, Moss Vale, Colo Vale & Hilltop	15
Moree	15
Mudgee	15

Cootamundra
Corowa
Culburra
Dareton, Buronga & Coomealla
Deniliquin
Dubbo (the city of)
Eden
Evans Head
Fingal Head
Forster / Tuncurry
Gilgandra
Glen Innes
Grenfell
Gundagai
Guyra
Harden / Murrumburrah
Helensburgh (the townships of) & the Metropolitan Transport District
Howlong
Huskisson / Sanctuary Point / St Georges Basin
Jindabyne
Junee LGA
Katoomba / Leura / Medlow Bath & Wentworth Falls
Kiama / Gerringong / Jamberoo
Kingscliff, Chinderah, Cudgen, Casuarina, Cabarita (Bogangar), Pottsville & Hastings Point
Kyogle including the suburbs of Bonalbo, Cawongla, Grevillia, Mallanganee, Tabulam, Old Bonalbo, Urbenville, Wiangaree & Woodenbong

Murwillumbah, Cabarita, Hastings Point & Pottsville.	18
Muswellbrook	19
Narrabri	20
Newcastle Transport District (TX) & the townships of Caves Beach, Catherine Hill Bay, Nords Wharf, Cams Wharf, Fern Bay, Minmi, Toronto, Williamtown, Medowie, Campvale & Ferodale.	21
Nowra	22
Orange	25
Parkes	27
Port Macquarie	28
Queanbeyan	28
Tamworth, Kootingal, Moonbi, Attunga & Duri	28
Taree, Cooperook, Harrington, Manning Point, Old Bar, Wallabi Point, Diamond Beach, Hallidays Point & Nabiac	30
Tweed Heads / Fingal Head (the greater area of)	31
Wagga Wagga	69
Wollongong Transport District & Shellharbour LGA	127
Young	156

NSW Excluding Metropolitan (Sydney) Transport District	275
Metropolitan (Sydney) Transport District	5344
<b>Total taxi licences</b>	<b>6777</b>

Laurieton, North Haven, Lake Cathie, Bonny Hills, Camden Haven, Lakewood, Kew & Kendall
Lawson
Lawson, Woodford, Hazelbrook, Linden & Bullaburra
Leeton
Macksville
Maclean
Merimbula
Merriwa LGA
Milton / Ulladulla
Moama
Morisset, Wyee, Wyee Point
Moruya
Mullumbimby, Brunswick Heads, Billinudgel, South Golden Beach, New Brighton, Ocean Shores & Bangalow
Murray LGA
Murrumbateman
Muswellbrook, Denman, Aberdeen & Scone
Nambucca Heads
Narooma
Narrandera
Narromine
Nowra / Bomaderry
Oberon
Picton / Tahmoor / Thirlmere
Portland
Quirindi
Scone
Singleton
South Bowenfels
South West Rocks
Springwood
Springwood (independent taxi)
Springwood, Valley Heights, Falconbridge, Winmalee
Sussex Inlet
Sydney Metropolitan Area
Tamworth & district
Taree
Taree LGA
Temora
Tenterfield

Thredbo	
Tomaree Peninsula	
Tumut	
Uralla	
Urunga	
Walgett	
Wangi Wangi	
Wauchope	
Wellington	
Wentworth	
West Wyalong	
Wingham	
Woolgoolga	
Yamba	
Yass	