

Sensitive: NSW Government

COMPLIANCE ACTIVITY PLAN

**BIG BASH LEAGUE – COFFS HARBOUR
3 JANUARY 2025**

Point to Point Transport Commission

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1. Situation

1.1. General Information

The CAP will predominantly concentrate on contraventions of the *Point to Point Transport (Taxis and Hire Vehicles) Act 2016* (the **Act**) and the *Point to Point Transport (Taxis and Hire Vehicles) Regulation 2017* (the **Regulation**).

Salesforce and DVD data has been utilised as an Intelligence tool.

1.2. Background and Legislation

A Big Bash League game between the Sydney Sixers and the Brisbane Heat will be held at the Coffs Harbour International Stadium, Coffs Harbour. The event is expected to be attended by more than 9000 patrons. The game commences at 6.05pm with gates open at 5.00pm. It is expected to finish at 9.00pm. The arrival and departure of patrons from the venue is expected one hour either side of start and finish of the game. Point to Point Transport Services will have a designated taxi rank (ungazetted – ‘pop up’), based adjacent to Stadium Drive opposite Ted Ovens Drive. This area is also shared by a sign posted Kiss and Drop zone.

There is no designated ride share area and it is anticipated that most Point to Point Services will commence and end in the Kiss And Drop zone. Rideshares are also likely to use the carpark area adjacent to the stadium in Cunningham Drive at egress. This area closest to the entrance/main exit of the stadium.

The TMP for the site is attached below. Along with licensed and authorised service providers, intelligence has shown these kinds of events also attract illegal service providers. Intelligence also suggests Uber drivers from the Sydney and Brisbane areas will attend the game offering journeys prior to and at the completion of the event.

Drivers of taxis and hire vehicles are known to attempt to gain advantage by circumventing the legislative requirements at these locations. Such breaches may include:

- **Section 27 Provider of taxi service or booking service must be authorised**
 - (1) *A person must not provide a taxi service or booking service unless the person is authorised to provide that service. Maximum penalty: \$110,000.*
 - (2) *An affiliated provider is not required to be authorised to provide a taxi service if the provision of that service is facilitated by another authorised provider of a taxi service.*
 - (3) *A person who provides a passenger service must ensure that bookings for that service are not taken from the provider of a booking service unless the provider is authorised to provide that service under this Act. Maximum penalty: \$110,000.*
 - (4) *A driver who drives a motor vehicle used for a passenger service must not take bookings for the passenger service from the provider of a booking service unless the provider is authorised to provide that service under this Act. Maximum penalty: 100 penalty units.*
- **Section 47(a) – Taxis must be licenced**
 - A person must not use a motor vehicle to provide a taxi service unless:
the provider, or an employee, contractor or affiliated provider of that provider,
is the holder of a tax*

- **Section 76 – Fares orders**

(1) TfNSW may, by order published on the NSW legislation website (a fares order), determine the following for all or any of the services provided by 1 or more passenger services—

(a) the maximum fares for the service or services,

b) specified maximum fares or classes of fares for the service or services.

(2) TfNSW may have regard to any recommendation of IPART under this Part when making a fares order.

(3) A fares order may specify a fare or specify the manner in which a fare is to be calculated.

(4) A fares order may also approve other arrangements for remuneration in connection with the service.

(5) A person must not demand a fare for the provision of a service that—

(a) exceeds the amount of the fare determined for the service under a fares order, or

(b) contravenes arrangements for remuneration approved by a fares order.

- **Clause 13 – Driver identification – taxi drivers**

A driver of a taxi must be provided with a driver identity document in the form of a card or electronic document containing the following;

(a) a photograph of the driver

(b) an identification number provided by the provider of the taxi service,

(2) a taxi must be fitted with a device for displaying the driver identity document that enables it to be displayed so that it is clearly visible to any passenger in the taxi.

- **Clause 20(2) – Hire vehicles display of retroreflective sign**

The driver of a hire vehicle (other than a motor cycle) that is being used to provide a passenger service must ensure that a retroreflective sign is displayed on or attached to the vehicle that:

(a) makes it apparent that the vehicle is a hire vehicle, and

(b) is located on or near the rear of the driver's side of the vehicle, and

(c) is clearly visible from the outside of the vehicle.

- **Clause 28(1) – Taxi driver identity document to be displayed**

A driver of a taxi that plies or stands for hire on a road or road related area must ensure that the driver's identity document is displayed in the vehicle in accordance with clause 13.

- **Clause 66 – No touting or soliciting for passengers**

The driver of a passenger vehicle or any other person must not tout or solicit for passengers for, or for a hiring of, a vehicle.

Touting or soliciting for passengers generally involves a driver approaching prospective passengers and offering transport for reward, thereby circumventing the pre-booking requirements for hire cars, or the queuing in designated taxi-zone requirements for taxis.

- **Clause 77(1) – Driver of taxi to accept hiring**

The driver of a taxi that is available for hire must accept a hiring immediately when offered.

This Subsection does not apply as a result of circumstances where Subsection (2) applies.

- **Clause 81 Operation of fare calculation device by taxi driver**
 - (1) The driver of a taxi to which a fare calculation device is fitted—*
 - (a) must not start the device before the taxi is hired, and*
 - (b) as soon as the taxi is hired, must start the device, and*
 - (c) during any hiring, must keep the device running, and*
 - (d) during any hiring, must stop the device for as long as may be necessary to prevent it from registering a charge in any period during which—*
 - (i) a hirer is paying the fare for his or her hire and getting out of the taxi, or*
 - (ii) the taxi is delayed because of any shortage of fuel or any accident to the tyres, mechanism or any other portion of the taxi, or*
 - (iii) the taxi is delayed for any reason that may be prevented by the driver.*
- **Clause 84 – No plying or standing for hire**

The driver of a hire vehicle must not:

 - (a) ply, stand or park the hire vehicle for hire on any road or road related area, or*
 - (b) use the hire vehicle to carry out a hiring other than for a booking made before the driver stops the vehicle at the place where the passenger is picked up, or stop, stand or queue in a taxi zone.*

***Plying or standing for hire** contravenes the requirement for ride share vehicles in particular to have a pre-arranged booking and constitutes an attempt by hire vehicles to operate in a manner akin to taxis.*

1.3. Resources

The event will be resources with One team of two (2) Inspectors from Grafton Regional Office that will be tasked to the compliance activity in order to achieve the goal set out in 3.2.

1.4. External Resources – NIL

2. Mission

To ensure the safety of the public by assessing compliance and detecting contraventions of the *Point to Point Transport (Taxis and Hire Vehicles) Act 2016* (the **Act**) and the *Point to Point Transport (Taxis and Hire Vehicles) Regulation 2017* (the **Regulation**).

3. Execution

3.1. General Outline

Team will consist of one team of two (2) Inspectors who will travel to the Coffs Harbour Area and utilise a vehicle and carry out compliance activities as listed below (3.2).

3.2. Group Details & Schedule

Below outlines the teams and proposed approximate timings (subject to change by the Senior Manager):

Compliance Activity Plan (CAP) – Big Bash League Coffs Harbour 2024

Lead Inspector: [REDACTED]

Friday 3 January 2025 (travel to and from Grafton to Coffs Harbour during shift times)
4pm to 11pm including 30-minute break during shift.

Focus OSC activities in areas surrounding the event at the International Stadium, Stadium Drive.

| Team 1 |
|------------|
| [REDACTED] |
| [REDACTED] |

3.3. Locations of Interest

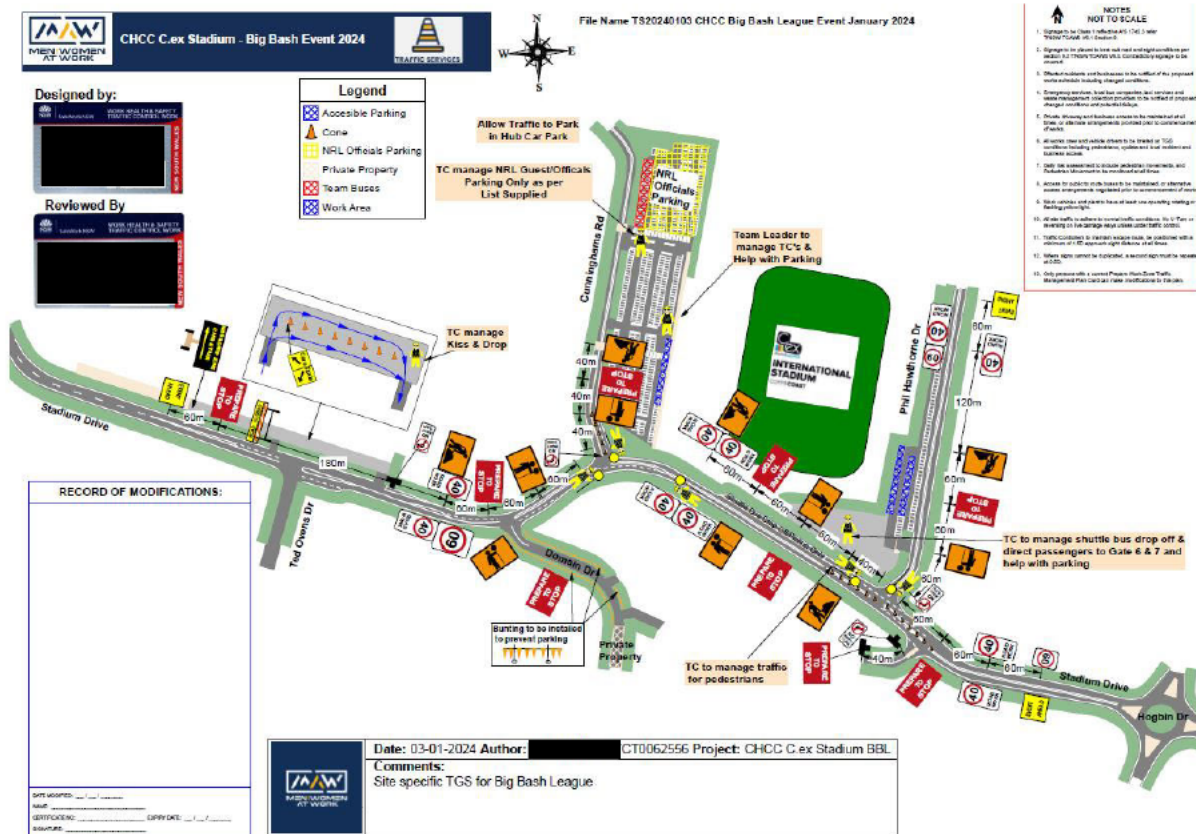
The Big bash League CAP will focus on TSPs and BSPs in the area surrounding the Coffs Harbour International Stadium, Stadium Drive, Coffs Harbour.

There is a dedicated area for taxis usage, (not gazetted – pop up), at the forecourt to stadium. This area is also a Kiss and Drop zone for general public usage. It is located opposite Ted Ovens Drive with access available from both the northern and southern carriageways of Stadium Drive. This area has two lanes separated by cones with the front lane dedicated for taxis and the rear lane for the general public kiss and drop.

There is no dedicated rideshare area however traffic management has been encouraged to direct rideshares into the Kiss and Drop zone.

Rideshares are also anticipated to use the carpark adjacent to the stadium in Cunningham Road particularly at egress.

The full Traffic Management Plan is annexed to this CAP.



Passenger vehicle inspection locations

4. Administration & Logistics

4.1. Work Health & Safety

All Inspectors will wear suitable clothing to provide protection from the weather conditions.

Inspectors to ensure they bring their own water to the location and are to remain well hydrated. Hi-Vis vests are required for this activity as this CAP will require the Inspector's to conduct work where moving traffic is on the roadway. Should any changes arise during the activity that may warrant reconsideration of this situation this should firstly be discussed with the Senior Inspector.

Given this is a regional compliance activity, fatigue management is paramount and is the responsibility of all Inspectors; not only for themselves. Activities may be adjusted to allow for fatigue management or for altering conditions/activities at the site as advised by the Senior Inspector.

4.2. Dress & Equipment

All Inspectors will ensure they have their Authorisation ID Card, Hi-Vis Vest, Official Notebook, Mobile Phone, Body Worn Camera (if authorised) and Two-Way Radio on them at all times during the Compliance Activity.

Each team should access their full Inspector kit as required, including wet weather gear and any other gear deemed necessary.

4.3. Briefings

A briefing will occur on Tuesday 24 December 2024 and at the commencement of the shift, as outlined above in 3.2 Group Details & Schedule.

4.4. De-Briefing

If there is time a de-briefing will occur at the end of each day.

A de-briefing will occur on Tuesday 14 January 2025.

4.5. Activity Reports

The senior inspector will obtain all relevant activity outcomes from the teams in preparation for the de-briefing with the Senior Manager.

4.6. Medical

If any injury occurs, the Senior Inspector must be notified as soon as practicable. First aid is to be administered immediately – and First aid equipment is available in P2P vehicles. Injuries of a serious or indeterminate nature will be dealt with by way of NSW Ambulance Service, local medical centres or Hospital.

4.7. Meals

All meals will be the responsibility of the respective team involved in the Compliance Activity. Meals will be taken during the shift within the first five hours.

4.8. Enforcement Action

Any interactions with persons suspected of contravening the Act or Regulation are to be dealt with as per Commission procedures.

1. Inspectors are to operate at locations nominated by the Senior Inspector.
2. Should any non-compliance activity be observed the drivers should be approached and the situation discussed.
3. Officers must announce their office and produce their P2P Authorised Officers' identification. Officers must then ask for the driver's NSW drivers Licence.
4. The following information should then be recorded in the officers' contemporaneous note book.
 - Date and time of the alleged offence

- Drivers name and D.O.B
 - NSW Driver Licence Number
 - Description of driver
 - The type of vehicle
 - The make and model of vehicle if possible
 - The registration plate of the vehicle
 - Position where the alleged offence occurred
 - Any other identifying features
 - Conversation held with the driver in the first person (*'he said/she said'*),
 - Fare charged for transport (if required).
5. Inspectors should then advise the driver they may receive a penalty notice for the breach or be contacted to provide additional information.
 6. Inspectors should then depart the location to conduct a short debrief with the Senior Inspector if available and await further instructions.
 7. A corroborating inspector may observe the activity from a distance, and may take photographs, but if doing so, may not interact in any way with the driver and must remain in a public place, so as to avoid the possibility of activating responsibilities under surveillance legislation. Corroborating inspectors may overhear conversations but may not electronically record them.

It is imperative that the proofs of the offence are obtained and recorded at the time of the offence and that Inspectors exercise their powers in accordance with the Legislation.

Once a breach has been detected, the Inspector will advise the driver of the breach and inform the driver that he/she is required to comply with legislation before the driver is able to re-commence duties.

At the conclusion of the activity each inspector will advise the senior inspector of the number and type of offences detected during the activity. All matters where a potential contravention of the legislation is detected should be detailed fully in the Inspector's notebook and include the details of all evidence collected, observations, photos, etc.

All follow up action including the issuing of Improvement / Prohibition or Penalty Notices is the responsibility of the identifying inspector unless otherwise directed by the Senior Inspector. Where it is identified that a notice might be appropriate this must be discussed with the Senior Inspector in the first instance prior to issue.

Follow up actions must be finalised within a timely manner after the conclusion of the activity.

4.9. Media and Professional Conduct

During this compliance activity, Inspectors will report any media attention immediately to the Senior Inspector, who will advise the Senior Manager. At all times, inspectors will conduct themselves in a professional manner and abide by the Code of Conduct, applicable to Transport for NSW.

4.10. Liaison

Any liaison between agencies or the community are to be done adhering to the NSW Transport Code of Conduct, displaying professionalism at all times.

4.11. Risk Assessment

A risk assessment will be conducted by the Senior Inspector upon arrival in Coffs Harbour to identify if there are any risks present that were not anticipated. The Senior Inspector will take the lead to eliminate or control any such risks. If this is not possible then the Senior Inspector will direct the activity to take place at another location or alternate date.

Managing the risk of COVID-19

All Inspectors must:

1. Always comply with the Safe Work Method Statement (SWMS) – P2P Program Team Offsite Tasks.
2. Comply with national and state public health directions.
3. Promote effective social distancing and hygiene measures.
4. Raise any concerns about the risk of contracting COVID-19 immediately with the LAO.
5. Monitor the extent of COVID-19 in Coffs Harbour throughout the activity.

5. Communications

5.1. Contacts

Stadium Event Manager – [REDACTED]

Lead Inspector – [REDACTED]

Regional Manager - [REDACTED]

Senior Manager – [REDACTED]

Central Activity Locations

Coffs Harbour International Stadium

5.2. Communications

The Lead Inspector will keep the Regional Manager and or Senior Manager updated throughout the compliance activity as required with mobile phones and two-way radios to be utilised throughout this CAP.

The times and conditions of the shift may only be adjusted with the approval of the Lead Inspector. The activity is intelligence based and the targeted areas may be changed to suit as per the directions of the Lead Inspector.