

Sensitive: NSW Government

COMPLIANCE ACTIVITY PLAN

DATES: 24-25, 27-28 FEBRUARY 2025

COMPLIANCE OPERATION

BILLIE EILISH



QUDOS BANK ARENA

Salesforce Parent Case: C-0262647

Point to Point Transport Commission

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1. Situation

This Operation is part of our ongoing collaboration with the Sydney Olympic Park Authority (SOPA) in relation to non-compliance activity. The location will be at the Qudos Bank Arena located on Olympic Blvd, Sydney Olympic Park with an expected crowd of approx. 30,000 people per night on 24-25, 27-28 February 2025.

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**) by passenger vehicles dropping off and picking up passengers at the event with a focus on the following:.

- Taxi Service Providers not providing a taxi with a device for displaying the driver identity document.
 - Driver of taxi to accept hiring.
- Taxi drivers not ensuring that their driver's identity document is displayed in the vehicle.
- Hire vehicle drivers not ensuring a retroreflective sign is displayed on or attached to the hire vehicle.
- Hire vehicles and taxi-cabs - no touting or soliciting for passengers or the hiring of a vehicle or plying or standing for hire.
- Observing if the driver of a motor vehicle being used for a passenger service takes reasonable care that his or her own acts or omissions do not adversely affect the health and safety of other persons.

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

1.1. Background and Legislation

Several compliance activities were undertaken within the Sydney Olympic Park precinct during events of this type. The Sydney Olympic Park Authority has requested our ongoing attendance during events that attract large crowds to ensure compliance for a safe, reliable and efficient point to point transport service by taxis and hire vehicles. 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 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.
- Maximum penalty—100 penalty units.

- (6) This section does not prevent the provider of a passenger service from demanding a fare that is, or making contracts or arrangements for the provision of a service for which the fare is, lower than that determined under a fares order.

- **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.
- Maximum penalty—10 penalty units.
- (2) The driver of a taxi that is hired as a result of the taking of a booking for the taxi must, if the fare is subject to payment using the Taxi Transport Subsidy Scheme administered by TfNSW, ensure that the fare calculation device is operated for the purposes of the hire in accordance with subclause (1).
- Maximum penalty—10 penalty units.

- **Clause 13(2) Fitting of a device to hold a driver ID**

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 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 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 66 - No touting or soliciting for passengers**

- (1) 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.

Maximum penalty:

- (a) in the case of an offence committed in the Sydney Airport precinct—50 penalty units, or
- (b) in any other case—5 penalty units.

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

- **Clause 77 – Driver of taxi to accept hiring**

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

Maximum penalty: 10 penalty units.

- (2) However, the driver of a taxi may refuse to accept a hiring in any of the following circumstances:

- (a) if acceptance would result in a breach of the Road Rules 2014,
- (b) in the case of a driver who is proceeding to a destination for the purpose of terminating a driving shift, if the intending passenger indicates that he or she wishes to be taken to a location that is not on the way to that destination,
- (c) if the intending passenger indicates that he or she wishes to be taken to a location that is outside the taxi's area of operation,
- (d) if the intending passenger is smoking, or drinking alcohol, and refuses to stop doing so,
- (e) if the intending passenger is a person who is, or who is carrying a thing that is, likely to soil or damage the taxi or the clothing or luggage of other passengers, or to otherwise cause inconvenience, a nuisance or annoyance to other passengers or to the driver,
- (f) if one of the intending passengers is under the age of 1 year and neither the driver of the taxi nor any other intending passenger is carrying a child restraint that complies with the applicable requirements of rule 266 of the Road Rules 2014,
- (g) if the intending passenger cannot, on request, satisfy the driver that the person is able to pay the estimated fare,
- (h) if the intending passenger, on request in accordance with clause 56, refuses to pay the deposit in accordance with that clause.

- **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
- (c) stop, stand or queue in a taxi zone.

Maximum penalty: 30 penalty units.

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.

1.2. Resources

The compliance activity team will comprise of members of the Compliance Branch.

Team details are outlined below

2 x P2P marked vehicle on Mon 24 February 2025

2 x P2P marked vehicles on Tue 25 February 2025

2 x P2P marked vehicle on Thurs 27 February 2025

2 x P2P marked vehicle on Fri 28 February 2025

1.3. External Resources – N/A

N/A

2. Mission

To ensure the safety of the public by assessing compliance of ASPs with the Act and Regulations and engage with all stakeholders raising awareness.

To detect breaches of the Legislation being performed by taxis and hire vehicle drivers with the focus on touting or soliciting for passengers (Clause 66), retroreflective signage (Clause 20) and display of driver identity document (Clause 28(1)).

Execution

2.1. General Outline

The CAP will be conducted from Monday, 24 February to Tuesday, 25 February, and Thursday, 28 February to Friday, 29 February 2025, between the hours of 10:00pm and 11:30pm.

CAP will only be conducted in areas within the Sydney Olympic Park precinct, focusing on the taxi rank and Hire Car pick up areas located on Olympic Boulevard. There will be no dedicated ride share pick up area, ride share vehicles will be permitted to pick up on the surrounding roads.

Secure Taxi Rank

1. Herb Elliot Ave

Below are the locations of Hotspots:

1. Hire Car parking area – located on Olympic Boulevard

2.2. Group Details & Schedule

Below outlines the teams and proposed timings:

P2P – Lead Inspector: as indicated.

Timing: 10:00pm- 11:30pm

Team 1 – Mon 24 Feb
Lead Inspector: [REDACTED]
[REDACTED]

Team 2 – Mon 24 Feb
[REDACTED]
[REDACTED]

Team 1 – Tue 25 Feb
Lead Inspector: [REDACTED]
[REDACTED]

Team 2 – Tue 25 Feb
[REDACTED]
[REDACTED]

Team 1 – Thurs 27 Feb
Lead Inspector: [REDACTED]
[REDACTED]

Team 2 – Thurs 27 Feb
[REDACTED]
[REDACTED]

Team 1 – Fri 28 Feb
Lead Inspector: [REDACTED]
[REDACTED]

Team 2 – Fri 28 Feb
[REDACTED]
[REDACTED]

3. Administration & Logistics

3.1. Work Health & Safety

Compliance Activity Plan (CAP) – Billie EILISH- Qudos Bank Arena

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.

Should any changes arise during the activity that may warrant reconsideration of this situation this should firstly be discussed with the Senior Inspector.

3.2. Dress & Equipment

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

All personnel involved in the activity to dress in full P2P uniform including high vis vests.

3.3. Briefings

A briefing will occur onsite, as outlined above in 2.1 and 2.2 Group Details & Schedule.

3.4. De-Briefing

A de-briefing will occur on Monday 1st March 2025 with the Senior Manager via Teams.

3.5. Activity Reports

The Lead Inspector will obtain all relevant activity outcomes from the teams in preparation for the de-briefing with the Manager.

3.6. Medical

If any injury occurs, the Lead 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. The Senior Manager should be notified ASAP of any injury occurring to any team member.

3.7. 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 if required.

3.8. Enforcement Action

Any interactions with persons suspected of contravening the Act or Regulation are to be dealt with as per procedures and attached '*Guidance for Procedures for CAPs Generic*'.

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 owner of the vehicle of the breach and inform them that he/she is required to comply with legislation.

At the conclusion of the activity each officer will advise the Lead 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.

Before follow up action is taken, participating inspector's will attend the debrief (refer 3.4) to discuss and determine which offences that have been detected during the activity that require follow up action including the issuing of Improvement / Prohibition/ Penalty Notices or prosecution. It is the responsibility of the identifying inspector unless otherwise directed by the Senior Manager to complete the follow-up action as required.

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

3.9. Media and Professional Conduct

During this compliance activity, Inspectors will report any media attention immediately to the Lead 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 TfNSW.

3.10. Liaison

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

3.11. Risk Assessment

Lead Inspector will assess the area for operation upon arrival. The Lead Inspector will take the lead to eliminate or control any such risks. If this is not possible then the Lead Inspector will direct the activity to take place at another location or alternate date.

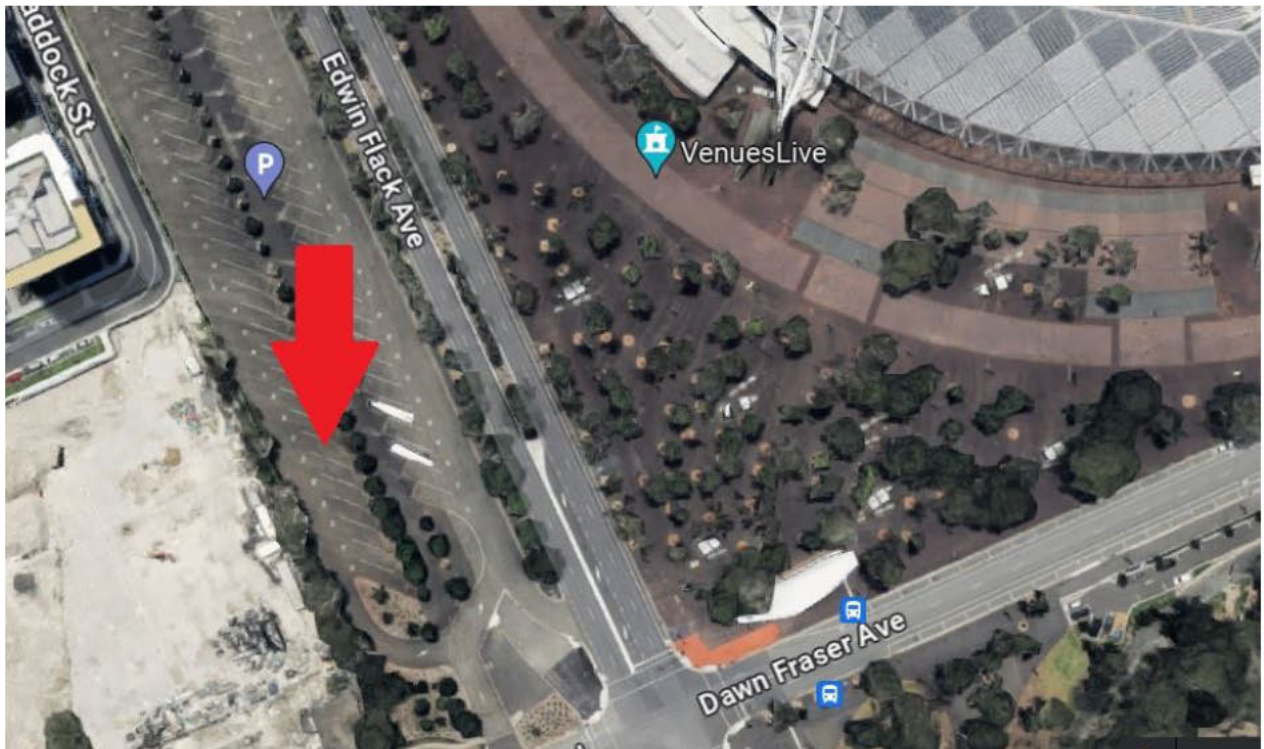
EMERGENCY PROCEDURES

Any person identifying an emergency should raise the alarm by contacting the Lead Inspector immediately, who will then advise the Sydney Olympic Park Authority (SOPA) and the Traffic Management Centre (TMC).

Emergency Services contact available via SOPA Rangers [REDACTED] or direct access (000)

In the event of an emergency, direction may result in returning to activities, evacuating to the assembly area. In the event of any delay in instructions, contact SOPA Rangers and await direction. Do not proceed to the assemble area unless imminent danger.

The closest evacuation assembly area is shown below. Inspectors must proceed to the closest assemble area from their assigned location - Refer **2.2 - Group Details & Schedule**.



Bus Layover Carpark – Edwin Flack Ave x Dawn Fraser



P6 Carpark – Australia Ave x Murray Rose Ave



P4 Carpark – Sarah Durack Ave x Edwin Flack Ave

4. Communications

4.1. Contacts

P2P – Senior Inspector – [REDACTED]

4.2. Central Activity Locations

Sydney Olympic Park.

4.3. Communications

The Lead Inspector will keep the Senior Manager – Inspections updated throughout the compliance activity.

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 accommodate any new information obtained.

Mobile phones and two-way radios will be utilised throughout this CAP.

Annexure A

