

Sensitive: NSW Government

COMPLIANCE ACTIVITY PLAN

COMPLIANCE OPERATION



2025 SYDNEY GAY & LESBIAN MARDI GRAS

P2P Transport Commission

Salesforce Parent Case: C-0264372

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1. Situation

1.1. General Information

This compliance operation forms part of the P2P strategy aimed at improving compliance with the *Point to Point Transport (Taxis and Hire Vehicles) Act 2016* (the **Act**), the *Point to Point Transport (Taxis and Hire Vehicles) Regulation 2017* (the **Regulation**).

1.2. Background and Legislation

The purpose of the operation is to inspect taxis and hire vehicles to ensure compliance relating to the *Point to Point Transport (Taxis and Hire Vehicles) Act* and *Regulation*.

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

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.

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 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.

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

Clause 67 - Driver to be hired only at specific zones—Sydney Airport precinct and other airports

(1) The driver of a passenger vehicle must not, while in the Sydney Airport precinct or at any other airport, stop the vehicle for the purpose of setting down or picking up passengers except in a designated area for that kind of vehicle.

Maximum penalty: 50 penalty units.

Picking up other than in a designated zone (clause 67), which is essentially 'queue jumping' for advantage;

designated area for a passenger vehicle means an area in the Sydney Airport precinct or at another airport that is designated by signs erected with the approval of the Sydney Airport Corporation Limited or the manager of the airport as an area for the setting down and picking up of passengers of that kind of vehicle.

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 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.
- (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 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.

1.3. Resources

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

Team details are outlined below in 2.2

1.4. External Resources – N / A

2. Mission

- To detect breaches of the Legislation with the focus on breaches of Point to Point Transport legislation

Execution

2.1. General Outline

The operation will be conducted as outlined in the attached annexure

All personnel involved in the operation will perform duties in pairs and will be dressed in full P2P uniform or casual attire as required.

During the operation, inspectors that detect an offence and wish to further question the driver in relation to the breach must ensure a “caution” is provided to the driver before asking questions and advise the driver that giving false or misleading information to an Authorised Officer is a serious offence.

While conducting the operation, inspectors should take the following steps to ensure that procedural fairness is afforded to any driver in breach, and to ensure there can be no accusation of ‘entrapment’ on the part of P2P which may render evidence in prosecution liable to be excluded as inadmissible under ss.135 to 138 of the Evidence Act 1995.

1. Inspectors must then announce their office and produce their P2P Authorised Officers’ identification. Officers must then ask for the driver’s NSW drivers Licence.

2. The following information should then be recorded in the Inspectors contemporaneous notebook as soon as practical after, a conversation or observation has taken place
 - Date and time of the alleged offence
 - Drivers name and D.O.B
 - NSW Driver Licence Number
 - The type of vehicle;
 - The make and model of vehicle if possible;
 - The registration plate of the vehicle;
 - Any other identifying features
 - Conversation held with the driver in the first person ('he said/she said'),
 - Destination and fare quoted for transport.
3. Inspectors should then advise the driver they may receive a penalty notice in the mail for the breach or be contacted to provide additional information.
4. Corroborating Inspectors 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.

The times and conditions of the shift may only be adjusted with the approval of the Senior Inspector (V2). This compliance activity is intelligence based and the targeted areas may be changed to accommodate any new information obtained.

2.2. Group Details & Schedule

Below outlines the teams and duties (Subject to change)

Date: Friday 28th Feb 2025			
Times: 6:00pm – 2:00am			
Covert - Plain Clothes			
Sydney Domestic Airport 6:00pm – 9:00pm			
Sydney CBD 9:30pm – 2:00am			
Team 1	Team 2	Team 3	Team 4
██████████ ██████████	██████████ ██████████	██████████ ██████████	██████████ ██████████
Transport Vehicle Team 5	Transport Vehicle Team 6	Ford Ranger – ██████████ (SYD 6) Lime Street – Bus Layover Carpark - Code: ██████████	
Overt – Full P2P Uniform			
Sydney Domestic Airport 6:00pm – 9:00pm			

Sydney CBD 9:30pm – 2:00am	
Team 5	Team 6
[Redacted]	[Redacted]
[Redacted]	[Redacted]
[Redacted]	[Redacted] 4)

Date: Saturday 1st March 2025 Times: 1:00pm – 7:00pm	
Duties	
Sydney Domestic Airport 1:00pm – 4:00pm	
Sydney CBD 4:00pm – 7:00pm	
Team 1 – Covert – Plain Clothes	Team 2 – Overt – Full P2P Uniform
[Redacted]	[Redacted]
[Redacted]	[Redacted]
[Redacted]	[Redacted]

Date: Saturday 1st March 2024 Times: 7:00pm – 3:00am			
Covert - Plain Clothes			
Sydney CBD + Moore Park 7:00pm – 3:00am			
Team 1	Team 2	Team 3	Team 4
[Redacted]	[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]	[Redacted]

Overt – Full P2P Uniform	
Sydney CBD + Moore Park 7:00pm – 3:00am	
Team 5	Team 6
[Redacted]	[Redacted]
[Redacted]	[Redacted]
[Redacted]	[Redacted]

3. Administration & Logistics

3.1. 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. 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 wear their Hi-Vis Vest during the operation and have their Authorisation ID Card (Badge), Official Notebook, Mobile Phone and Two-Way Radio on them at all times if issued.

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 the first Monday after the completion of the CAP with the Senior Manager –via Teams.

3.5. Activity Reports

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

3.6. 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. The Senior Manager should be notified ASAP of any injury occurring to any team member.

3.7. Meals

A 30 minute meal break will be taken during the shift only if the working hours exceed 5 hours.

3.8. Enforcement Action

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 Officer will advise the owner of the vehicle / driver 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 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.

Before follow up action is taken, participating inspectors 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 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 TfNSW.

3.10. Liaison

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

3.11. Risk Assessment

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. Comply with at all times 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. Where social distancing of 1.5 meters is not practicable, a mask must be worn by all P2P Inspectors.
5. Raise any concerns about the risk of contracting COVID-19 immediately with the Senior Inspector.
6. Monitor the extent of COVID-19 in the CBD area throughout the activity.

Assess the risk of COVID-19

The activity will include looking for ways to minimise the spread of the virus. This will include:

- Ceasing the activity that will involve close personal contact (less than 1.5m)
- Implementing controls to reduce direct contact with drivers which include social distancing of at least 1.5 meters.

Communications

3.12. Contacts

Senior Inspector – [REDACTED]

Senior Manager – [REDACTED]

3.13. Central Activity Locations

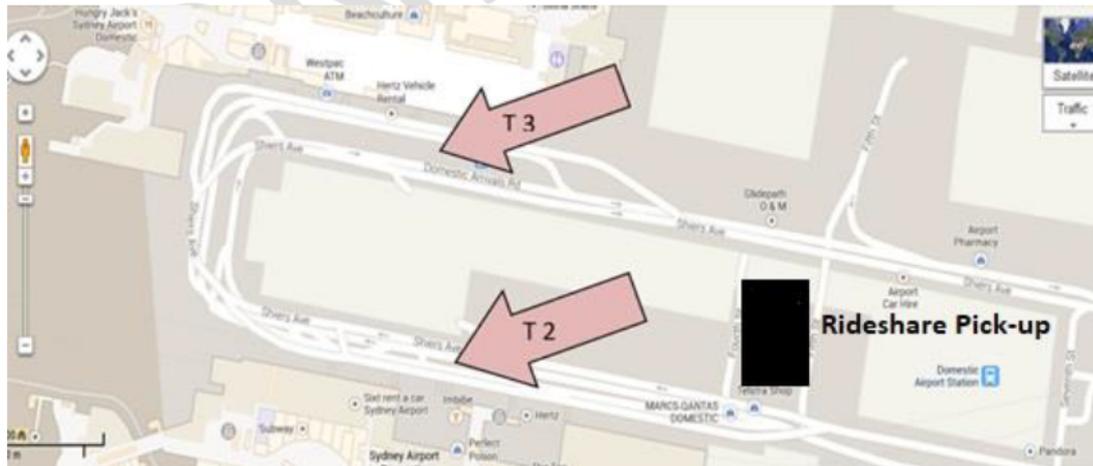
Sydney Airport + CBD

3.14. Communications

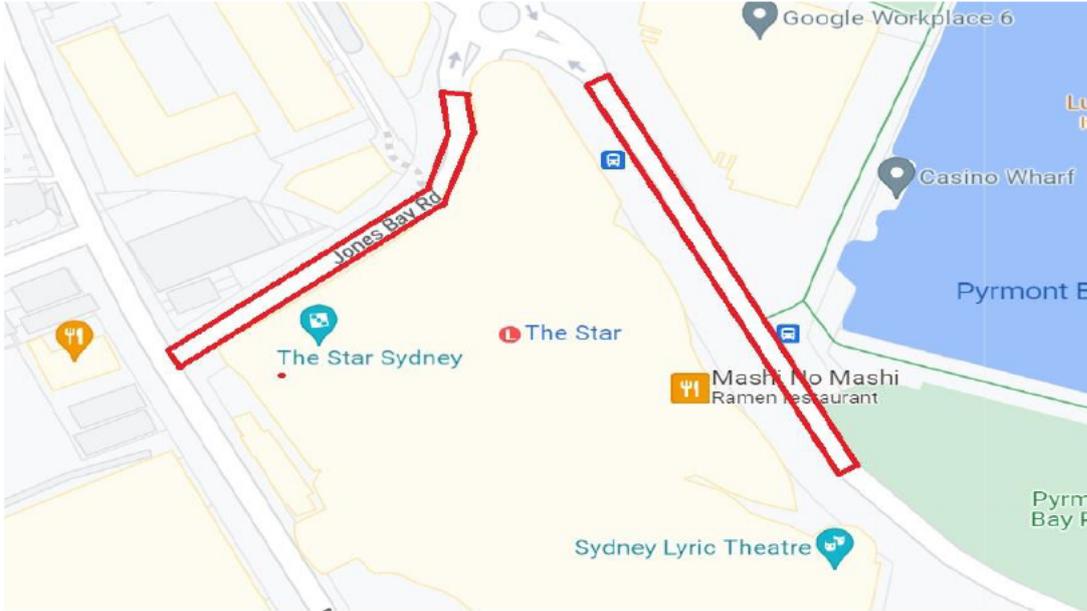
The Senior Inspector will keep the Senior Manager - Inspections updated throughout the compliance activity.

The times and conditions of the shift may only be adjusted with the approval of the Senior 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 must be utilised throughout this CAP if issued.

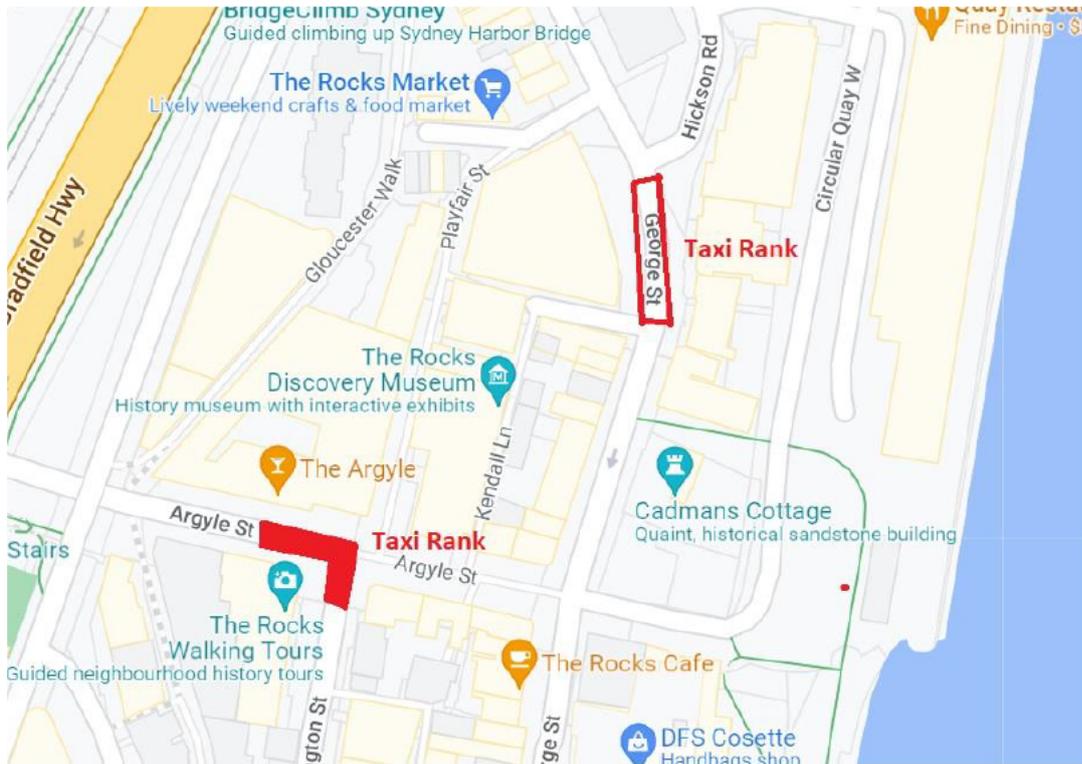
Annexure A - Location – Terminal 2, Terminal 3 + Rideshare pick-up area – Sydney Domestic Airport



Annexure B - Location – Pyrmont – Jones Bay Rd + Pirrama Road

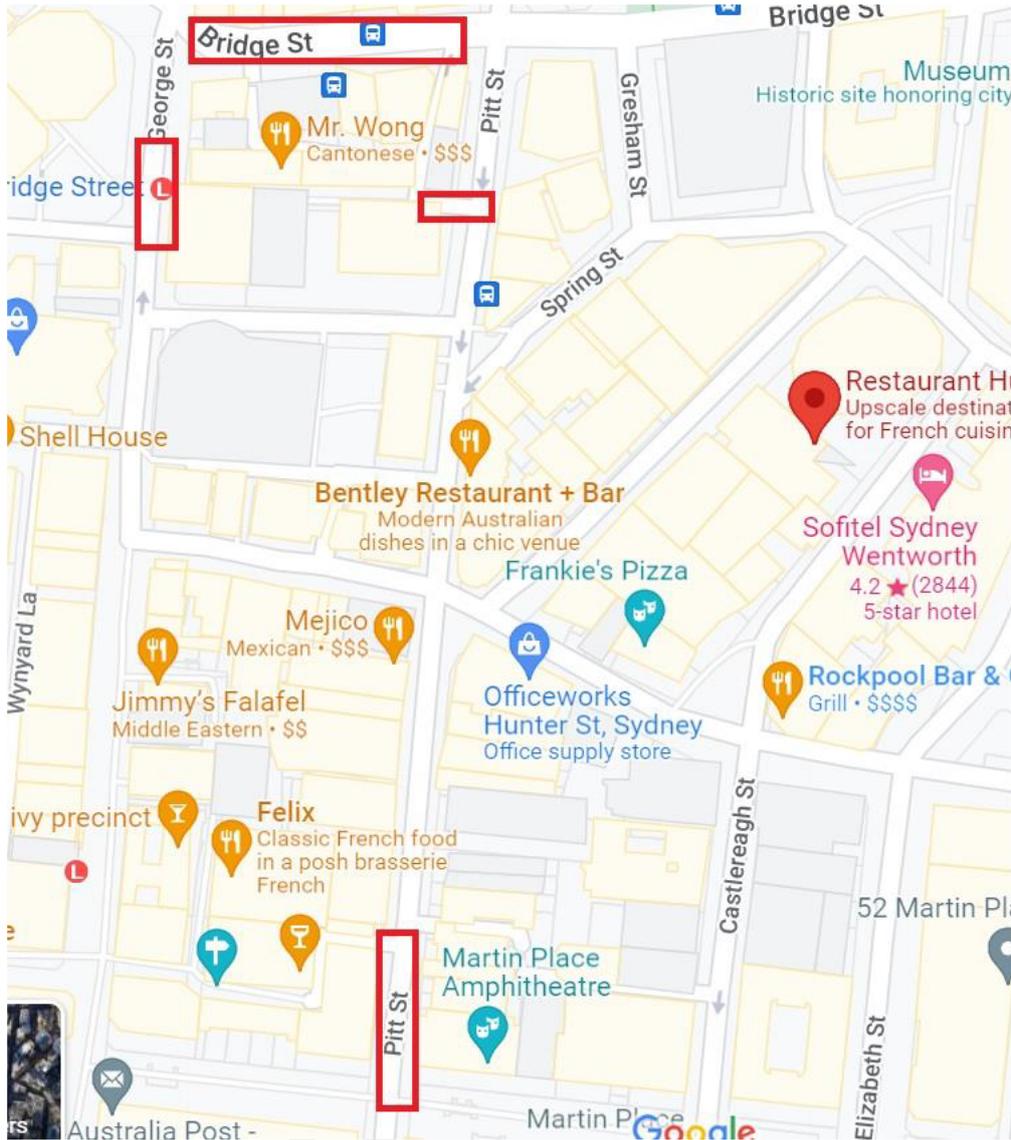


Annexure C - Location – The Rocks – Argyle Street + George Street

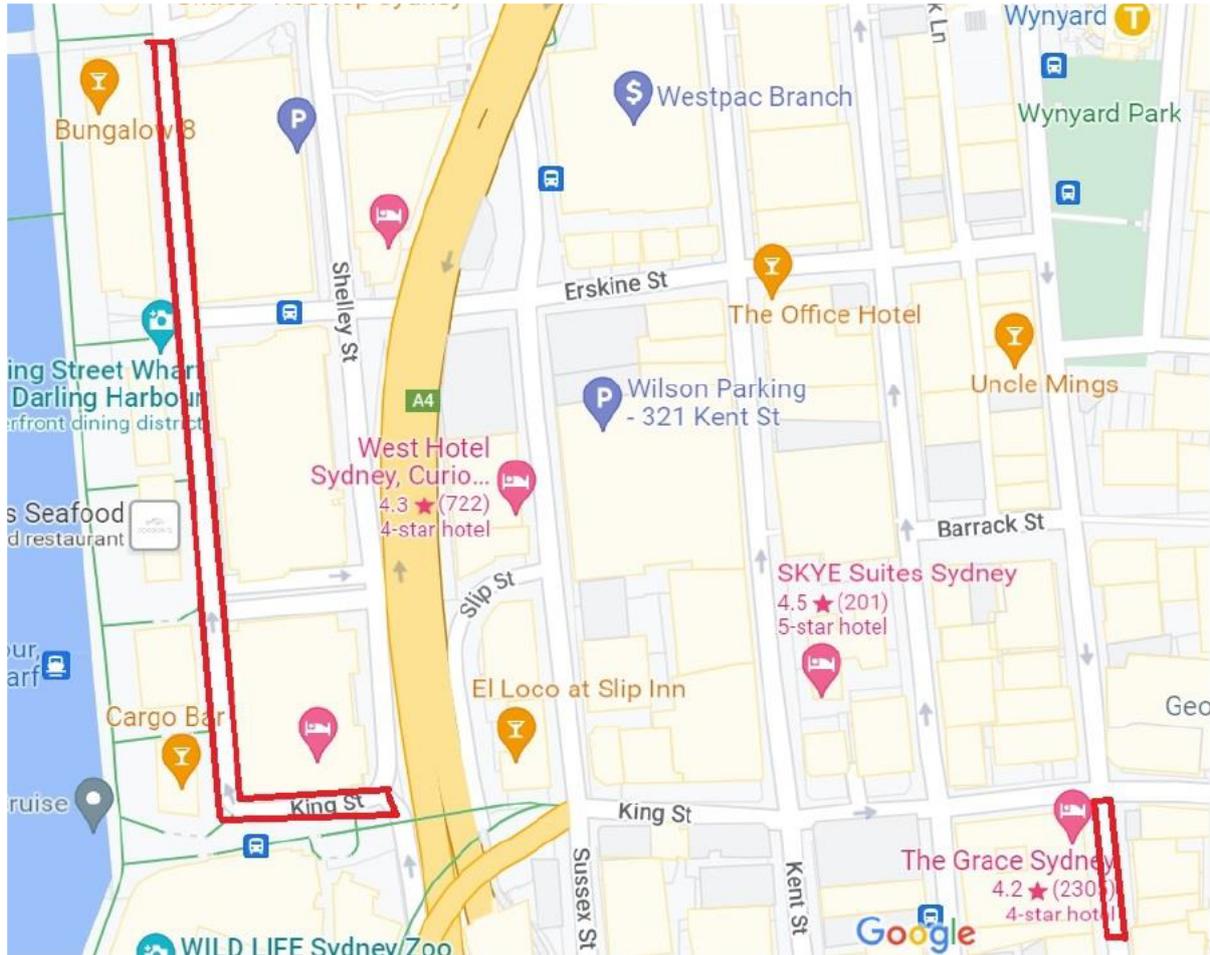


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Annexure D - Location – Pitt Street x Martin Place + Bridge Street, Sydney



Annexure E - Location – Lime Street + York Street (outside Grace Hotel)



ANNEXUE

2.2 Group Details & Schedule

Below outlines the teams and duties (Subject to change)

Date: Saturday 1st March 2025			
Times: 6:00pm – 2:00am			
Covert - Plain Clothes			
Sydney Domestic Airport 6:00pm – 9:00pm			
Sydney CBD 9:30pm – 2:00am			
Team 1	Team 2	Team 3	Team 4
██████████ ██████████	██████████ ██████████	██████████ ██████████	██████████ ██████████
██████████ ██████████	██████████ ██████████	██████████ ██████████	
Overt – Full P2P Uniform			
Sydney Domestic Airport 6:00pm – 9:00pm			
Sydney CBD 9:30pm – 2:00am			
Team 5		Team 6	
██████████ ██████████		██████████ ██████████	
██████████ ██████████		██████████ ██████████	

Date: Sunday 2nd March 2025	
Times: 1:00pm – 7:00pm	
Duties	
Sydney Domestic Airport 1:00pm – 4:00pm	
Sydney CBD 4:00pm – 7:00pm	
Team 1 – Covert – Plain Clothes	Team 2 – Overt – Full P2P Uniform
██████████ ██████████	██████████ ██████████
██████████ ██████████	████████████████████

Date: Sunday 2nd March 2025			
Times: 7:00pm – 3:00am			
Covert - Plain Clothes			
Sydney CBD + Moore Park 7:00pm – 3:00am			
Team 1	Team 2	Team 3	Team 4
██████████ ██████████	██████████ ██████████	██████████ ██████████	██████████ ██████████
██████████ ██████████	██████████ ██████████	████████████████████ ████████████████████	

Overt – Full P2P Uniform	
Sydney CBD + Moore Park 7:00pm – 3:00am	
Team 5	Team 6
████████████████████ ██████████	██████████ ██████████
████████████████████	████████████████████