

Transport and Other Legislation (Managing E-mobility Use and Protecting Our Communities) Amendment Bill 2026

Submission No: 1930

Submission By: Whitsunday Segway Tours

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State Development, Infrastructure and Works Committee
Parliament House
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BRISBANE QLD 4000

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Dear Committee Members,

Thank you for the opportunity to provide a submission and for taking the time to read this correspondence regarding the impact on QLD Guided E-mobility Tour businesses by the - ***Transport and Other Legislation (Managing E-Mobility Use and Protecting Our Communities) Amendment Bill 2026.***

Background about the writer of this submission: Zak Kelly is a born and raised Whitsunday local, growing up, living and working in tourism in the Airlie Beach and Whitsunday Region to this present day. In his youth was immersed in tourism through his parent's bareboat charter business operating out of Shute Harbour. Zak was also an avid off beach sailor representing the Whitsundays in State and National sailing titles. In 1999 Zak was awarded an Australia day award for young achievement in sport by the Whitsunday Shire Council. In 2000 Zak was selected and had the honour of being a torch bearer for the Sydney 2000 Olympics torch relay in an Airlie Beach section of the torch relay.

In the early 2000's Zak started working at Cruise Whitsundays, at the time a new tourism operator as a cruise attendant on their Resort Connections ferries. Zak worked his way up gaining marine qualifications, becoming deckhand and eventually Master/Driver of the Resort Connections Ferries until 2014.

Zak is a passionate supporter of tourism in the Whitsundays recognising a healthy diverse tourism industry benefits the whole community and economy. With his combined interest in technology and recognising an opportunity for more land-based activities in Airlie Beach in 2014 Zak started from the ground up, Whitsunday Segway Tours.

Today Zak is full time owner and operator of Whitsunday Segway Tours, and along with his wife Vhari Kelly manage and operate their small business to the best of their ability. They have two children together a 15-year-old boy and an 8-year-old girl, along with a home mortgage this business is their livelihood and supporter of their family.

About Whitsunday Segway Tours: Whitsunday Segway Tours was founded in November 2014 and is owned and operated by Zak and Vhari Kelly in the Airlie Beach, Whitsunday Region.

Whitsunday Segway Tours has been operating successfully for over 11 years offering boutique, fun, sustainable, high quality small group guided Segway Tours. Each tour is capped at 8 guests riders per tour, plus tour guide.

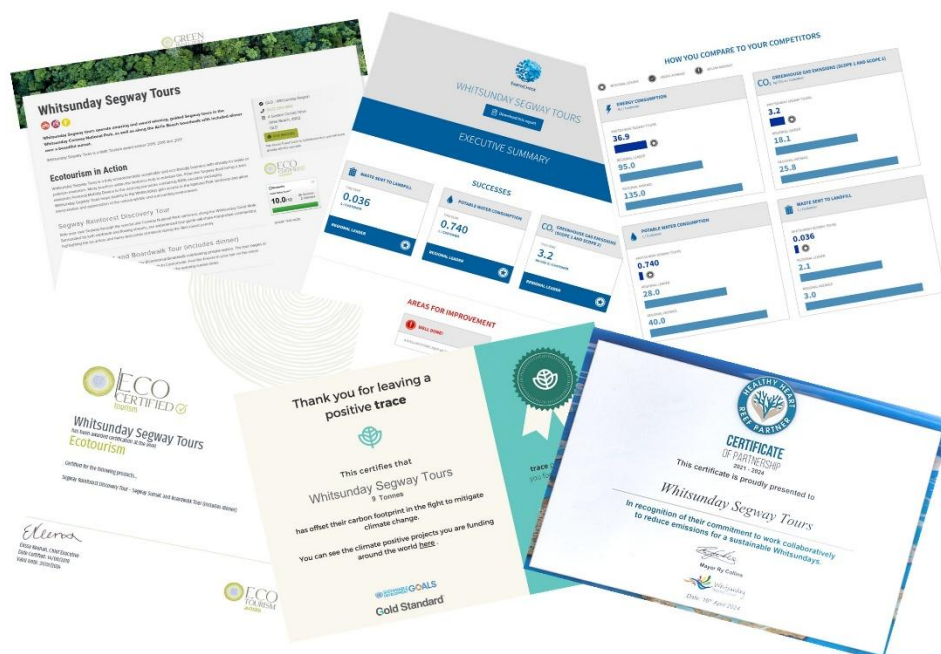
The business operates two main guided Segway Tours, The morning ‘Segway Rainforest Discovery Tour’ (9.4km total) in the ancient rainforests of the Conway National Park near Airlie Beach, the only Segway Tour in Australia to hold a commercial activity permit to operate within a rainforest national park.

As well as the afternoon ‘Segway Sunset and Boardwalk Tour’ (8km total) which is licenced by Whitsunday Regional Council to operate along the Airlie Beach and Cannonvale foreshore and boardwalks as well as dinner at a local restaurant with sunset.



Whitsunday Segway Tours also operate pre booked guided Segway Tours from visiting Cruise ships along the Airlie Beach foreshore (6km total) as well as school groups and other interested parties.

Whitsunday Segway Tours strictly operates within all state legislation, local laws and regulations; as well as within its National Park Commercial Activity Permit and Whitsunday Regional Council public areas licence. The business is proud to be an upstanding and respected quality local tourism operator in the region and has sponsored and participated in community fundraising events and is an annual financial supporter of local charity, Fauna Rescue Whitsundays. Whitsunday Segway Tours is also Eco Tourism Certified through Eco-Tourism Australia and an active, measured and recorded, carbon neutral operating business through the Whitsunday Healthy Heart Project and internally through Trace.



The business is recognised by its guests with constant 5 star or bubble reviews through TripAdvisor, Facebook and Google. Whitsunday Segway Tours has also been recognised by the tourism industry winning multiple Eco Tourism and Sustainable Tourism awards, including hall of fame by the Whitsunday Tourism Awards. At the 2025 Whitsunday Business Awards Whitsunday Segway Tours was Highly Commended in the Eco Excellence category. Whitsunday Segway Tours has also been a top 100% performer on the Tourism and Events Queensland 'Best of Queensland Experiences Program' for the past 2 years.

Whitsunday Segway Tours is a small but still important tourism operator and contributor to a healthy and diverse tourism product offering for the Whitsunday Tourism Industry, and has been a long-term ongoing member of Tourism Whitsundays and Queensland Tourism Industry Council (QTIC) since the business was founded. The business also contributes to the local economy through utilising a range of Whitsunday business's products and services through the support of the ongoing operations of Whitsunday Segway Tours.

Supplementary information: 'Wheeled Recreational Devices' of 200 watt electric kick scooters. In 2019 the operators of Whitsunday Segway Tours recognised a loss of bookings from families/groups with children of varying ages. An example is a family/group of 2 adults, a teenager aged 16 and a teenager aged 13 and a child aged 10. The legislation for PMD's/Segways is 12 or over. Since the child is aged 10 years old, they would not be able to participate in the tour with the group. In the example given the whole family/group would not book and participate in the tour. In an aim to stem this loss and make the tour inclusive for most families/groups with younger children the business thoroughly researched and secured 'Wheeled Recreational Devices' which are small 2 or three wheeled low powered electric scooters of no more than 200 watt.

These 200 watt electric scooters are part of the 'Wheeled Recreational Devices' legislation, which states: *Wheeled recreational devices are generally propelled by human power and are used for recreation or play. They include rollerblades, roller skates, skateboards, foot scooters. A foot scooter with a small electric motor (200 watts or under) that has a maximum speed of 10km is also a wheeled recreational device. A wheeled toy is a child's pedal car, scooter, tricycle, or similar toy used by a child under 12.*

Whitsunday Segway Tours offers these for families and groups which children between 7 and 11 to participate on our Segway tours in Airlie Beach only with these 'Wheeled Recreational Devices' low powered 200 watt electric scooters.

This incentive has been a great success allowing a wider more inclusive tour, the 'Wheeled Recreational Devices' low powered 200 watt electric scooters are subsidised by the gains in bookings of the Segway riders of the family/group tour.

Most importantly the Transport and Other Legislation (Managing E-Mobility Use and Protecting Our Communities) Amendment Bill 2026. Does not apply to 'Wheeled Recreational Devices' and does not affect this aspect of the business, effectively fitting in below/under the above Amendment bill as it is a separate law.



Safety: Safety for Whitsunday Segway Tours guests and the public are the business's highest priority and they take safety very seriously.

Whitsunday Segway tours operates 100% within the current legislation for PMD's in Queensland.

Whitsunday Segway Tours have comprehensive detailed policies and procedures as well as risk assessments. Whitsunday Segway Tours 'Guest Segway rider training' policy and procedure is a 17 page document that all guests are trained from before participating in the tour, sections of this document include public safety, giving way to others, public etiquette and courtesy to other members of the public on pathways and trails.

This is followed up by continued monitoring and adherence by the tour guide throughout every tour. Including to this, the Segway tour guide wears a helmet mounted '360 degree safety video camera' in which the entirety of all riding portions of the Segway tours are recorded to ensure safety and compliance with the above information.

Affected businesses: Concerns and impacts of the Transport and Other Legislation (Managing E-Mobility Use and Protecting Our Communities) Amendment Bill 2026 will be outlined below but a summary of directly impacted tourism business are: -

Whitsunday Region:

- **Whitsunday Segway Tours**
- **Bike and Hike Whitsunday**
- **Just Tuckin Around Airlie Beach**

Other Segway Tour businesses in Queensland:

- **Port Douglas Segway Tours**
- **Sunshine Coast Segway Tours**
- **Tanga Tours**
- **Kangaroo Segway Tours**
- **Segway Eco Adventure – Ride the Sands of K'gari**

Whitsunday Segway Tours supports the majority of the *Transport and Other Legislation (Managing E-Mobility Use and Protecting Our Communities) Amendment Bill 2026* and what it is trying to achieve. As a tour operator that operates in public areas the business see's first-hand the impacts of other riders of unregulated PMDs (E-Scooters) and E-bikes breaking the law, either by underage riding, unsupervised, not wearing PPE such as helmets and in particular riding over speed and without due care and attention of other members of the public. Whitsunday Segway Tours began tour operations before E-Scooters and E-bikes became mainstream products and have seen the degradation of community ease and trust of E-mobility due to misuse and unsafe use by users of these devices. Whitsunday Segway Tours supports the restoring of good reputation of these E-Mobility devices which in turn would be a positive for the operational aspect of Whitsunday Segway Tours.

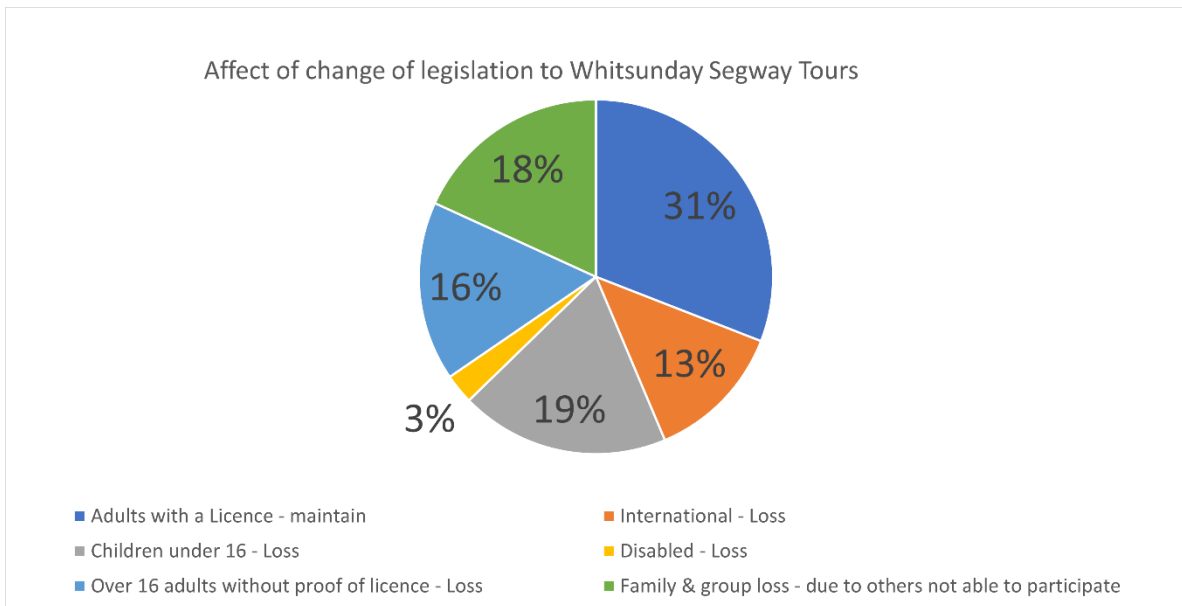
However, Whitsunday Segway Tours are extremely concerned about the effects that the *Transport and Other Legislation (Managing E-Mobility Use and Protecting Our Communities) Amendment Bill 2026* will have on the business. With the amendment bill, in its current form, having a blanket cover over all PMD's (of which a Segway is in the category of) with E-mobility devices, and it having no mention, or exemptions made for commercial guided tourism operators with PMD's .

As it stands the upcoming amendment bill would have a devastating crippling effect on Whitsunday Segway Tours, creating an unviable market for the business.

Impact on Commercial Guided Tourism operators with PMD's: Impact of *Transport and Other Legislation (Managing E-Mobility Use and Protecting Our Communities) Amendment Bill 2026* upon Whitsunday Segway Tours would be summarised but not limited to the below:

- **Ban on riders of PMD's under age of 16.** - The amendment bill indicates that a person riding a Segway must be a least 16 years old and hold at least a valid learner drivers' licence or equivalent and above. This one factor alone would eliminate 19% of Whitsunday Segway Tours business with a large majority of the business's guests being families and groups with a mixed age of children ranging from 12 to 17. With the changes of the amendment bill in place, the majority these guests would not be able to ride a Segway and participate on their guided Segway Tour.
- **Ban on riders of PMD's under age of 16** - The above in turn would have a flow on effect and deter families and groups as a whole. Knowing family and group members between 12 and 16 would not be able to participate, Families and groups would simply not book a Segway Tour with the business resulting in a significant additional loss of sales of 18%.
- **Drivers licence requirements** – The business understands the implementation of a driver's licence is to ensure PMD users know the basic road and driving rules which should create a safer riding environment. Currently as part of Whitsunday Segway Tours rider training procedure for all tours and guests, practical Segway (PMD) rider training is performed and tested, this is observed assessed by the tour guide as well as basic rules such as passing sides and stopping for pedestrians on top of basic courtesy and etiquette for members of the public on the pathways and vicinity. This is reinforced throughout the tour and has continued and ongoing benefits for the tour operations safety record. With the impact of the amendment bills minimum licencing requirements this would eliminate every potential guest for Whitsunday Segway Tours that does not, or cannot have a driver's licence which further impacts on the business viability.
- **Drivers licence requirements** – People with a disability are excluded, due to their disability they may not have a driver's license, but are still physically and mentally able to capably and safely ride a Segway.
- **Drivers licence requirements** – International and interstate visitors. A high proportion of Whitsunday Segway Tours guests are international and interstate visitors. These visitors who might actually have a driver's licence but are unable to show or prove they have an eligible driver's licence as they did not bring their licence with them on their holiday visit. This is especially relevant with international visitors as they may not intend to drive in a different country such as Australia and only bring with them a document such as their passport, which does not show their driving licence eligibility. This factor further impacts operational complexity and viability of the business.
- **Reducing PMD maximum speed on pathways from 12km to 10km an hour.** – This reduction of speed limit of 2 kilometres might seem minimal but will have a bigger impact in other areas. At present Whitsunday Segway Tours speed caps all Segway riders to the maximum current legislated speed limit of 12 kilometres an hour. The guided Segway Tour is currently passed by bicycle riders and members of the public exercising by jogging/running on foot. This is mentioned by guests riders on their tour, sometimes with frustration and impact on their tour enjoyment. The reduction of this speed to 10km will impact this enjoyment further with no to minimal improvement to safety.

The below pie graph shows a breakdown of losses from some of the above impacts, utilising research of our historic business records, as well as estimated flow on affects due to these impacts.



The above impacts would have an approximate 69% reduction on Whitsunday Segway Tours operations and completely wipe out the viability of the business and others like it in the guided tourism sector in Queensland.

Solution: Whitsunday Segway Tours proposes an exemption amendment be included within the *Transport and Other Legislation (Managing E-Mobility Use and Protecting Our Communities) Amendment Bill 2026* for commercial guided PMD tour operator businesses such as Whitsunday Segway Tours to allow them to continue to operate as they currently are. Including:

- Allowing Segway riders between 12 and 16.
- Allowing Segway riders without a driver's licence.
- Keeping the maximum speed at 12km/h

The business has been operating successfully and safely for over 11 years contributing positively to tourism in the Whitsundays and the wider community. The business also already has strict operating policies and procedures, risk assessment, training policies and procedures, National Park Commercial Activity Permit, Council Licence, Public Liability Insurance and practical assessed training for all guest Segway riders aged 12 years old and over. The tour is also controlled by the experienced tour guide of the business in designated pathways and areas known by the public and community.

This exemption amendment could be implemented by permit or some other similar form that the Queensland Government deems appropriate for efficient economic and operational implementation.

Full permission is given by Zak Kelly and Whitsunday Segway Tours to publish all details within this submission to the Parliamentary Inquiry.

With such passion and professionalism Zak has on this matter, as well as the potential risks to his business and livelihood he would like the committee to consider calling him as a witness at the public hearing on the 22nd April 2026.

Yours sincerely

Zak Kelly

Owner operator, Whitsunday Segway Tours

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