




Speech By
Hon. Mark Bailey

MEMBER FOR MILLER

Record of Proceedings, 3 September 2019

PERSONALISED TRANSPORT OMBUDSMAN BILL

 **Hon. MC BAILEY** (Miller—ALP) (Minister for Transport and Main Roads) (4.38 pm), in reply: What we have seen in this debate is a very repetitive bit of posturing from the opposition. There have been some very short contributions from the opposition, I might add, as well as some very repetitive contributions and some remarkably similar contributions. We all know the form of the opposition. What they did around the personalised transport situation when in government was absolutely nothing—zero.

Opposition members interjected.

Mr DEPUTY SPEAKER: Order, members on my left!

Mr BAILEY: These changes were very clear. Rideshare and personalised transport was happening prominently. What did the Newman government do about it? It did zero, zip-a-dee-doo-dah—absolutely nothing.

Honourable members interjected.

Mr DEPUTY SPEAKER: Order! Pause the clock. Members, there will be no debate across the chamber please. Member for Maroochydore, I am looking at you there.

Mr BAILEY: The Palaszczuk government grappled with the issues at hand and carefully considered a regulatory model. For two years we have seen the opposition members running around, creating great expectations that they would oppose the bill and support the Taxi Council, but when those reforms came into this place they meekly supported the government's bill. You cannot trust the LNP members: they will posture; they will position; they will prance; but they will not be consistent on anything. The Taxi Council saw the behaviour of the LNP members in relation to that. You cannot trust their position on this or anything else because we know what their form is.

I will address a couple of specific matters. We heard some very short contributions from the member for Callide, the member for Moggill and the member for Toowoomba North. It was good to hear the member for Currumbin—after being 'dragged' up to North Queensland, as she said on radio this morning—make some kind of contribution even though half of the speech was not even on the bill. There were a couple of contributions from those opposite referring to compensation. There has never been compensation. There was a \$100 million assistance package from this government for those in the industry. We have consistently heard the opposition members refer to compensation, which shows that they fundamentally do not understand this issue. They do not understand the provisions that have gone through this House. What we see here is a responsible bill that regulates the industry.

I would like to thank all members for their contributions to the debate. It is great to see this level of engagement, as the bill delivers more important amendments for the personalised transport industry and the people of Queensland. A central feature of this bill is clearly the establishment of the Personalised Transport Ombudsman. Given the nature of the personalised transport framework, the government agreed that an ombudsman would assist this evolving industry in its transition to the new model. The Personalised Transport Ombudsman is founded on principles of independence, impartiality,

integrity and the public interest, and no reading of the bill could come to any other conclusion. It is based on working models for similar bodies that are well known. It is disappointing to see the LNP members posture and not support the bill despite their support of it at the Transport and Public Works Committee, their statement of reservation notwithstanding. When the Palaszczuk government established the new legislative framework for personalised transport in Queensland in 2017, the LNP members moved no amendments to that bill. Even though they consistently over time expressed opposition to the new framework, they did nothing about it. In fact, they voted to support the bill.

The LNP members continue to be confused about the regulation of the personalised transport industry. The opposition leader's website, I am very happy to inform the chamber, contains information on their policy relating to a personalised transport commissioner. Today they have expressed their concern about, and lack of support for, an ombudsman, but the opposition leader's website states that their commissioner would—wait for it—'also act as an ombudsman for the industry'. We can play semantics all you like, but those opposite want to see an ombudsman and that is what they are getting with this legislation. Their confused commissioner model also proposes taking on the role of policymaker and regulator.

The licensing and registration of vehicles, drivers and operators and safety across the industry is a role for the Department of Transport and Main Roads. To change this would result in significant duplication and cost for industry and government. It would also create confusion as to how industry engages with government regarding regulation of the industry. The bill currently before the House will not duplicate services provided by other agencies or bodies like courts, but it will be able to provide information, mediation services and individual stakeholder advice on how best to manage issues and adapt to the new environment.

There have been some concerns raised about the Personalised Transport Ombudsman not being able to make binding decisions. Under this bill, accessing the ombudsman is free. If it were able to make binding decisions not only would its operational costs increase but so would costs for industry as they would be more likely to involve legal representation. Further, as I noted in my second reading speech, even the Queensland Ombudsman is unable to make binding decisions. It is therefore inappropriate for the Personalised Transport Ombudsman to have powers that the Queensland Ombudsman does not. In other words, the LNP opposition members are just making it up as they go along, as usual. There are enough courts and tribunals that can make binding decisions, and the last thing we want to do is add to industry confusion and effectively add another layer of bureaucracy, a layer of blue tape. It seems the opposition members are proposing blue tape—their version of red tape.

The ombudsman is a new concept for this industry. The review in three years will provide information for evidence based improvements to ensure the ombudsman remains relevant and useful. By establishing the ombudsman, this bill has the potential to sponsor ongoing support and improvements for industry and customers and ensure a robust and responsive approach to the provision of personalised transport services into the future.

During the committee process there were queries as to how this legislative framework was developed and why other ombudsman models—like the Training Ombudsman—were used for an ombudsman that will need to deal with issues specific to the personalised transport industry. Put simply, other models were used to help build the framework of core elements essential to this type of role—things like who should appoint the ombudsman and what happens if the role is vacant. These are features needed to ensure the Personalised Transport Ombudsman could operate as a legally valid entity. These other models also provided a starting point for the functions and types of powers that might be needed. Importantly, the final position on its functions and powers was developed specifically for the Personalised Transport Ombudsman based on the roles it was intended to play and the issues it would likely be expected to address.

This bill also makes necessary amendments to support the transition to a smart ticketing solution for Queensland's public transport system. The payment of fares by contactless debit cards, credit cards, smartphones and wearable devices is coming. In the context of rising public transport patronage, we have seen record numbers coming onto our public transport system already over the last two years, with a 3.7 per cent increase last financial year and a 3.2 per cent increase the year before.

Ms Simpson interjected.

Mr BAILEY: I will take that interjection from the member for Maroochydhore. There were actually increases on the Sunshine Coast, despite her media releases to the contrary. As new fare payment methods become available we need to ensure that fare evasion is still—

Honourable members interjected.

Mr DEPUTY SPEAKER (Mr Whiting): Order! Members on both sides, please direct your comments through the chair. There will be no quarrelling across the chamber.

Mr BAILEY: As new fare payment methods become available we need to ensure that fare evasion is still enforceable and legislation is flexible enough to respond. Members raised concerns around the growing issue of fare evasion. Whilst this bill contains some important amendments to assist with this issue, the Palaszczuk government is tackling this issue through a number of measures.

To address a growing trend of deliberate youth fare evasion, we hosted Queensland's first youth fare evasion round table in April 2019. It was attended by representatives from the education sector, youth safety, police, academics, the transport industry and justice sectors, as well as the Daniel Morcombe Foundation. The round table considered potential solutions for investigation in three key focus areas: prevention and education; detection and enforcement; and penalties and deterrence. A list of priority actions suggested by representatives during the round table is being reviewed by the Palaszczuk government, and further research and engagement with teenage public transport users and parents is helping to gain further insight into the issue. This work included hosting a Youth Co:Lab in June, which I was happy to drop in for at the beginning. I would like to thank all of the young people who wanted to directly engage with us on this issue for their efforts and their commitment.

As this is a regional sitting of the parliament, I would like to highlight the regional context of these amendments. The services of the Personalised Transport Ombudsman will be available to any person in Queensland needing assistance to resolve a complaint. It will not matter whether that complaint is in Townsville, Mount Isa or Brisbane.

The smart ticketing related amendments will also generate benefits to customers across the whole of the state. For the very first time whether people are in Townsville, Cairns or Brisbane, they will have the same system everywhere in the state. This is a tremendous outcome for regional Queenslanders. Because of the commitment of the Palaszczuk Labor government, the latest ticketing technology you will find in Vancouver, Chicago or New York City is coming to the whole state of Queensland. That is a \$370 million commitment, and it will be fully rolled out by 2022 to operate in 18 regional areas along the coast and across Queensland. It will be one of the largest geographical areas for such a ticketing system in the world.

In addition to the new payment features mentioned, smart ticketing also provides customers with a new integrated ticketing and journey planning app with improved real-time information. This will mean that for the first time customers in regional Queensland will have such a great system. Tourists will be able to access that one system from any TransLink or qconnect service across the state without the need to carry cash or pre purchase tickets.

A series of regional trials of the smart ticketing system is planned to start in late 2019. Trial sites include Innisfail and Bowen in North Queensland, as well as Minjerribah, otherwise known as North Stradbroke Island, Maryborough and Hervey Bay. Bus operator partners in trial locations will have access to new tools and reporting, encouraging more efficient operations. The regional trials will provide TransLink with an opportunity to test and refine elements of the smart ticketing system before it is rolled out across Queensland, including Townsville.

I welcome the positive contributions from not just government MPs but a number of opposition MPs in support of the smart ticketing solution. I note the opposition leader has not been supportive in her public comments, but it is good to see that some members of her team are willing to take independent positions on this.

I would like to briefly speak to key local passenger transport projects that will see the benefits here. In terms of local Townsville operators who will benefit, as of last month there were 1,112 rideshare, taxi and limousine drivers registered with TMR for Townsville addresses. Townsville has 110 conventional taxis and 23 wheelchair accessible taxis.

In closing, I would like to thank all stakeholders and members of the community for their engagement in bringing these matters to the House. The amendments in this bill support improved passenger transport outcomes throughout Queensland. Finally, I offer my sincere thanks to our departmental staff and ministerial staff who have worked very hard to develop and deliver this legislation. I commend the bill to the House.