

From: [REDACTED]
To: [Taxi Review \(StateGrowth\)](#)
Subject: My openion.
Date: Monday, 8 October 2018 9:26:32 AM

Hello,

I jithin p jose license no. [REDACTED] would like to go ahead with option 2

Regards
Jithin

Sent from my Samsung Galaxy smartphone.

From: [REDACTED]
To: [Taxi Review \(StateGrowth\)](#)
Subject: Taxi Review Submission - Fat Pig Farm
Date: Tuesday, 9 October 2018 12:33:28 PM

We would like to provide our perspective on the Taxi review for Tasmania. We noted that in the summary of previous submissions : “ ... the voices of taxi and hire vehicle service consumers in submissions were notable in their absence.” Our business details are:

Business name:	Fat Pig Kitchen Pty. Ltd.
Trading as:	Fat Pig Farm
Business structure:	Private company
ABN:	18 164 949 526
Business location:	[REDACTED]
Date established:	23/7/2013
Business address:	PO Box 297, Cygnet TAS. 7112
Business owners:	Matthew Evans and Sadie Chrestman
Website:	www.fatpig.farm
Phone:	+61 (0) [REDACTED]
Contact e-mail:	[REDACTED]

Recently, we received a letter from the Department of State Growth requesting that we remove the contact details for our local Uber driver in Cygnet from the information page on our website, which provides details of travel options for visitors to our business in Glaziers Bay, 15 minutes south of Huonville. We have now abided by that direction but must question the requirement to do so, due to the limited options available for visitors and the non-existent public transport options.

In summary, our submission highlights:

- The lack of taxi services that would make our business accessible to a significant portion of our customers.
- Legislative requirements that prevent us from providing the contact details on our website for the only available driver.
- Issues of poor internet coverage in regional Tasmania which prevents the only available driver (Uber) from having his contact details available online.

BACKGROUND ON THE BUSINESS

Fat Pig Farm is a primary production business operating from a 22-hectare property in the Huon Valley which is famed for its small farm holders and its connection to the land. The area boasts superb vineyards, apple and fruit orchards, berry farms,

bee-keepers, food producers, galleries and eateries and is close to major attractions like the Wooden Boat Centre, Tahune Forest Airwalk, and Willie Smith's Apple Shed. It is also home to "Gourmet Farmer" Matthew Evans, Sadie Chrestman. Fat Pig Farm's vision is to be a centre of excellence for Tasmanian artisan food production, a sustainable agri-tourism operation and an inspiring place of agrarian and gastronomic learning.

LOCAL COLLABORATION

The business has established and built excellent relationships with local contractors who provide a range of services and products, including transport for guests, accommodation, agricultural services as well as food products, wine, cider and beer.

A GROWING TOURISM MARKET

The business is known nationally and, increasingly, internationally, renowned for exceptional produce, dedication to visitor experience and a steadfast approach to the best land management practices possible. Tasmania is on the rise in a gastronomic sense; on the mainland and internationally the state now has the reputation it deserves.

An average of 50% of all customers at Fat Pig Farm are interstate or international visitors. In summer the percentage increases to 59% and reduces to 51% for winter and spring events. Anecdotally from our social media communication, it is clear that they tell others of their experience and identify their particular preferences, increasing exponentially the spread of information on what Tasmania has to offer.

ISSUE 1: REGIONAL TRANSPORT

Our business is located 45 minutes south of Hobart, which is both an essential attraction and a prohibitive deterrent to tourists. The rural setting and arable land are vital if our business is to succeed, yet travel to and from Hobart is usually by a hired or privately-owned car. There is no public transport option beyond Tassielink buses to Huonville or Cygnet which are both 15 minutes away by car. There is one commercial mini-bus driver service but it has limited capacity and relatively high fee for service. The only taxi option is the Cygnet-based Uber Driver who is reliable and available but does not have good internet coverage and we are not allowed to promote his number on our information sheet for guests requiring transport.

Most of our guests request some kind of transport to and from accommodation in the Cygnet area. Most of them ask for recommendations on how to access taxi services. It is efficient and effective for us to provide this information on our frequently asked questions page on our website where we list four private drivers in Hobart and the Huonville taxi service. The local taxi company in Huonville and will take fares to and from Huonville, but not to and from Cygnet. The Hobart car and driver services are happy to drive to and from Hobart but, obviously aren't available

to drive to and from Cygnet. The Uber driver is happy to drive people to and from Cygnet however the Uber software doesn't work at his house due to poor internet coverage. Therefore, if a guest searches the internet for Uber or Taxi in Cygnet, his business does not show up even though he is available.

This Uber service is essential for our customers due to lack of alternatives. We have a small population - not enough to support a dedicated Cygnet taxi driver. At least two have tried and neither lasted more than a few months.

ISSUE 2: PROMOTING UBER SERVICE

In October 2017 the Taxi Industry Council communicated via a newsletter (and the state government website):

The Department has recently received some complaints from taxi drivers about individuals in the Hobart CBD and elsewhere handing out advertising material for ride-source platform provider Uber. The Department understands that these individuals are not themselves engaged in providing ride-sourcing services but have been employed to pass out pamphlets. The Department would like to re-emphasise that it is indeed unlawful for Uber drivers to use taxi ranks, accept jobs from passengers 'hailing' in the street, and to solicit for passenger trade on a public street (for example, by parking their vehicles and calling out to people). However, the distribution of pamphlets or other advertising material to the public does not constitute 'touting' or solicitation for the purposes of the relevant passenger transport legislation.

We do not see that listing a phone number is advertising. We see it as an efficient way of responding to a common customer enquiry. We understand that the local Uber driver has written to the State Government to ascertain what he would need to do to advertise beyond the Uber App.

ISSUE 3: ACCESS TO RELIABLE INTERNET AND PHONE COVERAGE

There is a well-known deficit in reliable and affordable high-speed (or even average speed) internet and mobile phone coverage in rural Tasmania.

The local (and only available) taxi service is Uber. Due to its location, it cannot utilise the Uber platform to promote its service.

As a business, we understand this frustration because apart from the internet challenges associated with our most basic need to communicate with other businesses, interact with on-line services and access common, Cloud-based programmes like Dropbox, our most essential need is for our Eftpos machine to work. Most days, we cannot connect to the internet for long enough to process a single payment. Staff have taken to climbing tall ladders outside and waving the Eftpos machine above their head to find a signal. This is not only dangerous but a

ridiculous display in front of interstate and international tourists of the out-dated, regressive communication facilities with which we must work. Rural life can be charming, but managing a business in first-world 2017, 45 minutes from a capital city should permit reliable access to internet.

We understand that we are not the only regional tourism business that works around poor internet coverage and lack of public transport. These are issues that need to be continually raised if we want to expand regional tourism and agri-tourism in Southern Tasmania. We would welcome further consultation if our concerns are able to be addressed. If you would like further information about Fat Pig Farm, please do not hesitate to contact me.

Best regards

Jo



www.fatpig.farm

Jo Duffy

PO Box 297, Cygnet, Tasmania 7112



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Response to the October 2018 Proposals Paper of the Department of State Growth's Taxi and Hire Vehicles Regulatory Review

Prepared by John Morris, Hobart taxi operator

The ability of taxi drivers in Hobart to earn a living has gradually been whittled away by State government policies that continually increase the number of taxis on the road, while the population has remained relatively stagnant, and overall taxi use has declined. Now, competition from the 'sharing economy' and apps like Uber threaten to make it even more difficult to earn a living. The current proposals will make it impossible for drivers of taxis and Uber to earn a living wage, and will not create a safe, viable taxi industry that provides a good service to the Tasmanian community.

I began operating taxis in the early nineties. Then, all Hobart taxi licences were essentially what the State government now calls OOTL's. PTL's were then introduced to give a value to the licence so that they could be used as collateral with the bank. However, banks would not accept Tasmanian taxi licences as collateral – perhaps in part because of the fear that the government would change the policy and make them worthless, just as is now proposed. The introduction of PTL's to create value was pointless exercise that did not achieve its goal. This lack of ability to listen to the industry, stakeholders and the community to deliver a fit for purpose taxi regulatory scheme is a characteristic that I have seen in each successive review of the industry over the last 30 years.

Before the introduction of PTL's, to buy a taxi licence the purchaser had to be a Hobart resident, and the goal was to provide a service to the people of Hobart. It was not an investment that could be purchased and leased out for a profit. However, the government produced a poor regulatory scheme that allowed interstate and even international investors with no interest in Hobart or Tasmania to purchase PTL licences as an investment and lease them out for a profit. This system that encouraged interstate investors was created by the State's poor regulatory scheme, and now the current review appears to be yet another poorly planned attempt, this time to remove investors from the market by making taxi licences worthless over a five year period. The government needs to listen to the drivers working in the industry, and consider the current and future transport needs of the Tasmanian community to create fit for purpose regulatory scheme for the taxi industry, and this review does not achieve that.

In 2015, Premier Hodgman said that Tasmania needed to embrace the sharing economy of the future. While Tasmania might be willing to share, Uber is clearly not. They invest nothing in Tasmania or in Australia, and as far as I understand it, Uber sends 25% of every fare to the Netherlands, circumventing the Australian taxation system.

This review was undertaken by an ever-changing parade of policy 'specialists' who clearly had no understanding of the taxi industry in Tasmania and the challenges it faces, nor any concern for drivers, operators and passengers. The government seems to have forgotten the KPMG report it commissioned, no doubt at significant expense. This report, although commissioned in 2013, still contains a lot of relevant information, and the policy review team that have released the current proposal

seems to have given it little or no consideration. Viability of the industry was a key element of the KPMG report, and this critical element seems to have been ignored by the State government in its zeal to 'embrace the sharing economy'.

This review does not appear to consider the viability of the taxi industry, instead obsessing over safety issues that will be easily circumvented by desperate operators unable to make a living and shackled with massive debts from investing in licenses purchased from the State. While I absolutely support stringent safety measures for taxis, the industry itself must be a viable way to earn a decent living – at the very least a minimum wage. Without the ability to make a living, operators will either leave the industry, or cut corners and put the public at risk.

Taxis are an important transport option in Tasmania, particularly when our public transport options are so limited and not extensive enough to meet the needs of our diverse communities. Tasmanians deserve access to safe, pleasant taxi transport. Tasmanian drivers deserve the opportunity to make a living wage and provide for themselves suffer physical and mental health problems that will weigh down our already crippled public health system.

During very short peak periods, passengers may have to wait for a taxi. This is normal in any industry – and any measures to reduce waiting time should be developed based on real need and genuine market analysis. The approach of flooding the market with taxi licences that is currently employed, and now made even worse with the introduction of Uber, only decreases the earning capacity of any one driver. Before Uber came to Tasmania, it was difficult to earn a living wage driving taxis. Now, with Uber vehicles flooding the market during peak periods, it is almost impossible.

The number of taxis, and now Ubers, being released into the market each year far outstrips the growth of the population. Taxis play an important role in servicing our communities, particularly meeting the transport needs of elderly and disabled customers who are not able to use Uber's services easily, and whose needs are not well met by the 'sharing economy'.

The current proposals provided by the State government are completely unsatisfactory, and do not meet the needs of operators, drivers or passengers. The proposed system will leave drivers unable to earn a living, essentially engaging in modern slave labour under dangerous conditions. The taxi regulatory scheme needs to ensure that drivers can earn a living wage while working humane hours. Anything less will result in passengers provided with subpar services from a desperate industry where everyone is forced to cut corners to try to eke out a living wage.

The Government seems to pick and choose when to 'embrace' the sharing economy and encourage competition depending on the depth of the pockets of lobbyists. Why not embrace competition and allow David Walsh's Mona Casino? With the abalone industry, the government seems to understand that a finite resource cannot be shared with more and more licensees, and limits the number of abalone licences it releases to ensure that licensees can earn a decent wage while not exceeding quotas. I am confused why with government cannot understand the same thing about the taxi industry – that there is a finite (and arguably decreasing) amount of

work available, and releases more and more licences to meet demand during short peak periods simply reduces the earning capacity of drivers to what is essentially modern slavery, and far below minimum wage.

Tasmania should be looking to the experiences of other jurisdictions. In Victoria, the dissolution of the taxi industry led to family breakdowns, mental health issues, suicide – all of which will happen here if the Government pursues its current agenda, and will simply increase the burden on our already crippled public health system.

I call on the Tasmanian government to develop a policy response to Uber and the sharing economy that creates a viable, safe taxi service that meets the needs of the community and the industry. We can learn from the mistakes of other countries and jurisdictions, instead of following down the same paths that have led to Uber being banned or voluntarily leaving Oregon, Bulgaria, Denmark, Hungary and parts of Germany. London and New York are considering ways to limit Uber as its introduction has led to increased traffic congestion and suicides by taxi drivers. The State government has an obligation to deliver a policy scheme that allows drivers and operators to earn a living, and ensures that all Tasmanians, even those who are not able to use Uber, are able to access safe, pleasant transport at a reasonable cost.

A further concern with the current and proposed system is that the State Government has sold licences which were purchased in good faith. The State Government has now altered the terms of the sale of that and reduced (and will eventual destroy) the value of the licences that were sold and purchased in good faith. This is an unconscionable abuse of power.

I note that taxi drivers in other parts of Australia are now beginning to launch class actions against the Governments that have legislated to destroy the massive investment made in state-issued taxi licences. Instead of blindly embracing Uber and seeing the same damage done in other parts of the world play out here, Tasmania has a chance to learn from the mistakes of others, and develop a regulatory system that protects taxis and the service they provide to the community, as well as ensuring that consumers have choice in the ways they meet their transport needs. This current review does not achieve that, and the State government needs to reconsider its proposals, engage in meaningful consultation with the industry, stakeholders and the community and create a regulatory system that is fit for purpose.

Instead of the current proposals, the government could create a regulatory framework that rolls back the changes brought in 25 years ago that allowed interstate non-industry investors to purchase and lease out taxi licences.

Below I have attached an example budget for an average taxi. It shows that taking into consideration basic fixed costs, it is impossible to earn even close to minimum wage working in the Hobart taxi industry in its current form. The proposals of this review will only make this problem worse. Note, there is no provision for the cost of obtaining or leasing a licence in the costs below.

Annual minimum wage is \$37,398, \$18.93/per hour or \$719.20 for a 38 hour week + super + sick leave + long service leave.

Add-ons on top of base salary \$37,398

Super	\$3,739
Holiday	\$2,876
Sick leave (1wk)	\$720
=	\$,7335

This means an employee earning minimum wage earns costs an employer \$44,738.

The costs of operating a taxi:

Costs per year – no licence fee, owner driver only

Cost	Annual Cost (\$)
Dispatch service fees	8052
Registration	1260
Inspections (car & camera)	250
Accreditation	100
Maintenance & Accidents	3000
Insurance	2000
Fuel	10,400
Stationary & cleaning	250
Phone & internet	480
Accountant	500
Total annual cost of operating a taxi	\$30,292

An employee on minimum wage receives a total of \$44,738 in base salary and benefits. For a taxi driver to earn this, he or she will also need to earn enough to cover the costs of running a taxi, amounting \$30,292 a year. This means that in order to receive the same benefits as an employee, a taxi driver will need to put a total of \$75,030 on the meter in a year, which is impossible working a 38 hour week.

From: [REDACTED]
To: [Taxi Review \(StateGrowth\)](#)
Subject: Taxi plates
Date: Thursday, 22 November 2018 3:21:29 PM

Please ensure no injustice is to done to the hardworking people from this business; taxiplates (whether owner operated or perpetual) are suitably compensated and any future plan/ development is kept open to all and dealt with by consensus. Thanks— Kiran Oberoi
Sent from my iPhone



Tasmanian Taxi Council

ABN: 96 200 138 954

PO Box 550

MOONAH TAS 7009

Telephone – 0417 036 090

Email: manager@taxicombined.com.au

22nd November, 2018

Mr. Gary Swain
Commissioner for Transport
GPO Box 536
HOBART TAS 7001

Email: taxireview@stategrowth.tas.gov.au

Dear Mr. Swain,

Re: Submission – Taxi & Hire Vehicle Industries Regulatory Review

The Tasmanian Taxi Council (TTC) has been in discussion with its membership on all aspects of the review.

The executive has concluded that to fully cover the needs of all involved, it would be best to support each membership Taxi Area to lodge a submission on behalf of its own constituents. The executive believes this action will provide an opportunity for all too directly express their concerns, relevant to the particular circumstances of their own operational Taxi Area.

The Tasmanian Taxi Council feels that with something as important to the future direction of the Taxi Industry in this State it is important to gather as many opinions and thoughts as possible. It is also seen as very important to allow as many individuals affected to have direct input to any future direction. This would be best achieved by encouraging the preparation of submissions by individual member groups.

The elected TTC executive remains supportive of all member groups and undertakes to promote all matters raised in submissions at every opportunity in any future discussions with State Growth.

Yours sincerely,

Roger Burdon
President

Mr. Gary Swain
Commissioner for Transport
GPO Box 536,
HOBART TAS 7001

Email: taxireview@stategrowth.tas.gov.au

Re: Submission - Taxi & Hire Vehicle Industries Regulatory Review

I am a Perpetual Taxi Plate owner and operator, working in the taxi industry in Launceston from last 9 years. I think with the new changes of proposal the value of the Perpetual Taxi Licenses will go down. Tasmanian Taxi licenses provide the main income to those operators for their livelihood. Perpetual Taxi Licenses in Tasmania are mainly owned and operated by individuals who have held these licenses as their superannuation.

If the government decides to deregulate the taxi licenses in Tasmania, they should buy back the perpetual licenses and compensate the owners with the current value, which is \$100,000 in Launceston. We have the right that our assets (Taxi Licenses) should grow in value as well as all other people's assets like real estate properties, other businesses etc.

I will choose the Option 2 for giving me more time to observe the market and to decide if I can survive in this industry.

The self-assessment medical declaration could be very dangerous for the public safety. I believe the medical must be compulsory every 3 years for both the Taxi and Ride-sourcing operators.

ANCAP 5-star rating is must to ensure the safety of passengers using the services of ride-sourcing vehicles and Taxi services.

The Perth Licenses should operate in Perth and Airport area. The price of Launceston Perpetual licenses is very high compared to the Perth Perpetual licenses. There are lot of taxis and UBER cars are working in Launceston area and there is not enough work in Launceston area to accommodate more taxis in the area. Work for Launceston taxis will go down dramatically if Perth cars will be allowed to work in Launceston area too.

As a taxi operator runs a taxi with a taxi network-which is an accredited body and the taxi operator still must have the accreditation; Similar way a ride sourcing operator who runs his vehicle with a ride sourcing company, that operator must have an accreditation too to assure the safety of the passengers.

Taxis have already Security Cameras installed in the taxis. This is backed up with provision of an Electronics Technician on site and the maintenance and repair or replacement of this equipment. The ride sourcing vehicles must have the similar security cameras installed in them too by their operators to ensure the passengers safety.

Working with vulnerable people card should be the same for UBER drivers as well which should be for employment purpose instead of volunteer.

The annual fee of Perpetual Taxi License Holders should be reduced or removed now to make it level playing field for taxi industry and ride-sourcing industry.

Having both the Taxi and Ride-sourcing industries to have security camera, have accreditation and similar annual fee will provide the level playing field for both industries.

The surcharge on Eftpos should be reduced to 5%.

Yours sincerely,

Kuldeep Malhotra
Taxi Owner and driver



Equal Opportunity Tasmania

Draft regulatory framework for the on-demand passenger transport industry

Submission by the Anti-Discrimination Commissioner (Tas)

November 2018

Equal Opportunity Tasmania

(the office of the Anti-Discrimination Commissioner)

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Celebrating Difference
Embracing Equality

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Introduction

Thank you for providing us with an opportunity to comment on the draft regulatory framework for the on-demand passenger transport industry.

Our interest in this matter stems from many years working with the transport industry to ensure that obligations under discrimination law are met, both in the on-demand passenger transport industry and in the wider public transport sector.

Complaints to Equal Opportunity Tasmania (EOT) in which discrimination and other prohibited conduct is alleged in the taxi and broader transport industry remain significant. Issues range from the failure to understand obligations regarding assistance animals through to complaints regarding discriminatory treatment of both drivers and passengers.

Our concern is to ensure that all service providers understand and meet obligations under discrimination law and that organisations responsible for the provision of services are aware of their legal responsibilities under the *Anti-Discrimination Act 1998* (Tas) (ADA).

Once again, thank you for providing us with an opportunity to comment. Please do not hesitate to contact me if you require further information.



Sarah Bolt
ANTI-DISCRIMINATION COMMISSIONER (TAS)

Obligations under Discrimination law

Providing safe and equitable access to on demand transport services is of ongoing interest and concern to Equal Opportunity Tasmania. As outlined in our March 2017 submission to the *Taxi and Hire Vehicles Industries Regulatory Review*, significant barriers to the provision of equitable transport services continue to exist in Tasmania, particularly for people with disability.

Whilst the introduction of broader on-demand passenger services such as Uber have the capacity to provide more choice in the market, we believe that these will only be of benefit if regulatory mechanisms are adopted that ensure equitable access to all services and encourage all participants in the industry to provide services in a non-discriminatory manner.

Anti-Discrimination Act

The *Anti-Discrimination Act 1998* (Tas) (ADA) prohibits discrimination on the grounds of a range of attributes or characteristics including disability, age and race. The Act applies to a broad range of public activities, including the provision of facilities, goods and services. This includes transport services.

The ADA also prohibits a person from engaging in any conduct which offends, humiliates, insults or ridicules a person on the basis of a range of attributes including race, age, sexual orientation, gender or disability.¹ It also prohibits inciting hatred towards, serious contempt for, or severe ridicule of a person or group of persons on the grounds of a range of attributes including race, disability or sexual orientation.²

Disability includes physical limitations and disfigurement, sensory impairments such as sight or hearing loss, neurological conditions such as multiple sclerosis and motor neurone disease, psychological and psychiatric illnesses, learning and intellectual impairments, injury and illness. It does not matter how severe the disability is or for how long it lasts.

Discrimination prohibited under the ADA includes both 'direct' and 'indirect' discrimination.³ Section 14 provides that:

- (2) Direct discrimination takes place if a person treats another person on the basis of any prescribed attribute, imputed prescribed attribute or a characteristic imputed to that attribute less favourably than a person without that attribute or characteristic.
- (3) For direct discrimination to take place, it is not necessary –

¹ *Anti-Discrimination Act 1998* (Tas) s 17(1)

² *Anti-Discrimination Act 1998* (Tas) s 19(b).

³ *Anti-Discrimination Act 1998* (Tas) s 14(1).

- (a) that the prescribed attribute be the sole or dominant ground for the unfavourable treatment; or
- (b) that the person who discriminates regards the treatment as unfavourable; or
- (c) that the person who discriminates has any particular motive in discriminating.

Indirect discrimination is defined in section 15:

- (1) Indirect discrimination takes place if a person imposes a condition, requirement or practice which is unreasonable in the circumstances and has the effect of disadvantaging a member of a group of people who –
 - (a) share, or are believed to share, a prescribed attribute; or
 - (b) share, or are believed to share, any of the characteristics imputed to that attribute –more than a person who is not a member of that group.
- (2) For indirect discrimination to take place, it is not necessary that the person who discriminates is aware that the condition, requirement or practice disadvantages the group of people.

Charging a person a different fee for a service because they have a disability is a form of direct discrimination. Refusing to pick up a passenger because of their race or nationality is also form of direct discrimination. Starting the meter for a taxi fare from the time the taxi pulls up to pick up a passenger and continuing to run the meter until the person leaves the vehicle may amount to indirect discrimination if the practice is used to disadvantage a person with disability who may take longer to embark or disembark from the vehicle than other passengers. Failure to provide reasonable adjustments to ensure that a person with a disability can access the same services as those without a disability may also amount to indirect discrimination unless the provision of access would cause unjustifiable hardship.

Under the ADA, an exception may apply where a respondent to a complaint can demonstrate that the discrimination was ‘reasonably necessary’ to comply with ‘any law of this State or the Commonwealth’⁴ or if the provision of the goods or service on equitable terms would cause unjustifiable hardship.⁵ Section 101 provides, however, that those wishing to rely on an exception as a defence to a complaint are responsible for proving on the balance of probabilities that the exception applies.

⁴ *Anti-Discrimination Act 1998* (Tas) s 24.

⁵ *Anti-Discrimination Act 1998* (Tas) s 48(b).

Section 104 of the ADA provides that organisations must take reasonable steps to make sure its members, officers, employees or agents do not engage in discrimination or prohibited conduct. Organisations are also responsible for ensuring that its members, officers, employees and agenda are:

- Are aware of discrimination and other unlawful conduct under the ADA;
- Don't engage in, repeat or continue discrimination and other prohibited conduct under the ADA; and
- Are aware of any orders of the Anti-Discrimination Tribunal that are relevant to them.

Organisations that do not do this are liable for any breach of the ADA by any of its members, officers, employees or agents.

Regulation of licences and service types

The Proposals paper sets out two options for the transition to deregulate the Tasmanian taxi industry. EOT has no view on the preferred approach. We are however concerned that a poorly regulated industry will fail to meet the demands of a community that is increasingly seeking more access to flexible transport options. Our approach is one of ensuring that access to transport services is provided on an equitable basis to all Tasmanians and that all sectors of the industry and aware of their obligations under discrimination law.

Access to Taxi Subsidy Program

The transition options outlined in the proposals paper appear to be based on the premise of providing taxis with exclusive access to Taxi Subsidy Program (TSP) fares. No justification is provided for this approach. Nor does the proposals paper include any modelling on the impact of restrictions on those who currently access the TSP.

To be eligible for the Taxi Subsidy Program a person must be a member of the Transport Access Scheme (TAS) and hold a valid concession. TAS members receive a subsidy on their taxi fares. The subsidy is 50% of the fare, up to a value of \$25 when using a standard taxi. Wheelchair-reliant members receive a 60% fare subsidy, up to a value of \$30 when using a wheelchair accessible taxi. A total of \$5,964,000 was expended on TAS in 2017-2018.⁶

Our understanding is that the proposal to restrict access to the TSP to taxis stems from inability of TSP customers using their smart cards outside of taxis. However no discussion is included as to whether this is the reason behind the proposed approach. Nor are alternatives considered which might achieve the same ends for those who wish to use booked services other than taxis.

The justification for restricting access to the TSP to taxi services appears to be based on the view that it would provide the taxi industry with a steady stream of clients to support the industry through the transition period.

Such an approach risks distorting the transport market and is contrary to discrimination law.

The Tasmanian Government has responsibility for ensuring that people with disability have access to transport services on an equal basis to others. Accessibility does not simply relate to the ability to access a vehicle, it also applies to booking and payment systems.

Whilst the paper indicates that deregulation of booked services for subsidised fares will be reviewed to ensure adequate consumer protections. No timeframe or other arrangements are provided for the review. Nor does the paper touch on what it might be by 'adequate' consumer protections.

⁶ Department of State Growth, *Annual Report 2017-18* p110

People with disabilities have the right to ride in any public transport vehicle whether it be a taxi or a ride-sharing service and arrangements should be put in place to enable the TSP to be used for any on-demand transport service. Such an approach would provide those in receipt of the TSP with a greater level of choice and ensure that they too are able to take advantage of benefits arising from the deregulation of the industry. We also believe it would act as a strong incentive to the taxi industry to be more responsive to the needs of people with disability currently using conventional taxi services.

There is a case to suggest that the market has not operated well in response to the needs of people with disability – that in circumstances where there is restriction on service availability it has been difficult for those who require accessible services to access them because of perception of additional cost or responsibility associated with provision of service to this segment of the market. For many years we have argued strongly for the taxi industry to recognise and acquit its responsibilities to provide equitable services to this market. Now in response to the arrival of new entrants to the market, the proposals paper suggests the retention of monopoly in this market. Whilst there are good reasons for ensuring that there is a sufficient supply of WATs for that segment of the market who require specialised vehicles, there does not seem to be any great reason for the restriction of supply in circumstances where a conventional taxi service can be used.

Whilst deregulation of the taxi industry may promote flexibility in the way in which services are delivery, it may also result in adverse social impacts and these need to be carefully assessed and monitored over the coming period.

To this end we consider a full regulation analysis including costs and impacts on vulnerable users should be undertaken prior to agreeing to the approaches outlined in the Proposals paper. As a matter of good practice all substantive regulatory change should be the subject of a regulation impact statement even in circumstances where regulation is being reduced. Such an analysis is critical to ensuring that the costs and benefits of the proposed changes are clearly understood.

People with disability in particular have a right to accurate, timely, accessible information about the likely impact of the options proposed and whether they will be disproportionately impacted by these changes.

Deregulation of Taxi Areas

Option 2 in the Proposal paper arrangements intended to address the issue of unmet demand. Option 1 is silent on this issue.

Of particular concern to EOT is the proposed timing of the deregulation of the existing 24 taxi areas and the impact this may have on the availability of WATs in rural and regional areas.

Deregulation of taxi areas would enable existing WAT licence holder to make available services in broader areas and provide opportunities to meet unmet demand. This has been a particular problem in the Burnie, Ulverstone and Devonport areas where WAT services has been restricted. The proposed approach would not see change in the taxi areas until year three of the transition. We do not consider this is sustainable and would prefer that zoning regulations are relaxed in

year 1 in areas where there is unmet demand for WAT services. This is particularly important as there appears to be little interest in Uber or other ride-sharing companies in providing WAT services.

Booked Service Licence

Whilst it is clear that all providers of transport services are required to meet obligations set out under discrimination law the complex nature of the taxi industry in Tasmania has meant that responsibility for meeting these standards has not always been clear. This has given rise to situations where it is not always clear which party has responsibility for particular matters.

The lack of standardised regulatory arrangements has led, in part, to a reliance on complaints under discrimination law to force compliance with legal obligations. However, reliance on a knowledge of rights together with the capacity and willingness to go through formal complaint processes is in our view a poor substitute for clear regulatory standards and clearly identified accountability structures in the industry.

We welcome the intention under the new framework to define services as either booked services only or taxi services that can operate in both the booked and hail and ride markets. We believe this will add an important degree of transparency to the industry and provide a clearer basis on which to identify responsibility for the provision of non-discriminatory services.

Further, we are supportive of the introduction of a booked service licence to replace existing licences and the requirement for ride-sourcing vehicles to possess a booked service license prior to operating in the sector.

We consider this will provide a greater degree of transparency in the industry and enable all operators to be held accountable for the services they provide.

We remain concerned, however, that a wholly deregulated industry will result in further segmentation of the taxi and ride-sharing market in ways that may be potentially detrimental to people with disability. In our March 2017 submission to the Taxi and Hire Vehicles Industries Regulatory Review we raised concerns about the potential of services such as UberASSIST to create a separate category of service users based on disability or impairment in circumstances where those customers are quite capable of accessing conventional taxi or ride-sourcing vehicles and their assistive technology device can be safely stowed in the vehicle.

From the limited information made available by Uber Australia, UberASSIST appears to be specifically targeted at passengers with folding wheelchairs, walkers and other mobility aids. Our concern about this approach is that it risks sending a message that conventional vehicles are not required to accommodate persons who are reliant on mobility aids and who are capable or transferring independently into these vehicles. The use of a standard or conventional vehicle does not diminish responsibility for making appropriate adjustments to existing methods of service delivery where these are required. Just as all passengers would expect to be provided with assistance luggage or other goods being transported by a taxi or ride-sharing vehicle, a person with a mobility aid should also be able to expect the same level of assistance at the same cost as other customers.

Regulation of Drivers

In our March 2017 submission we expressed ongoing concern about the lack of training available to new and existing drivers in relation to their understanding of obligations under discrimination law.

It is disappointing, therefore, that the proposals paper suggests that other than for drivers providing a WAT service, training should be reduced to only those requirements that relate to the safety of drivers and passengers and that operators be given responsibility for ensuring that drivers have the appropriate level of training and be free to choose the method and content of that training.

Whilst we acknowledge that as part of their annual ancillary certificate renewal, all drivers would be required to declare that they understand and comply with their public passenger vehicle legislative obligations, as well as their requirements under disability/anti-discrimination legislation, no further details about how they will be required to demonstrate that understanding or how they have/are meeting those requirements has been canvassed in the paper.

In this context we note that Uber has in place *Community Guidelines* which place responsibility on drivers of ride-sharing vehicles to comply with anti-discrimination laws. Whilst this global statement of commitment is welcome. The requirement is that drivers not discriminate ‘against drivers or other riders based on their race, religion, national origin, disability, sexual orientation, sex, marital status, gender identity, age *or any other characteristic protected under applicable law*’ (emphasis added) and further that ‘(Uber) expect drivers using the Uber app to *comply with all applicable laws governing the transport of riders with disabilities*, including transporting service animals’ (emphasis added). As a general statement of service standards, the commitment to providing non-discriminatory services is welcomed. We are less convinced, however, that broad statements such as those contained in the *Community Guidelines* are a sufficient for drivers to understand the full range of legal obligations under the *Anti-Discrimination Act* and related laws.

Nor do we consider that driver screening alone provides sufficient protection against drivers who may operate in a way that is unsafe for passengers. Again, whilst Uber *Community Guidelines* provides some information on ensuring a respectful and safe environment for all passengers, no information is provided, for example, on legal protections against sexual harassment and the circumstances in which this may be covered by discrimination law.

EOT is of the view that drivers engaged in both taxi and booked services should be provided with training on their legal obligations under discrimination law.

To this end, EOT recommends that all drivers (both taxi and ride-sourcing services) should be required to undergo mandatory discrimination law training (including obligations in relation to people with disability) prior to commencing employment. This would be in addition to the training required by WAT drivers specific to the safety requirements for operating a WAT vehicle.

Safety

All forms of public transport should be safe for users. This includes ensuring that vehicles are physically safe, that driving practices make for a safe journey, that passengers are safeguarded against any forms of abuse, harassment or assault and that personal information collected as part of the service is safeguarded.

Reports of crimes and other unlawful behaviours are not unknown in the taxi and ride-sharing industry. Women in particular have reported a number of serious incidents in which they have been harassed by drivers and information gathered about journeys used inappropriately. Whilst police should obviously be notified in circumstances where the incident reaches a criminal threshold, not all behaviours will be prosecutable.

Whilst we accept that these types of incidents are not common and that Uber and other ride-sharing services provide customers with the ability to rate the service they are provided, we are of the view that strong penalties and other sanctions should be available to State Growth in circumstances where duty of care is breached.

Whilst Working with Vulnerable People checks provide some screening of service providers, there does not appear to be any mechanism or requirement for drivers to report additional incidents or to have their licences reviewed in circumstances where a report may be made against them or they are the subject of traffic violations (eg, excessive speed, dangerous driving, breaches of road safety).

The proposals paper refers to a requirement that all parties in the chain of responsibility will be required to adopt a primary duty of care to ensure the safety of drivers, passengers and other road users. However no further detail is provided about the terms of the duty of care or how it will be set out. From our perspective, we consider there should be a single comprehensive statement of requirements, including requirement relating to discrimination law, applicable to all operators as a minimum statement of service standard. We also consider that a reportable incident scheme should be established that would require operators and drivers to notify State Growth of incidents, including complaints or other sanctions made by or against service providers.

We are also concerned that arrangements should be in place to ensure that all service providers have appropriate insurance protection in the event of injury to passengers arising from traffic accidents. This is of particular concern in relation to ride-sharing services.

From: [REDACTED]
To: [Taxi Review \(StateGrowth\)](#)
Subject: About the taxi license plate and the fair
Date: Thursday, 18 October 2018 11:38:33 AM

Hi

I would like to suggest the department that to the best interest of the taxi industry abolish the taxi license plate and if anyone wants to drive taxi should get one from the department for a minimum fee and be a driver operator only license.

The fare should be regulated by the department which is currently in place so the passenger paying for the fare won't argue and everyone in the industry will be on the same page.

Giving authority to the major 3 taxi operators which are 13cabs /131008 and 13ecabs the power to regulate the taxi industry rules and power of authority to give accreditation will not be fair for taxi operators which has one or two taxi licenses as they can manipulate them according to their liking.

If there is a government body to regulate taxi industry every one has faith in it and no one get exploited the owner operator/drivers/and the community which use the taxi services. And there will be a fair system for everyone.

Thanks

Mahender Singh bisht

[Sent from Yahoo7 Mail on Android](#)

From: [REDACTED]
To: [Taxi Review \(StateGrowth\)](#)
Cc: [Mandip Singh](#)
Subject: taxi review
Date: Thursday, 22 November 2018 6:37:32 PM

dear sir/ madam

i am Mandip Singh taxi owner operator in Hobart Region accreditation no [REDACTED]. I am skilled migrant as Diesel Mechanic in 24 April 2008 to Tasmania but unfortunately i didn't get the job in my trade then i start the cleaning job and taxi driving after six month it was very hard time of my life because new country , new lifestyle everything new and does not have a job. so when i start taxi driving then i make my living after that i get married and my wife came in 2011 after few month i be a dad now i have three kids very young 7 , 5 and 5 old all depend on my taxi business.

I buy my first taxi licence in 2012 and after a year in 2013 bought my second licence and recently two months ago i got my third licence. my whole living is depending on only my taxis also the other three drives who are working for my taxis they will also survive if this is going to finish because for them taxis are the only source of income too. if it happens in coming five years my superannuations also finish with this because i buy these licence to make my future safe . I really working hard to payout these licences loan which i took from bank against these licences also my house mortgage loan . I drive more then 12 hour a day 6 day in week some time 7 days .From last two year {dec 2016} where the government launched the uber we cannot make \$150 in a shift and weekend night also overtake by uber upto 60%, few months ago THE ABC NEWS HOBART SURVEY also shows that 67% of taxis work overtaken by UBER, but we still working to provide a community service and we have to payed our loan and mortgage too if u finish the value of the licence then how would we all taxi operators will survive and you make us a bankrupt too.

1 . In your proposal it was that about to finish 24 zone and in future it will be only 4 zone. Hobart zone licence are the only most expensive then other zones with \$60000 amount and you asking NEWNORFOLK, HUON VALLEY licences holder can come to work in hobart zone. they had paid only \$10000 for their licence and we paid 5 times more then them. we are also not agree with this one too.

2. we are happy to go with you about eftpos surcharge to reduce as lowest as can be for good services. we operators are not getting any benefits with this only the taxi companies ripping off the community {customers}

3. I have request can u please defined between taxi and ride sharing { uber} .As you know the taxi operators pay more reg. more insurance and more inspection more equipment, what did uber car pay only just normal rego. , normal car insurance and lot of them do not have any public liability also no insurance .

If you are really ready to finish our superannuation {licence} and our living as well also give our money back also with the assurance of safe and secure future for us and our families too... thanks

With Regard
MANDIP SINGH

20th Nov 2018

Gary Swain
Commissioner for Transport
GPO Box 536
Hobart TAS 7001

This refers to your email regarding the review of options proposed by the department of transport. In reply I am choosing option 2 and will go for it. This is not about choosing option there are some issues which your department is unaware of it, department of transport doesn't know how we taxi owner/drivers are struggling hard in this taxi industry. Our earning is going down day by day & after the arrival of Uber it has gone worst. Uber has taken more than 30% of our taxi business. Number of hours are going up and earnings are going down.

Have you ever thought about us who have invested their 5-6 years of earnings, some have taken loans as well to purchase taxi plates which is our livelihood. My taxi plates are my security/savings of my retirement. Now your department comes and say value of your plates will be zero in 5 years. Put yourself in our shoes and see from our eyes how hard it to survive on in taxi industry where inflation is going up and our earnings are going down.

By increasing number of Taxi Plates you will make our life worst, its not enough taxi work in Hobart these days and you are planning to increase the number of plates. Those who are just earning less than \$8 per hour, after increasing number taxi plates it will make their life hard. I believe their earnings could go down to less than \$5 per hour, could you survive in less than \$5 per hour earning.

Now my request is to stop all this and come forward to save this taxi industry, let us live and earn don't force us to be dependent on welfare money let us work and live like other normal citizens of Australia.

Thanks

Yours truly
Manmohan Singh

From: [REDACTED]
To: [Taxi Review \(StateGrowth\)](#)
Subject: Taxi review
Date: Monday, 12 November 2018 3:08:26 PM

To whom it may concern

My name is Mohamed Hefny I m not a taxi Driver nor (OOTLs) but i m Perpetual taxi plates owner, My family and i borrowed \$1000,000.00 to buy 6 Taxi plate and lease them as investments, We have paid Tax duties in some,GST annual fees, transfer fees and general tax income hoping to have a good investments business, we trusted the government and the system to not let us down, Now if the government going to deregulate the the framework and drowning the market with owner-operator taxi licence for free or cheaper rate we will not be able to get our money we borrowed back therefor if the government to think of better option buy or pay back our taxi plate as was offered for tender after the year of 2008 and sold by about \$160,000.00 other wise we will be in big trouble with the lender and be in hardship.

--

BEST REGARDS
MOHAMED HEFNY

AWL DIRECTOR

[REDACTED]

Mr Gary Swain
Commissioner for Transport
GPO Box 536,
HOBART TAS 7001

Email: taxireview@stategrowth.tas.gov.au

Re: Submission - Taxi & Hire Vehicle Industries Regulatory Review

I am submitting this in response to the Taxi & Hire Vehicle Industries Regulatory Review Proposal Paper issued in October 2018.

I am a Perpetual Taxi Plate owner and operator, working in the taxi industry in Launceston from last 10 years. The biggest concern I have regarding the changes outlines in the Proposal Paper is that the current market price for the Perpetual Taxi Licenses will go down dramatically. I bought the Launceston Perpetual Taxi License for \$100,000 couple of years ago. The Perpetual Taxi Licenses in Tasmania is very different from other major Australian States as it doesn't have the same amount of major investors. Perpetual Taxi Licenses in Tasmania are typically owned and operated by individuals who have held these licenses as their superannuation. Also, these licenses provide the main income to those operators as their livelihood.

As stated in papers issued, by accepting a proposal to speed up the transition to deregulation consideration would be given to compensation for Taxi Plate owners but there is no compensation mentioned in the papers. I believe that the compensation for the Perpetual licenses Holders should be the government buy those perpetual licenses back from the owners at their current value which is \$100,000 in Launceston. I could not understand that why the governments do not want our assets (Taxi Licenses) to grow in value where they have no issue when real estate market or many other assets grow Australia wide every year.

Choosing Option 2

I will go for the Option 2 which would give me more time to think and to see the market changes and to decide whether I would like to stay in this business anymore or not. The opportunity to continue with Perpetual Taxi Licenses remaining as a leasable item is a positive. The restriction on leasing of Owner Operated Taxi Licenses should be retained.

Perth Taxi Area

I believe that the Perth Licenses should operate as it is now. As there are lot of Launceston Perpetual taxis, OOTL's, Luxury hire cars, Restricted hire vehicles and UBER cars are working in Launceston area already and the supply of vehicles are already more than the demand. There is not enough work in Launceston area and it is not feasible if another 15 Perth cars will be allowed to work in Launceston area. Also, there is a huge difference between the price paid by the Launceston Perpetual Licenses Holders as compared to Perth Perpetual Licenses Holders.

ANCAP Five Star Rating

ANCAP 5-star rating is a good idea to ensure the safety of passengers using the services of ride-sourcing vehicles and Taxi services.

Removing Tariff 3 & 4 for WAT taxis

For WAT taxis reducing the tariff to Tariff 1 & 2 only, there should be the introduction of meter activation immediately upon arrival at the destination, as exists in other jurisdictions. It will support that WAT drivers earn enough to keep driving WAT vehicles.

Reduce the Credit Card surcharge to 5 per cent.

I have no objection to this.

Regulation of Operators

As Taxi Combined Services already provides the Taxi Security Camera installed in the taxi. This is backed up with provision of an Electronics Technician on site and the maintenance and repair or replacement of this equipment. I believe that ride sourcing vehicles must have the similar security cameras installed in them by their operators to ensure the passengers safety.

As a taxi operator runs a taxi with a taxi network-which is an accredited body and the taxi operator still must have the accreditation; Similar way a ride sourcing operator who runs his vehicle with a ride sourcing company, that operator must have an accreditation too to assure the safety of the passengers.

Working with vulnerable people card should be the same for UBER drivers as well which should be for employment purpose instead of volunteer.

The annual fee of Perpetual Taxi License Holders now should be reduced or removed to make it level playing field for taxi industry and ride-sourcing industry. Having both the Taxi and Ride-sourcing industries to have security camera, have accreditation and similar annual fee will provide the level playing field for both industries.

Self-assessment medical declarations

The self-assessment medical declaration should not be welcomed by both the taxi industry and ride sourcing industry. It could be very dangerous for public safety. I believe the medical must be compulsory every 3 years for both the Taxi and Ride-sourcing operators.

Yours sincerely,

Paramjit Singh Lallar
Taxi Owner and Operator

From: [REDACTED]
To: [Taxi Review \(StateGrowth\)](#)
Subject: Taxi Review
Date: Saturday, 6 October 2018 10:34:00 AM

To whom it may concern,

I just have some thoughts with the taxi review but 1st, are you having a meeting with the Taxi Combined board Launceston I hope you will only be discussing the call centres part of the your proposal because they do not represent me as a taxi owner or any other taxi owner in Launceston. Taxi Combined do not own or operate a taxi in Launceston so in your case you will be talking to no body, you should have a meeting with everybody and get it out there instead of hiding behind a computer – do it face to face. Believe it, you are deal with small business over 300 taxi hire car, so get it together and have a meeting with us .

For us to be on same playing field as CTST Uber, Go Catch etc, these organisations do not have the out lay of plate rent \$300 per week, or call centre \$160 per week.

It's simple to fix, you buy back all the taxi plate's and then the Government leases the plate's back to us for an annual fee - \$600 per year. This now puts us on an even playing field wouldn't you agree?

Regards,

Paul Williams

[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
To: [Taxi Review \(StateGrowth\)](#)
Subject:
Date: Sunday, 7 October 2018 12:03:00 PM

On a other note work comp why was it with you the government boat it in it was just another way for us to have a harder time to make money I bet that ctst ubar gocatch do it all with MAIB we all drive a car inside and behind the steering wheel

Thanks again if you would like to discuses thing with me by all means give me a ring I mite have the answers you are look for I'm trying to do this for the god of the many and playing with people that are in the known thank you paul williams [REDACTED]

Paul Williams

Taxi review 2/11/2018 thank so much for the opportunity to meet you and to get an understanding of what you no and you don't know about the general taxi industry.

The key point you made to us in Launceston was the words **LEVALE PLAYING FEIND** this means to the **same for everyone**.

1/ to obtain the level you are saying you won't, the taxi industry need to be reset the only way to be far is the government buy all the taxi plate back and lease them back to us.

For example 120 perpetual plate Launceston @ \$80000=9,600,000 at a lease of \$110 pw=\$13200 or pear year of \$686,400 = a pay back to the government of There outlay of 14 years. Every Launceston plate holder is happy they have got there supper pay out government is happy they will recoup their money over 14 years a win win for all yes.

Level playing field you want for us here I go

1/Licenses a ppv coreses for all ppv drivers e.g. taxi, hire car uber,shebar CTST ECT we are shofars yes we need to be trained or refreshed in road roles etc.

2/workers compensation back to MAIB were it should be, only state to do this.

3/Rego all at the one level instead of 2 and 3 tears so 1 for taxi hire car uber WHTS .

4/ accreditation I think taxi combine word like to do this to stream line and make it there's to do a good job. Uber need to do this because they need to have a 10000 km safety check by a service provider

5/ the working with vulnerable people card why is it in two tries to make more money for the government, the card is the same, same thing happens to get it so why 2 leaves, **LEAVEL PLAY FILD.**

6/ yes a good idea from you all 5star annscap and 7 to 12 years on the cars so the out lay can be a lot lower for replace cars thank you.

7/ Medicals have to be done at the same rate is being done now it's a must for all of us to no we are medically safe to drive with ppv.

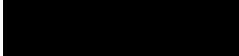
8/ you are looking at 3 to 4 areas for the sate, y do you keep coming up with Perth, the Perth plate are laze as and just wont to sit at the airport so we make that arear 1 north and north east/north north west / and south

In the scream of things as a taxi operator and business we need to get costs down we can't while the government keep adding thing to us to spend more. The cost of fuel up and down we need a rebate the same as trucks and farmers get, to try and even it out we just can't keep putting the meter up, people stop use us. So for Launceston burring in mined it is a small city 8km square my views are

Who works for \$31ph this day and age, you might wont to look at waiting time of \$55ph

\$10 start meter fare this means flag fall of \$5.40 and two km of \$2.30 and then the meter will go at the rate specified by the tariff and now the GST is no longer a part of the meter far but plus giving us 10% increase state away. The meters have to many light fingers the tariff 1and2 or 3

need to be automatic and the extras panel only highlight when at the airport to set the toll. We are the only state that does not have a booking fee y <https://www.taxifare.com.au/rates/australia> check out Melbourne a lot of people come hire from Melbourne but the fuel price is different but I think we could live with that far rate

So thank you for your read of my views paul williams open for any discussion from you all Cheers 

From: [REDACTED]
To: [Taxi Review \(StateGrowth\)](#)
Subject: submission
Date: Saturday, 24 November 2018 12:57:58 PM

Good Afternoon,

I would like to say that state growth policies already ruined the Hobart taxi industry. The Taxi industry is totally collapsed because of Uber and other ride sharing companies. Eventhough there are more than enough taxi's in the Hobart. One thing i could not understand on what bases the state growth wants to make a changes and why? The industry is already collapsed because of your [REDACTED] policies and it is hard to make a money to survive for the taxi drivers. We paid \$60000 to state growth to buy the taxi plate plus \$ 700 everyyear and on top of that we are paying \$1300 registration, security cameras, commercial insurances, public liabilities, radio fees, anuual checks of vehicle, accreditation and audit checks.

After doing this long processes we are hardly making a money to survive and if you calculate at this stage we are getting less than \$12 per hour, "which is lowest in Australian". In the year 2015-16 i spent \$80000 to buy a taxi plate and car, and that was saving of my whole life. I was planning to sale the taxi to buy a home for my family, but the value of taxi become ZERO after your reveiws released on 1st of October.

Now, the state growth giving as two options to choose and that makes no difference because both ends at the same point i.e "the value of the plate will be zero". So, i have decided not to choose any option and requested to state growth that please taxi is your property and please take your property back and return my \$60000.

Looking forward for your response.

Kind regards,

Prithipal Singh,
[REDACTED]

My comments on review of Taxi Framework are as under:

- I would like to let you know that I buy my plate last year on loan and I still haven't pay it off, or any savings. If I didn't received my money back or you deregulate the plates. I will be bankcurrupt . meanwhile suffers with financial crisis.
- I am of the opinion that proposal no. 1 where further issuance of taxi licenses be out rightly be rejected and further Taxi Licences should not be released as this will lead to failure of the taxi industry.
- There should be compensation to owner operators in case of taxi licences deregularisation which should be the minimum level of bids at the time of purchase. This will save their families from starvation and repayment of loans.
- Owner operators should not be regulated under dispatch companies rather should be allowed to work independently.
- Taxi operators should not be allowed to fix their own fares as this will lead to unhealthy working conditions.
- Ride sourcing Companies like Uber should be regulated in the interest of passenger and driver safety. Work towards reduction in Taxi registration, insurances and worker compensation.

I hope our requests will be considered with utmost importance and considered before the final framework is drawn and implemented.

From: [REDACTED]
To: [Taxi Review \(StateGrowth\)](#)
Subject: Taxi Review
Date: Sunday, 25 November 2018 12:37:07 AM

Good Evening,

My name is Rajiv Kumar and I am a taxi owner and a driver. 3 ½ years ago I bought my own taxi plate ([REDACTED]) worth of \$60,000 in Tasmania Hobart. Driving taxi is my only job and source of income. As we all know/experiencing a significant drop in our income (around 40%) since UBER came to Tasmania. It is already hard enough for me to earn just enough money to pay my bills and daily expenses. So as a valued member of taxi department I wish to go and vote for option B.

I hope it helps state growth team to make a right decision in the favour and goodwill of taxi owners.

Kind Regards

Rajiv Kumar

Taxi Owner.

From: [REDACTED]
To: [Taxi Review \(StateGrowth\)](#)
Subject: taxi review.
Date: Saturday, 24 November 2018 4:11:33 PM

good evening.

i m Raman arora a hobart taxi owner operator.

to be very honest tasmania is a place where i want to raise my family as a young Australian and a Tasmanian. But the structure wat i feel about is getting worse worse about jobs.

i invest my all money on buying a taxi license and car 2 yrs ago.

and in 2 years my income which is 2 yrs ago is half now.

and now think options from state growth does not help all becos of the uber in hobart.

there r places in the world where uber is banned..

y not think abt tasmania.. y not think abt local people who work hard and make tasmania a liveable place.

not like uber making money and send to States..

if i need to do anything i have to do now..

becos after 5 yrs may be its more hard to change and bet any job

so either i expect my investment money back from the govt..so i start something new.
or leave TAS..

and about our expenses we r paying double everywhere.

1 registration

2 insurance

3 plates maintenance fee.

compared to uber ..

so plz its my humvle request to think abt the industry becos we the spend time on road not the ??..

thanks

raman arora.

Sent from my Samsung Galaxy smartphone.

I am a small businessman as classified by ATO. With my little savings and borrowings from the bank I managed to buy a taxi plate for \$60,000 as my asset. Now with one departmental decision my asset has no value at all. I understand and appreciate that government/department is aiming for an open market and more competitive service to the consumer, which sounds good. But at what cost. I felt being robbed, lost trust and faith in any further investments in any kind of business. It is a discrimination and violation of my right to equal opportunity.

Federal MP Bob Katter, who is supporting the legal action, said taxi drivers across Queensland had been unfairly dealt with. "You told us we had to pay this amount of money for a licence. Then you destroyed the licence. If that's not fraudulent I don't know what legal term you use," he said.

<https://www.abc.net.au/news/2018-11-22/taxi-drivers-seek-1-billion-compensation-from-qld-govt-over-uber/10546146>

On one side new business people will just need to pay the annual fee and the previous investors losing their asset. Let's make it fair and just. **For example-** When governments/departments/council aims to build or extend a road or highway, the owners of that land or premise that needs to be demolished are paid the market value of their property.

<http://www.land-acquisition.com.au/key-principles/compensation/tasmania/>

It appears that Government/Department have made a mind to go ahead with deregulating Taxi Industry. So, I would request department to Buy Back my Owner Operator Taxi License (OOTL) and reimburse me for my asset valued \$60,000. Then, I would happy to be part of this open market thereafter and would continue providing a better service to the community.

KEY ISSUES

There are few key issues that needs to be considered and fixed before creating an open market for Taxis and Ride Share services.

- 1. TRAFFIC-** Due to an open market, there would be more cars on the roads. Which would add more traffic to the already existing traffic congestion on Hobart roads. Our Prime Minister is trying to cut down the visas in order to reduce the traffic congestion on the Australian roads. On the other hand, department is contradicting/ overriding their Prime Minister' decision regarding traffic.

<https://youtu.be/rHDTsZ9-pG4>

<https://www.abc.net.au/news/2018-10-15/hobart-traffic-congestion-getting-worse/10376378>

- 2. PUBLIC REVIEW-** It would be very respectful to public if a public review can be conducted as per any other project development. Lets see how would public like to be served in regards to their daily commute. What public thinks about the increased number of cars on the road and untrained drivers.

- 3. UNEMPLOYMENT-** More Taxis on the road would lead to a class of **Disguised unemployment** as the drivers would be earning way below the minimum wage for any Australian.

<https://www.themercury.com.au/news/tasmania/airport-sting-leads-to-calls-to-clean-up-hobarts-rank-taxis/news-story/888bd7ff68d1834769690246a46125cc>

- 4. WORK RESTRICTIONS AND DRIVER TRAINING-** How department would be managing visa work restrictions and normal rest hours for the drivers. In the session I was advised that it is at drivers' onus to be mindful. But we had examples that drivers failed to comply. As someone could be driving both a Taxi and ride share service.

No Drivers training would lead to a poor service rather than a competitive service.

<https://thewest.com.au/news/7-news/taxi-drivers-sleeping-in-cab-boots-to-make-ends-meet-bc-5280230156001>

- 5. RANKS/HAILS** (The only Difference between Taxi and Ride sharing).

Hobart has 400 taxis and we don't have enough ranks. I spoke to Hobart city council about the taxi ranks. I have been advised that it's at council's discretion to allocate rank spots not at department of state growth. Which means one government department is happy to bring more cars on the road and the other department would not allocate more ranks.

I am raising this point as I was struggling to find any parking (in my private car not taxi) spot on Collins street between Harrington and Collins and Molle street but there were 4 taxis parked with drivers in it waiting to get a radio job. How come in future department will going to provide more room to taxis and ride share services. From my experience I can say that council was losing money with their parking bay and public was losing space to park their car. I don't blame taxis for this, but department should come up with a solution. As with current number of carparks and taxi ranks, we would be adding a reason to traffic congestion.

CAR PARK	NUMBER OF PARKING BAYS
Argyle street	1155
Hobart Central	465
Centre Point	782
Metered Parking	1800
Elizabeth street, Lefroy Street, Goulbourn St, Salamanca Square	Not Known
TOTAL	5000 approximately

- 6. RUNNING COSTS** – (insurance, rego etc.)- The running cost for all the PPV should be same. Ride share gets an advantage over Taxi which is unjust and discriminatory. It should be same for both services.

- 7. GOVERNMENT OWNED RIDE SHARE APP** – I would like to put forward an idea of Australian/Tasmanian government owned and operated ride share app. It would boost up the economy financially by keeping every single cent within the country/state. It would create job opportunities for Australian/Tasmanian public.

I WOULD LIKE TO REQUEST THE DEPARTMENT OF STATE GROWTH TO CONSIDER MY CONCERNS AND BUY BACK PLAN (2nd attachment). I WANT TO CONTINUE PROVIDING A BETTER SERVICE TO THE PUBLIC. I AM A SUPPORTER OF GROWING ECONOMY AND TECHNOLOGY. LETS TOGETHER RESTORE THE TRUST AND HELP TASMANIA GROW AND COMMUTE SMOOTHLY.

BUY BACK PLAN

GOVERNMENT CAN BUY BACK ALL THE TAXI LICENCES AND GOVERNMENT CAN RECOVER ITS MONEY JUST WITHIN 13 MONTHS FROM NEW TAXI OPERATORS AND RIDE SHARING DRIVERS.

IF DEPARTMENT BUYS BACK 400 LICENCES AND ISSUES 800 NEW LICENCES (400 OLD + 400 NEW). IF THE NUMBER OF RIDE SHARE VEHICLES ARE 1000 IN OPERATION. THE DEPARTMENT CAN CHARGE THE FOLLOWING FEES (PER MONTH) TO THESE VEHICLES AND DEPARTMENT WOULD BE ABLE TO RECOVER ALL COSTS IN SURPLUS WITHIN 13 MONTHS.

TAXI & Ride Share Vehicles	POPULATION	TAXI/Rideshare PER PERSONS
1800	230000	127.77

	No.of CARS	PLATE COST	FIRST MONTH	13 MONTHS
NEW TAXI PLATES	800	\$1,500.00	\$1,200,000.00	\$15,600,000.00
Ride Share	1000	\$700.00	\$700,000.00	\$9,100,000.00
CURRENT TAXIS	400	\$60,000.00	\$24,000,000.00	\$24,000,000.00
GOVT INCOME			-\$22,100,000.00	\$700,000.00

THIS PLAN WILL RETAIN PUBLIC TRUST IN GOVERNMENT DEPARTMENTS AND ENCOURAGE PEOPLE TO KEEP INVESTING. NOBODY LOSES ANYTHING AND WE WOULD BE CREATING A HAPPY COMMUNITY AND GOVERNMENT WOULD BE TRUE WELFARE GOVERNMENT.

I am thankful for giving me the opportunity to represent my views on the proposed Taxi framework.

I am really disappointed with the proposed Taxi framework where number of Taxi operators and Drivers which may consist of 2500 in number already having low incomes will be thrown out of industry with so called DE regularisation.

Partial DE regularisation has already been done at the time when Ride sourcing companies like Uber were allowed to operate in Tasmania. As far as DE regularisation of Taxi Licences particularly OOTL's, there should be a streamlined procedure where industry as a whole and drivers associated with the industry should be looked after, instead they be thrown out on road and made bankrupt. The small owner operators have invested in the OOTL Licences by borrowing money and some of them still have loans outstanding. They just make living possible through this, supporting their children and families. They understood that in the long run OOTL's will be their retirement nest or for the welfare of their children. But taking away OOTL's even partially will affect their livelihood and their families which are already at the lowest possible in any industry.

A comment has been made in a meeting with transport where Taxi industry is compared to a café or hair saloon where anybody is allowed to operate that business. Yes, that's correct to say but what happens if that Café or hair Saloon are issued **Licences for a price** and then all of a sudden other people are allowed to open Café **without the Licence or Licence without a price**. Where the businesses who paid for their licences will go? Which road they follow? Low Income Starvation bankruptcy. All these are small businesses not making fortunes.

The right approach towards the benefit of drivers/operators working in the industry where around same number of children dependent on these drivers few of whom are single income earners is to help make Taxi industry viable. The current wage rate in Taxi industry is far below the minimum wages and comes to \$10 per hour which is going down with competition from Uber.

Ride sourcing companies like Uber also offer passenger transport through internet app for a price but altogether different scenarios where they operate without the cameras (passenger safety) low operating costs including Registration and insurances. Comparing paid services Uber and Taxi should be on the grounds of passenger safety, viability and other standards in the industry i.e. apple to an apple.

My suggestions and views are as under:

1. Passengers have plenty of options with so many Taxis on road and other Ride sourcing cars like Uber and is leading to stagnation. With hardly any proper parking spaces and ranks already overfull, Taxis have to wait for hours to pick a fare. There is no shortage of Taxis anywhere in Hobart. To avoid any more taxi congestion on the roads, **No further Taxis Licences should be released.**
2. To avoid any hardship to Taxi operators, drivers and their families some of them only single earners with young dependent children, **OOTL's should be compensated** for at least the minimum bid prices of Licenses just as compensated in Melbourne to avoid License holders going Bankrupt. The small owner operators be paid the minimum amount fixed for OOTL's that is \$60000 at the very first place. This is possible and can be easily funded through surcharge on Taxis and Uber as was done in Melbourne. The driver operators will get this

benefit and they can carry on after deregulation of OOTL's affected from hiring lease from Government.

3. Taxis have lost about 30-40% of revenue with introduction of Uber. Drivers are earning a meagre amount of \$10/hour. They have to work extra hours to earn livelihood leading to fatigue and increasing stress. Fixed expenses in Taxis still remains the same including Registrations, Insurance, Worker Compensation, Annual administration fee of OOTL's and Dispatch fee. Taxi framework should work towards **reducing these expenses to help the industry compete appropriately** with other app companies like Uber.
4. The **Taxi fares should be metered and fixed**, otherwise it will create chaos in working and dealings with passengers. One driver will offer more discount than another leading to unhealthy working conditions.
5. **Safety and security** of passengers and drivers should be foremost, **more advanced recording systems should be used** in all passenger transport vehicles including Taxis and Ride sharing cars.
6. **Taxis operators should not be regulated by the dispatch companies** as they may exploit them for their own benefit. Taxi operators and Taxi Drivers should be looked at par with dispatch companies in the Taxi industry as a whole. It will be unfair on the part of any framework that Taxi operators be forced to come under dispatch companies for any audit/regulation whatsoever.
7. Taxi operators/Drivers are not very well equipped to write and unable to express their views on every topic of the taxi framework. In my opinion it would be fair to send an **objective type questionnaire** asking their comments on the same.

I strongly believe that proposed Taxi framework should be reviewed in the interest of community as a whole where drivers and operators should be considered as a part of that community. Helping the Taxi industry should be main aim of any government to save people working in that industry from starvation and bankruptcy.

Department of State Growth,

Taxi Review 2018.

As a Taxi Owner/Operator [REDACTED] in the Burnie/Wynyard area I would like to thank the Department of State Growth for the invitation to attend the recent forum held in Ulverstone and submit a submission on the proposed changes to on demand passenger services in Tasmania.

While I agree there does need to be some changes around the taxi industry in relation to the advent of ride source services to even up the playing field it must be remembered that the North West Coast is vastly different to the cities of Hobart and Launceston in that the areas we [Burnie Taxi Group] also service are outlying rural communities eg. Wynyard, Boat Harbour, Yolla, Ridgley, etc. which may mean a 19 kilometre travel distance to service a \$5.00 fare.

Having looked at the proposed options of option 1 and option 2 it is disappointing that there is no option 3 and that would be most of the key points of option 2 but continues the current existing area structure and a compensation package for current operators who have invested heavily over recent years.

If the current area boundaries are amalgamated I believe that will bring more operators into the Burnie area and as you may be aware most taxi drivers work long hours for too little reward by bringing in rival companies most drivers will work the areas of high demand leaving low demand rural areas such as Wynyard, Yolla, etc. without a Taxi service, or at best very long wait times until a car is available in that area.

Regarding a compensation package... the progressive 3 year price wind down proposed by State Growth should be reversed for a compensation package i.e. for the first year any owners wishing to leave the industry would be offered an amount, the second year that amount would double, the third and final year that amount would be three times the first year amount, this would help owners wishing to leave the industry stay longer and an opportunity to recover investments in vehicles and equipment..

As for increased competition.. In the Burnie area there is a large amount of transport services options currently available to users and the majority of these are state government funded eg. Metro Bus services, a number of

charity community transport services run by organisations such as Anglicare and others, Uber, and illegal operators known as “Des for Dollars” which the state transport authorities and police allow, or will not, or cannot stop this practice by usually “P” plate drivers in cars that maybe uninsured, unroadworthy even unregistered. At this point it is hard for me to understand how or why there is an argument for more competition in a town the size of Burnie.

Options 1 and 2 ... If State Growth are intent on forcing 1 of the above options onto the taxi industry then option 2 would be my preferred choice, with inclusion of.

- A compensation package for operators wishing to leave the industry.
- No boundary changes to existing taxi areas
- State Growth to consult with taxi companies/groups regarding unmet demand.
- Ride share vehicles to be fitted with safety equipment similar to taxis [cameras etc.]

It must be remembered that people who have invested heavily in the taxi industry have done so through either their own cash, accessed Super Funds or mortgaged property based on business decisions around the current regulations it is clearly the duty of State Growth to ensure any regulation changes to the taxi industry be done with little or no impact to the livelihoods of existing operators and to cause no financial distress, In my view failure to do so would be criminal and potentially could lead to a Class Action law suit against the State Government as we are now seeing in other states. It is easy for someone sitting in an office in Hobart with very little knowledge of the taxi industry, how it works, the services it provides and to whom, with the stroke of a pen make decisions that affect not only drivers but also people who rely on this service when no other is available. It also must be noted that the taxi industry as it is today has evolved over many, many years to provide a safe, reliable, easily accessible public transport system. While total deregulation may lead to faster outcomes for users in city areas it will surely lead to worse outcomes for regional and rural areas where other public transport options are not available.

I sincerely hope my points and recommendations are considered before any regulation changes are implemented and not discarded or deleted as most people in the industry feel that these submissions fall on deaf ears.

Once again I applaud State Growth for the opportunity to participate in these discussions.

Regards

Rowan Cunningham



From: [REDACTED]
To: [Taxi Review \(StateGrowth\)](#)
Subject: Feedback regarding the proposed changes in the taxi industry
Date: Saturday, 24 November 2018 5:13:25 PM

Feedback regarding the proposed changes in the taxi industry

We are extremely disappointed with the proposed changes which the department trying to implement without considering real situation and actual facts. Out of two options the first option is extremely disappointing and scary for every taxi driver and operator. It's a shock to put a plan to scrap the value of taxi plate by 20% every year. If the plan is to reduce the value of reserved price there should be reasonable compensation for existing investors. Otherwise keep the reserve price as \$60000 and let the market decide the value of the plate. That's how the real competition should put into.

Hobart taxis are more efficient and better service history compared to other state taxis. That's why taxi plate got a reasonable market value even after severe competition from uber. But an irresponsible mail regarding the proposal from the department made investors panic and kept away new buyers. So it's our humble request is don't destroy the industry and our investment.

While the department trying to follow other state governments regarding these changes we want you to follow the same policy when it comes to compensation as well. Taxi drivers and operators are struggling to find a living due to ride sharing. Competition is fair when there is level fielding game. Hail jobs and taxi ranks are not just enough to survive over regulated taxi industry. So we want the department to put registration and other government fees should be same for taxis and ride sharing.

Proposal to setting up own fares is really welcome.

In short option 1 is unacceptable and big setback for drivers and investors. Increasing the number the number of taxis when there is no demand, will create congestion and traffic.

Option 2 is more acceptable but need more steps like compensation for plate owners and reducing cost of operation.

Saju Mathew

Accreditation no: [REDACTED]

Plate [REDACTED]

24-11-18

Garry Swan
Commissioner for Transport
GPO Box 536
Hobart TAS 7001

Subject: Taxi and Hire Vehicle Industries Regulatory Review Submission (Mr. Sanjeev Bali)

Dear Mr. Swan,

I hope you are well. I, Sanjeev Bali of [REDACTED] is an Owner-Operator Taxi license (OOTL) holder under the current statutory regime of the Tasmanian government. I am aware that the Department of State Growth has released a Proposal Paper for Taxi and Hire Vehicle Industries Regulatory Review. I am taking this opportunity as a stakeholder to make a submission regarding the proposed changes.

The submission is divided into 4 parts:

- 1) Scope of passenger transport services**
- 2) Licenses (OOTLs) and Fares**
- 3) Operators and Booking Service Providers and Compliance and Enforcement**
- 4) Drivers and Vehicles**

1) Scope of passenger transport services:

The service types should be limited to two categories

- a) Taxis including booked, rank and hail and;
- b) Booked only services including ride sourcing, luxury hire car and tour services.

The division of the market into two distinct categories will make implementation of any regulatory mechanism easier which will provide more certainty and better adherence to compliance requirement for stakeholders.

Option 2 Geographic restrictions maintained. Reduced from the existing 24 taxi areas to four taxi areas at year three.

Option 2 is implemented to streamline operation based on geographical limits. Amalgamation of different geographical areas into 4 taxi zones will improve competition and provide better value to customers and stakeholders.

2) Licenses (OOTLs) and Fares:

Option 2 is implemented for regulation of Owner-Operator Taxi licence (OOTL) in Tasmania.

Investment in OOTLs has been an integral part of the taxi industry in Tasmania. Although regulated by the Department of State growth, the licences have been a major investment for current operators and deregulation under option 1 will not be in the best interest of the taxi industry and the economy.

Owner-Operator Taxi licence (OOTL): Property and Proprietary rights

OOTLs may constitute as proprietary rights with a specific value at which they are sold/auctioned by the State government. OOTLs can be traded in the open market and are recognized as property in the financial markets. Therefore any plans to devalue OOTLs will not be in the best interest of the economy.

Fares:

Fares for both Taxis and Booked only services be unregulated. However, the Department of State Growth develops recommended fares guidelines. These guidelines are important to maintain competition in the market and remove possibilities of fare fixing in the market by potential players with considerable market share or potential market share. In addition fare guidelines will provide the consumers with informed choice and will prevent squeeze out of independent or individual OOTL holders from the market.

3) Operators and Booking Service Providers and Compliance and Enforcement:

Regulation of booking service providers as proposed is implemented. Accreditation model proposed is implemented. Compliance enforcement is maintained by booking service providers and governed by Commissioner for Transport.

4) Drivers and Vehicles

Regulations for drivers and vehicles be identical for both Taxis and Booked only services with exception as to Rank and hail vehicles. Vehicle age limit be set at 10 years from the date of manufacture. This is proposed to maintain vehicle standards across the industry. Taxis and ride sharing vehicles may be subjected to more wear and tear over time and an age limit of 10 years will be fair and economically viable. In addition customers expectation of a safe vehicle will be better achieved by not having aged vehicles as part of the industry based on convenience and comfort.

Thank you for providing opportunity to make a submission recognizing importance as a stakeholder in the taxi industry and I am more than happy to provide further information as to my submission if needed.

Yours Sincerely,

Sanjeev Bali.

[REDACTED]