

Commercial Passenger Vehicle Board



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Northern Territory Government



Overview

The Commercial Passenger Vehicle Board (Board) was formed to provide formal advice to the Minister for Transport on all policy and regulatory matters pertaining to the taxi, minibus, private hire car, limousine, special function vehicle and courtesy vehicle sectors of the industry.

As at 30 June 2013, the number of commercial passenger vehicles registered in the Northern Territory was:

Taxis	192
Substitute Taxis	17
Mini Buses	35
Courtesy Vehicles	17
Private Hire Cars	22
Limousines	15
Special Function Vehicles	2
Motor Omnibuses	689
Tourist Vehicles	227
Special Passenger Vehicles	3
Total	1,219

As at 30 June 2013, there were 4,259 "h" endorsed drivers in the Northern Territory. Of these drivers, the following CPV identification cards have been issued:

Provisional ID card	68
Conditional ID card	44
Open ID card	541

Board Establishment

The Board was established under Section 6 of the *Commercial Passenger (Road) Transport Act* on 1 March 2003. Members are appointed by the Minister for Transport.





Functions

The Board provides advice to the Minister on commercial passenger vehicle matters, other than Motor Omnibuses, Tourist Vehicles or Special Passenger Vehicles. Additionally, the Minister may confer other functions on the Board in writing. The Board's Charter is at Appendix A.

Membership

The Board consists of a chair and seven members. Members are drawn from commercial passenger vehicle industry sectors, disability groups, Indigenous groups and the general community. The Chair and members were appointed for a term of two years on 16 February 2012. All member terms have been brought into line and expire on 3 March 2014.

Current Board Membership:

*Chris Bigg	Chairman
Mary Johnson	Consumer Member - Vice Chair, DisAbility Action
Ram Vemuri	Consumer Member - Senior Lecturer, CDU
Aaron Blasch	Industry Member - Operations Manager, Buslink
Gerry Copeland	Industry Member - Retired MPT driver
Glenn Aitchison	Industry Member - Manager, YBE 2 PTY LTD, Gove
*Simon Webb	Industry Member - Centre Private Hire, Alice Springs
Nick Papandonakis	Member - Director Transport Policy and Reform, Department of Lands and Planning

*Chris Bigg and Simon Webb have since resigned.

Board Meetings during 2012-13 Financial Year

Due to the resignation of the Chairman in August 2012, there have been no Board meetings during the 2012-13 Financial Year.

Financials

The Department of Transport administers the Board's budget. The Board's Financial Statements form part of the Departmental annual report.





Administration and Board Support

The Board is supported by an Executive Officer and Support Officer from the Commercial Passenger Vehicle Branch of the Department of Transport. The Department also provides office location and support services to the Board.

Board members are entitled to sitting fees for attendance at Board meetings in line with the *Remuneration (Statutory Bodies) Act*. Under this Act, the Board is listed under 'Part C: Advisory and Review Bodies' in 'Table C3: Ministerial Assistance'.

Reports

As required by the *Commercial Passenger (Road) Transport Act*, the Board must provide the Minister with a report on the Board's operations during a financial year within three months after the end of the financial year. The Minister must lay a copy of a report before the Legislative Assembly within six sitting days after receiving it.



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Chair's Overview

The Commercial Passenger Vehicle Board (Board) was formed to provide formal advice to the Minister for Transport on all policy and regulatory matters pertaining to the taxi, minibus, private hire car, limousine, special function vehicle and courtesy vehicle sectors of the industry.

The Board facilitates reform of the industry, guides the future direction of the industry, facilitates regulation of the industry and ensures that all industry and consumer interests are represented in ongoing industry development.

As at 30 June 2012, the number of commercial passenger vehicles registered in the Northern Territory was:

Taxis	192
Mini Buses	36
Courtesy Vehicles	15
Private Hire Cars	25
Limousines	13
Substitute Taxis	15
Special Function Vehicles	2
Motor Omnibuses	647
Tourist Vehicles	214
Special Passenger Vehicles	3
Peak Period Taxi	8
Total	1,170

As at 30 June 2012, there were 668 "h" endorsed drivers in the Northern Territory. Of these drivers, the following CPV identification cards have been issued:

Provisional ID card	172
Conditional ID card	35
Open ID card	461

Board Establishment

The Board was established under Section 6 of the *Commercial Passenger (Road) Transport Act* on 1 March 2003. Members are appointed by the Minister for Transport.





Functions

The Board provides advice at the strategic level to the Minister on commercial passenger vehicle matters, other than Motor Omnibuses, Tourist Vehicles or Special Passenger Vehicles. Additionally, the Minister may confer other functions on the Board in writing. The Board's Charter is at Appendix A.

Membership

The Board consists of a chair and seven members. Members are drawn from commercial passenger vehicle industry sectors, disability groups, Indigenous groups and the general community. The Chair and members were appointed for a term of two years on 16 February 2012. All member terms have been brought into line and expire on 3 March 2014.

Current Board Membership:

Chris Bigg	Chairman
Mary Johnson	Consumer Member - Vice Chair, DisAbility Action
Ram Vemuri	Consumer Member - Senior Lecturer, CDU
Aaron Blasch	Industry Member - Operations Manager, Buslink
Gerry Copeland	Industry Member - Retired MPT driver
Glenn Aitchison	Industry Member - Manager, YBE 2 PTY LTD, Gove
*Simon Webb	Industry Member - Centre Private Hire, Alice Springs
Nick Papandonakis	Member - Director Transport Policy and Reform, Department of Lands and Planning

*Simon Webb has since resigned and a replacement industry member is being sought.

Board Meetings during 2011-12 Financial Year

The Board met twice during the year:

- 12 August 2011; and
- 2 April 2012.

Financials

The Department of Lands and Planning administers the Board's budget. The Board's Financial Statements form part of the Departmental annual report.





Administration and Board Support

The Board is supported by an Executive Officer and Support Officer from the Commercial Passenger Vehicle Branch of the Department of Lands and Planning. The Department also provides office location and support services to the Board.

Board members are entitled to sitting fees for attendance at Board meetings in line with the *Remuneration (Statutory Bodies) Act*. Under this Act, the Board is listed under 'Part C: Advisory and Review Bodies' in 'Table C3: Ministerial Assistance'.

Board Change of Focus

On 29 June 2010, the Minister for Transport approved a Charter for the reconstituted Board. The Charter outlines the role of the Board to:

- provide advice at the strategic level to the Minister on commercial passenger vehicle matters (other than motor omnibuses, tourist vehicles and special passenger vehicles) with that advice focused on:
 - a) positioning the industry for the future;
 - b) industry and consumer service policy; and
 - c) regulatory policy settings;
- provide advice which is based on sound information and reasoned policy argument;
- liaise with industry and consumers as necessary to remain informed on commercial passenger vehicle issues; and
- act as a sounding board for the Minister and the Department on policy options or proposals.

A copy of the Charter is at Appendix A.

Board Activities

In April 2011 the Board wrote to the Minister requesting clarity on the Government response to the principal recommendations of the 2009 Fivenines Review in order to assist the Department and CPV Board together undertaking development of a five year strategic plan for the CPV sector (the development of the strategic plan was a part of the Initial Work Plan for the Board).





The Minister responded on 29 June 2011 requesting that the Department in consultation with the Board undertake review of the *Commercial Passenger (Road) Transport Act*. This is a broader review than development of a strategic plan.

Since then the relatively infrequent meetings of the Board have focused on aspects of this Review.

The CPV Board met on two separate occasions this financial year, being 12 August 2011 and 2 April 2012.

The August 2011 meeting was held as an all day workshop to adapt joint Department and CPV Board positions on the Fivenines Review recommendations. During the workshop the Honourable Gerry McCarthy, MLA launched the CPV Board Vision Statement.

The April 2012 meeting took the form of industry consultation site visits involving Board members, industry stakeholders and the Department of Lands and Planning. The industry stakeholders were City Radio Taxis, Darwin Radio Taxis and Metro Minibus.

All industry stakeholders presented their issues which will provide valuable input into the Discussion Paper being drafted for the Minister for Transport's consideration.

The Options Paper will also undertake a review of the *Commercial Passenger (Road) Transport Act* and that the review should facilitate a reduction of the CPV categories in line with the recommendations of the Fivenines Review.

The Discussion Paper will be the first output of the Department review (in consultation with the Board) of the *Commercial Passenger (Road) Transport Act*.

There were several meetings between the Board Chairman and the Minister during the year.

I thank CPV Board members for their contribution during the year.





APPENDIX A

BOARD CHARTER

1. BACKGROUND AND CONTEXT

The Commercial Passenger Vehicle Board (the Board) is established under the *Commercial Passenger (Road) Transport Act* (the Act). The Act requires the Minister to determine the Board membership and "how it is to operate".

Section 6B(1) of the Act outlines that the functions of the Board are:

- a) to provide advice to the Minister on all matters relating to commercial passenger vehicles (other than motor omnibuses, tourist vehicles and special passenger vehicles); and
- (b) any other functions conferred on the Board in writing by the Minister.

Section 6B(2) outlines that the Board "has the powers that are necessary and convenient for the performance of its functions".

Section 6C requires the Board to provide the Minister with a report on the Board's operations by the end of September each year.

Section 6 of the Act contains both a wide legislative remit and a potentially wide set of powers the Board can seek (i.e regulations made under the Act which require certain things (i.e regular industry information) so the Board can properly advise the Minister). Additionally, there is no mention in the legislation of the important relationship between the Board and the Department. The Department is the industry regulator and provides the funding, administrative support and industry information which enables the Board to function.

The wide legislative advisory remit of the Board needs to be augmented by contemporary context and current Ministerial and wider Government expectations, in order to provide focus to the work of the Board over the next three to five years. The relationship with the Department needs to be defined as this underpins the ability of the Board in carrying out its advisory function.

In terms of focussing the wide legislative advisory remit of the Board, influencing factors on both the context in which the Board operates and which provide indicators on where the Board should focus are:

- it is clearly the role of government, in relation to any service industry subject to economic regulation, to put in place a policy platform and regulatory environment which:
 - serves the legitimate interests of both the industry and its customers; and
 - can be effectively administered and enforced by the regulator (if this cannot be done then no regulation is the better alternative);





- in general, the operator accreditation and licensing, driver authorisation and CPV vehicle registration functions, while improvements are probably needed, are operating reasonably well;
- in the stakeholder consultation stage of the 2008-09 Review of the Northern Territory Commercial Passenger Vehicle (CPV) Industry, there was strong industry support for a clearly articulated government policy and long term strategy for the CPV industry and the services it provides to consumers. The publicly available Synopsis report of the Review recommended “government, in consultation with industry, to formulate a strategic plan articulating how they see the CPV industry developing over the next five years. This will provide a roadmap that can be used by all stakeholders to identify their own long term roles and make informed plans within a coherent planning context”;
- each sector of the CPV industry works independently of each other in their dealings with government and lobby to achieve their individual sector aims (i.e there is no collective sense of the CPV industry providing personal passenger services as competitive factors between sectors dominate);
- it is widely acknowledged that the existence of nine categories of CPV vehicles, six of which the Board can advise on, means a relatively complex regulatory environment with consequences for the customer, industry members, regulator and Government;
- the Synopsis report states “the new Board will be required to advise on strategic issues concerning CPV provision, regulation and planning. It will be a forum for industry members and passengers to shape each other’s thinking. It will provide a forum to develop and promote government action in overseeing personal, point to point public and tourist transport”;
- there is a clear expectation from the Minister that the Board will be the CPV ministerial ‘brains trust’ and provide strategic advice on the industry. Intrinsic to this expectation is that the Board will be proactive in its work and not simply react to incidents or developments;
- an essential input to both identifying CPV industry or customer issues and formulating advice to the Minister on appropriate policy or regulatory practise is industry information. The industry information available to the Northern Territory regulator, Government and Board is poor compared to that available in other jurisdictions. As effective Government strategic policy and Department operational policy (as the Regulator) can only be developed with good industry information, this paucity of information is an issue which needs to be addressed at an early stage; and





- the thrust of the Draft Industry Development Plan, which was formulated out of an August 2009 industry and community workshop conducted in the context of the Review recommendations, has the support of the Minister. The primary components of the Draft Industry Development Plan are the following high level 'Initiatives':
 - improved customer service;
 - safe passengers and drivers;
 - competent and well trained industry;
 - unified industry voice and identity;
 - adequate infrastructure;
 - accurate information on consumer demand and industry performance; and
 - new technology enabling better service.

Taken together, the above 'influencing factors' strongly point to the:

- Board operating at the strategic level when fulfilling its legislative obligation "to provide advice to the Minister on all matters relating to commercial passenger vehicles";
- early work of the Board should be focussed around developing advice to the Minister on:
 1. as a priority :
 - a) the industry information essential to both the development of good policy proposals and the monitoring of industry activity/performance; and
 - b) assessment and publishing of the Draft Industry Development Plan;
 2. a five year strategic plan for the CPV industry;
- Board should be proactive in its work and independent in its thinking in order to be of value as the legislated adviser to the Minister.

There is also nothing in the above 'influencing factors' which indicates that:

- the Minister should confer any other functions on the Board in accordance with Section 6B(1)(b);
- the Board requires clarification in regard to its powers under Section 6B(2).





Relevant factors influencing the relationship between the Board and the Department are:

- as the Regulator, the Department should possess industry and customer information which is a necessary input to the Board formulating advice to the Minister;
- the Department provides funding and administrative support which allows the Board to function;
- the Board will require the research and analysis capability of the Department in order to develop policy advice options and adopt policy advice positions;
- the Department is represented on the Board; and
- the Department, as the Regulator, has a stake in the Board working well in providing advice to the Minister.

All of the above indicate a broad set of Ministerially approved protocols needed to formalise the relationship between the Department and the Board.

2. ROLE OF BOARD

A role of the Board that is consistent with the *Commercial Passenger (Road) Transport Act* and the 'influencing factors' identified above is outlined below.

The Role of the Commercial Passenger Vehicle Board is to:

- provide advice at the strategic level to the Minister on commercial passenger vehicle matters (other than motor omnibuses, tourist vehicles and special passenger vehicles) with that advice focused on:
 - a) positioning the industry for the future;
 - b) industry and consumer service policy; and
 - c) regulatory policy settings;
- provide advice which is based on sound information and reasoned policy argument;
- liaise with industry and consumers as necessary to remain informed on commercial passenger vehicle issues; and
- act as a sounding board for the Minister and Department on policy options or proposals.





3. PROTOCOLS BETWEEN BOARD AND DEPARTMENT

3.1 Operating Protocols

The following operating protocols shall be observed in the relationship between the Department and the Board:

- the Board recognises that the Department is the CPV industry Regulator and that the Board collectively, and individuals on the Board acting in their Board capacity, must not interfere in any way with the work of the Regulator, including offering public or private opinions outside the workings of the Board;
- the Department recognises that it is legitimate for the Department to assist the Board assess CPV policy options which are not current CPV policy or which the Department, as Regulator, opposes;
- the Board recognises that it is legitimate for the Department to provide its own view to the Minister on Board proposals, including advising against Board recommendations to the Minister;
- the Department recognises the Board will require the research and analysis capability of the Department in order to develop policy advice options and recommendations and will provide such capability within Department resource limits; and
- the Department will provide to the Board all industry and customer information it possesses which is a necessary input to the work of the Board.

3.2 Administrative Protocols

The following administrative protocols apply. The Department provides:

- the Board Executive Officer; and
- funding and administrative support which allows the effective functioning of the Board.

4. EXPECTATIONS AND MODUS OPERANDI

4.1 Board Modus Operandi

The following principles/practices shall govern the internal workings of the Board:

- decisions are arrived at by consensus. However, that does not mean every Board member must agree in order for the Board to make a decision. Any Board member who wants their disagreement recorded on a Board decision or position is entitled to do so;
- the Board will function in a collegiate atmosphere under the guidance of the Chairman; and





- Board confidentiality and external solidarity will be respected in order to be conducive to the free flow of information and frank exchange of views.

4.2 Role of All Board Members

All Board members are expected to:

- actively participate in the business of the Board including being well prepared for meetings;
- maintain external solidarity on Board decisions regardless of their personal view on a particular issue;
- be forthright yet courteous in expressing their views; and
- contribute their personal expertise to Board business.

4.3 Role of the Chairman

The role of Chairman, in addition to the expectations of all Board Members, is to:

- provide leadership to the Board, including providing guidance to Board members as required;
- chair Board meetings and settle Board agendas;
- communicate with the Minister on Board matters;
- speak publicly on behalf of the Board, in consultation with the Department and/or the Minister's office, as required;
- undertake stakeholder liaison on behalf of the Board between Board meetings as required; and
- be a point of reference for the Minister or Department on CPV matters between Board meetings. Unless there is time to canvass Board members generally, any position on CPV matters communicated to the Minister or Department shall have the status of 'provided by Chairman CPV Board' only.

5. TERM OF BOARD CHARTER

This Charter will continue in force until a replacement Charter is approved by the Minister.





Commercial Passenger Vehicle Board



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Northern Territory Government



Chair's Overview

The Commercial Passenger Vehicle Board (Board) was formed to provide formal advice to the Minister for Transport on all policy and regulatory matters pertaining to the taxi, minibus, private hire car, limousine, special function vehicle and courtesy vehicle sectors of the industry.

The Board facilitates reform of the industry, guides the future direction of the industry, facilitates regulation of the industry and ensures that all industry and consumer interests are represented in ongoing industry development.

As at 30 June 2011, the number of commercial passenger vehicles registered in the Northern Territory was:

Taxis	154
Mini Buses	40
Courtesy Vehicles	16
Private Hire Cars	31
Limousines	15
Substitute Taxis	12
Special Function Vehicles	2
Motor Omnibuses	691
Tourist Vehicles	221
Special Passenger Vehicles	4
Peak Period Taxi	10
Total	1,196

As at 30 June 2011, there were 4,152 "h" endorsed drivers in the Northern Territory. Of these drivers, the following CPV identification cards have been issued:

Provisional ID card	217
Conditional ID card	11
Open ID card	401

Board Establishment

The Board was established under Section 6 of the *Commercial Passenger (Road) Transport Act* on 1 March 2003. Members are appointed by the Minister for Transport.





Functions

The Board provides advice at the strategic level to the Minister on commercial passenger vehicle matters, other than motor omnibuses and tourist vehicles. Additionally, the Minister may confer other functions on the Board in writing. The Board's Charter is at Appendix A.

Membership

The Board consists of a chair and seven members. Members are drawn from commercial passenger vehicle industry sectors, disability groups, Indigenous groups and the general community. The Chair has been appointed for a term of three years and other members appointed for a term of two years, all appointed on 3 March 2010.

Current Board Membership:

Chris Bigg	Chairman
Mary Johnson	Consumer Member
Aaron Blasch	(Buslink, Darwin) – Industry Member
Ram Vemuri	(CDU) – Consumer Member
Gerry Copeland	(City Radio Taxi Driver) – Industry Member
Glenn Aitchison	(YBE 2 PTY LTD, Gove) – Industry Member
Nick Papandonakis	(DLP) - Member
Simon Webb	(Centre Private Hire, Alice Springs) – Industry Member

Board Meetings during 2010-11 Financial Year

The Board met three times during the year:

- 26 July 2010;
- 13 September 2010; and
- 14 February 2011.

Financials

The Department of Lands and Planning administers the Board's budget. The Board's Financial Statements form part of the Departmental annual report.





Administration and Board Support

The Board is supported by an Executive Officer and Support Officer from the Commercial Passenger Vehicle Branch of the Department of Lands and Planning. The Department also provides office location and support services to the Board.

Board members are entitled to sitting fees for attendance at Board meetings in line with the *Remuneration (Statutory Bodies) Act*. Under this Act, the Board is listed under 'Part C: Advisory and Review Bodies' in 'Table C3: Ministerial Assistance'.

Board Change of Focus

On 29 June 2010, the Minister for Transport approved a Charter for the reconstituted Board. The Charter outlines the role of the Board to:

- provide advice at the strategic level to the Minister on commercial passenger vehicle matters (other than motor omnibuses, tourist vehicles and special passenger vehicles) with that advice focused on:
 - a) positioning the industry for the future;
 - b) industry and consumer service policy; and
 - c) regulatory policy settings;
- provide advice which is based on sound information and reasoned policy argument;
- liaise with industry and consumers as necessary to remain informed on commercial passenger vehicle issues; and
- act as a sounding board for the Minister and the Department on policy options or proposals.

A copy of the Charter is at Appendix A.

Board Activities

The first meeting of the new Board under the revised Charter, held 26 July 2010, was focused on familiarising Board members with the change from an operationally focused Board to one that deals at the strategic policy and regulatory level.





Associated with the Charter approved by the Minister, was an Initial Work Plan for the Board. The two major elements of the approved Work Plan are to develop advice on:

- the industry information that is essential to development of good policy proposals and the monitoring of industry activity/performance; and
- a five year strategic plan for the CPV industry.

The work of the Board during 2010-11 has revolved around those two projects.

One initiative of the Board is for the Chairman to be available most Monday mornings for both the CPV industry and the Department to consult with. Every CPV licence holder was written to in September 2010 advertising this. A good part of the September meeting was devoted to the nature of the data required from industry to both monitor performance and provide the basis for possible policy development. It was also realised at that meeting that the initial target of offering advice on the five year strategic plan by May 2011 was unrealistic and that a considerably longer time would be required.

The February 2011 meeting took the form of a workshop involving all Board members, industry stakeholders and the Department of Lands and Planning. Industry figures represented Darwin Taxis, Darwin and Alice Springs Private Hire Cars, Darwin Minibuses and Katherine Taxis. We also heard from the Regulator (Department of Lands and Planning) and the Disability Sector. All stakeholders presented their issues which provided good input to early Department and Board work on both the data project and the five year strategic plan.

In April 2011, the Board wrote to the Minister outlining that Government decisions needed to be made on the 2009 Review of the Northern Territory Commercial Passenger Vehicle Industry (Fivenines Review) in order for the Board to advance development of the five year strategic plan. The Minister responded that the Department and the Board were requested to undertake a review of the *Commercial Passenger (Road) Transport Act* and that the review should facilitate a reduction of the CPV categories in line with the recommendations of the Fivenines Review. A review of the Act means a review of the industry which is an essential part of developing a five year strategic plan.

During the year the Board developed a Vision Statement for the industry which contains aspirations for industry development and performance. The Vision Statement was a development of the Draft Industry Development Plan which was a part of the approved initial Work Plan. Board work with the Department on both the data project and five year strategic plan is ongoing.





APPENDIX A

BOARD CHARTER

1. BACKGROUND AND CONTEXT

The Commercial Passenger Vehicle Board (the Board) is established under the *Commercial Passenger (Road) Transport Act* (the Act). The Act requires the Minister to determine the Board membership and “how it is to operate”.

Section 6B(1) of the Act outlines that the functions of the Board are:

- a) to provide advice to the Minister on all matters relating to commercial passenger vehicles (other than motor omnibuses, tourist vehicles and special passenger vehicles); and
- b) any other functions conferred on the Board in writing by the Minister.

Section 6B(2) outlines that the Board “has the powers that are necessary and convenient for the performance of its functions”.

Section 6C requires the Board to provide the Minister with a report on the Board’s operations by the end of September each year.

Section 6 of the Act contains both a wide legislative remit and a potentially wide set of powers the Board can seek (i.e regulations made under the Act which require certain things (i.e regular industry information) so the Board can properly advise the Minister). Additionally, there is no mention in the legislation of the important relationship between the Board and the Department. The Department is the industry regulator and provides the funding, administrative support and industry information which enables the Board to function.

The wide legislative advisory remit of the Board needs to be augmented by contemporary context and current Ministerial and wider Government expectations, in order to provide focus to the work of the Board over the next three to five years. The relationship with the Department needs to be defined as this underpins the ability of the Board in carrying out its advisory function.

In terms of focussing the wide legislative advisory remit of the Board, influencing factors on both the context in which the Board operates and which provide indicators on where the Board should focus are:

- it is clearly the role of government, in relation to any service industry subject to economic regulation, to put in place a policy platform and regulatory environment which:
 - serves the legitimate interests of both the industry and its customers; and
 - can be effectively administered and enforced by the regulator (if this cannot be done then no regulation is the better alternative);





- in general, the operator accreditation and licensing, driver authorisation and CPV vehicle registration functions, while improvements are probably needed, are operating reasonably well;
- in the stakeholder consultation stage of the 2008-09 Review of the Northern Territory Commercial Passenger Vehicle (CPV) Industry, there was strong industry support for a clearly articulated government policy and long term strategy for the CPV industry and the services it provides to consumers. The publicly available Synopsis report of the Review recommended “government, in consultation with industry, to formulate a strategic plan articulating how they see the CPV industry developing over the next five years. This will provide a roadmap that can be used by all stakeholders to identify their own long term roles and make informed plans within a coherent planning context”;
- each sector of the CPV industry works independently of each other in their dealings with government and lobby to achieve their individual sector aims (i.e there is no collective sense of the CPV industry providing personal passenger services as competitive factors between sectors dominate);
- it is widely acknowledged that the existence of nine categories of CPV vehicles, six of which the Board can advise on, means a relatively complex regulatory environment with consequences for the customer, industry members, regulator and Government;
- the Synopsis report states “the new Board will be required to advise on strategic issues concerning CPV provision, regulation and planning. It will be a forum for industry members and passengers to shape each other’s thinking. It will provide a forum to develop and promote government action in overseeing personal, point to point public and tourist transport”;
- there is a clear expectation from the Minister that the Board will be the CPV ministerial ‘brains trust’ and provide strategic advice on the industry. Intrinsic to this expectation is that the Board will be proactive in its work and not simply react to incidents or developments;
- an essential input to both identifying CPV industry or customer issues and formulating advice to the Minister on appropriate policy or regulatory practise is industry information. The industry information available to the Northern Territory regulator, Government and Board is poor compared to that available in other jurisdictions. As effective Government strategic policy and Department operational policy (as the Regulator) can only be developed with good industry information, this paucity of information is an issue which needs to be addressed at an early stage; and





- the thrust of the Draft Industry Development Plan, which was formulated out of an August 2009 industry and community workshop conducted in the context of the Review recommendations, has the support of the Minister. The primary components of the Draft Industry Development Plan are the following high level 'Initiatives':
 - improved customer service;
 - safe passengers and drivers;
 - competent and well trained industry;
 - unified industry voice and identity;
 - adequate infrastructure;
 - accurate information on consumer demand and industry performance; and
 - new technology enabling better service.

Taken together, the above 'influencing factors' strongly point to the:

- Board operating at the strategic level when fulfilling its legislative obligation "to provide advice to the Minister on all matters relating to commercial passenger vehicles";
- early work of the Board should be focussed around developing advice to the Minister on:
 1. as a priority :
 - a) the industry information essential to both the development of good policy proposals and the monitoring of industry activity/performance; and
 - b) assessment and publishing of the Draft Industry Development Plan;
 2. a five year strategic plan for the CPV industry;
- Board should be proactive in its work and independent in its thinking in order to be of value as the legislated adviser to the Minister.

There is also nothing in the above 'influencing factors' which indicates that:

- the Minister should confer any other functions on the Board in accordance with Section 6B(1)(b);
- the Board requires clarification in regard to its powers under Section 6B(2).





Relevant factors influencing the relationship between the Board and the Department are:

- as the Regulator, the Department should possess industry and customer information which is a necessary input to the Board formulating advice to the Minister;
- the Department provides funding and administrative support which allows the Board to function;
- the Board will require the research and analysis capability of the Department in order to develop policy advice options and adopt policy advice positions;
- the Department is represented on the Board; and
- the Department, as the Regulator, has a stake in the Board working well in providing advice to the Minister.

All of the above indicate a broad set of Ministerially approved protocols needed to formalise the relationship between the Department and the Board.

2. ROLE OF BOARD

A role of the Board that is consistent with the *Commercial Passenger (Road) Transport Act* and the 'influencing factors' identified above is outlined below.

The Role of the Commercial Passenger Vehicle Board is to:

- provide advice at the strategic level to the Minister on commercial passenger vehicle matters (other than motor omnibuses, tourist vehicles and special passenger vehicles) with that advice focused on:
 - a) positioning the industry for the future;
 - b) industry and consumer service policy; and
 - c) regulatory policy settings;
- provide advice which is based on sound information and reasoned policy argument;
- liaise with industry and consumers as necessary to remain informed on commercial passenger vehicle issues; and
- act as a sounding board for the Minister and Department on policy options or proposals.





3. PROTOCOLS BETWEEN BOARD AND DEPARTMENT

3.1 Operating Protocols

The following operating protocols shall be observed in the relationship between the Department and the Board:

- the Board recognises that the Department is the CPV industry Regulator and that the Board collectively, and individuals on the Board acting in their Board capacity, must not interfere in any way with the work of the Regulator, including offering public or private opinions outside the workings of the Board;
- the Department recognises that it is legitimate for the Department to assist the Board assess CPV policy options which are not current CPV policy or which the Department, as Regulator, opposes;
- the Board recognises that it is legitimate for the Department to provide its own view to the Minister on Board proposals, including advising against Board recommendations to the Minister;
- the Department recognises the Board will require the research and analysis capability of the Department in order to develop policy advice options and recommendations and will provide such capability within Department resource limits; and
- the Department will provide to the Board all industry and customer information it possesses which is a necessary input to the work of the Board.

3.2 Administrative Protocols

The following administrative protocols apply. The Department provides:

- the Board Executive Officer; and
- funding and administrative support which allows the effective functioning of the Board.

4. EXPECTATIONS AND MODUS OPERANDI

4.1 Board Modus Operandi

The following principles/practices shall govern the internal workings of the Board:

- decisions are arrived at by consensus. However, that does not mean every Board member must agree in order for the Board to make a decision. Any Board member who wants their disagreement recorded on a Board decision or position is entitled to do so;
- the Board will function in a collegiate atmosphere under the guidance of the Chairman; and





- Board confidentiality and external solidarity will be respected in order to be conducive to the free flow of information and frank exchange of views.

4.2 Role of All Board Members

All Board members are expected to:

- actively participate in the business of the Board including being well prepared for meetings;
- maintain external solidarity on Board decisions regardless of their personal view on a particular issue;
- be forthright yet courteous in expressing their views; and
- contribute their personal expertise to Board business.

4.3 Role of the Chairman

The role of Chairman, in addition to the expectations of all Board Members, is to:

- provide leadership to the Board, including providing guidance to Board members as required;
- chair Board meetings and settle Board agendas;
- communicate with the Minister on Board matters;
- speak publicly on behalf of the Board, in consultation with the Department and/or the Minister's office, as required;
- undertake stakeholder liaison on behalf of the Board between Board meetings as required; and
- be a point of reference for the Minister or Department on CPV matters between Board meetings. Unless there is time to canvass Board members generally, any position on CPV matters communicated to the Minister or Department shall have the status of 'provided by Chairman CPV Board' only.

5. TERM OF BOARD CHARTER

This Charter will continue in force until a replacement Charter is approved by the Minister.





Commercial Passenger Vehicle Board



Annual Report

2008 – 2009



COMMERCIAL PASSENGER VEHICLE BOARD

2008 - 2009 ANNUAL REPORT

Chair's Overview

The Commercial Passenger Advisory Vehicle Board (Board) was formed to provide formal advice to the Minister for Infrastructure and Transport on all policy and regulatory matters pertaining to the taxi, minibus, private hire car, limousine, special function vehicle and courtesy vehicle sectors of the industry.

The Board facilitates reform of the industry, guides the future direction of the industry, facilitates regulation of the industry and ensures that all industry and consumer interests are represented in ongoing industry development.

As at 30 June 2009, the number of commercial passenger vehicles registered in the Northern Territory was:

Taxis	-	179
Mini Buses	-	30
Courtesy Vehicles	-	16
Private Hire Cars	-	21
Limousines	-	17
Substitute Taxis	-	19
Special Function Vehicles	-	0
Motor Omnibuses	-	650
Tourist Vehicles	-	212
Special Passenger Vehicles	-	3
Total	-	1147

As at 30 June 2008, there were 1242 "h" endorsed drivers in the Northern Territory. Of these drivers, the following CPV identification cards have been issued:

Provisional ID card	-	64
Conditional ID card	-	10
Open ID card	-	1168

Board Establishment

The Board was established under Section 6 of the *Commercial Passenger (Road) Transport Act* on 1 March 2003. Members are appointed by the Minister for Transport.

Functions

The Board provides advice to the Minister on all matters relating to commercial passenger vehicles, other than motor omnibuses and tourist vehicles. Additionally, the Minister may confer other functions on the Board in writing.

Terms of reference of the Board are at Appendix A. The Board held meetings in July and September 2008 and in February, April, May and June 2009.

Membership

The Board consists of seven members, including an independent Chair. Members are drawn from commercial passenger vehicle industry sectors, disability groups, indigenous groups and the general community. The Chair has been appointed for a term of three years and other members appointed for a term of two years.

The members of the Board in 2008 - 2009 were:

Community / Consumer members:

Mary Johnson	Independent Chair, Integrated disAbility Action Inc (IDA)
Leigh Shacklady	Financial Counsellor, Tangentyere Council
Ram Vemuri	Senior Lecturer, Charles Darwin University
Craig Catchlove,	Tourism

Commercial Passenger Vehicle industry members:

Jason O'Brien	Tiny's Private Hire Car, Alice Springs
Brian Chandler	Metro Minibus, Darwin
Peter Smith	Taxi Top End

Committees

The Board has constituted one committee, the Central Australian CPV Advisory Committee to assist in its deliberations (CACPVAC).

Convener:	Jason O'Brien	Tiny's Private Hire Car
Members:	Judith Kruske	Alice Springs Taxi's
	Danny Brennan	Tailormade Tours
	Warwick Rock	Australian Pacific Touring
	Keith Mansbridge	Keiths Minibus
	Kevin Everett	Alice Springs Town Council

Board Member, Leigh Shacklady attends the Central Australian CPV Advisory Committee meetings as an invited guest.

Administration and Board Support

The Board is supported by an Executive Officer and staff from the Commercial Passenger Vehicle Branch of the Department of Planning and Infrastructure. The Department also provides office location and support services to the Board.

Board members are entitled to sitting fees for attendance at Board meetings in line with the *Remuneration (Statutory Bodies) Act*. Under this Act, the Board is listed under 'Part C: Advisory and Review Bodies' in 'Table C3: Ministerial Assistance'.

Board members have been working without compensation in their Committee roles since the Committees' inception.

Key Achievements

CPV Review

In 2008 the Department of Planning and Infrastructure engaged an independent consultant to carry out a review of the commercial passenger vehicle operations in the Northern Territory.

The independent CPV Review Consultant, Fivenines, met with Board members on a couple of occasions. The first meeting was in the initial stages of consultation and again towards the second consultation phase to discuss the issues raised in the initial round of stakeholder discussions. The meeting involved a half day presentation of issues raised by industry stakeholders in the first consultation round and included possible solutions proposed by the consultant.

As a result of further stakeholder presentations and varying views amongst industry and other stakeholders, the Board set a regular item on its agenda to enable feedback for industry which resulted in the preparation of a written submission for the Ministers consideration.

Taxi Fare Review 2008-09

The Board initiated a taxi fare review on 12 March 2009. Correspondence was sent to the Department of Planning and Infrastructure requesting data to be obtained from industry. The review is programmed for completion in November 2009.

The methodology used to review taxi fares is based on a "basket of costs". This methodology is considered to be more reflective of cost variations in the taxi industry than cost price index movements. The Board's fare review recommendations are forwarded to the Minister for Transport for consideration. Once approval is obtained the Department facilitates the required changes for any fee increase or decrease.

Board Members unanimously resolved to place Taxi Fare Reviews on its agenda annually to provide industry certainty.

Taxi Ballot

The Board endorsed the release of three new Multi-Purpose Taxi (MPT) licences in the Darwin Region and the release of eight surrendered licences through a taxi ballot that was conducted on 26 November 2008. A total of 11 MPT taxi licences were made available, with nine MPT taxi licences available in Darwin and two MPT taxi licence available in Alice Springs. Based on data collected from Australian jurisdictions in January 2009, this has resulted in the NT having the greatest share of wheelchair accessible taxis of any Australian jurisdiction by a considerable margin.

Metro Taxis – plate type	WA	ACT	NSW	VIC	QLD	SA	TAS
Conventional / Standard Taxis	1410	307	4409	3161	1557	935	228
Wheelchair Accessible Taxis	87	26	447	259	310	84	24
WAT/MPT percentage of fleet.	5.81%	7.80%	9.20%	7.57%	16.60%	8.24%	9.52%

Central Australian Issues

The Board's establishment of a Central Australian Commercial Passenger Vehicle Advisory Committee for the purpose of providing input and advice on Central Australian CPV matters proved to be successful and as such will continue. The Committee holds its monthly meetings every third Tuesday of each month to discuss industry matters. The Department provides administrative support to the Committee.

Similar committees will be encouraged in other regional centres.

Other Issues Considered by the Board

A list of other major issues considered by the Board is contained in Appendix B.

APPENDIX A

TERMS OF REFERENCE

1. References

- A. The Commercial Passenger Vehicle (CPV) Board is established pursuant to Section 6A of the *Commercial Passenger (Road) Transport Act* (the Act).
- B. The CPV Board is subject to the direction of the Minister for Infrastructure and Transport. In accordance with Section 6B of the Act the CPV Board is established by the Minister to provide advice on all matters relating to commercial passenger vehicles (other than motor omnibuses, tourist vehicles and special passenger vehicles).

2. Purpose and Goals

- A. The CPV Board will provide considered and impartial advice to the Minister for Infrastructure and Transport on issues relating to commercial passenger vehicles.
- B. The CPV Board will provide the Minister with advice on strategic issues impacting on the development and growth of commercial passenger vehicle industry in the Northern Territory.
- C. The CPV Board will provide advice about strategies to promote community participation in the development of good quality, responsive and accessible commercial passenger vehicle services.
- D. The CPV Board will establish committees and sub committees where required to provide a mechanism for consultation with, and receiving input from, the community and the commercial passenger vehicle industry.
- E. The CPV Board will approve membership of any committees and sub committees established under the CPV Board.
- F. In providing advice or input, the CPV Board will ensure that improved customer/passenger outcomes are achieved as well as meeting the needs of the industry.
- G. The CPV Board will respond to requests for advice from the Minister and the Department of Planning and Infrastructure with reasonable timeliness.

3. Scope of Activities

- A. The CPV Board will be responsible for providing advice on:
 - entry standards for drivers and operators;
 - standards and training requirements for drivers, operators, networks and marshals;

- vehicle standards and age limits;
 - provision of disabled access vehicles;
 - requirements for periodic vehicle inspection;
 - complaint management requirements and driver management processes;
 - codes of conduct for drivers, operators and networks as applies in each industry sector;
 - maximum fare levels;
 - operational matters (ie. ranking); and
 - requirements for the accreditation of drivers, operators and networks.
- B. The CPV Board will construct an annual work plan to address all elements of its Scope on a prioritised basis.
- C. The CPV Board will adopt processes that:
- promote a whole of industry approach to policy development;
 - enable members to make informed decisions based on current issues impacting on service delivery;
 - support advice, input and recommendations with evidence;
 - ensure that advice, input and recommendations are made in the best interests of the community generally, rather than sectional industry interests; and
 - display sensitivity to cross cultural issues and the needs of the disabled.

4. Membership

- A. The members of the CPV Board are appointed by the Minister and will consist of:
- ***Chair***
The Minister shall appoint a person as Chair who does not have a direct relationship with any sector of the commercial passenger vehicle industry.
 - ***Members***
The Minister shall appoint six persons as voting members of the CPV Board. Three of these members shall be drawn from the commercial passenger vehicle industry, and three shall be selected from the general community as representative of clients of the industry.
 - ***Standing invitation to the Director of Road Transport***
The Director of Road Transport is to receive notices of all meetings of the CPV Board and has a standing invitation to attend any CPV Board meeting subject to advance notice to the Chair of the CPV Board.

- **Secretarial support**
The Director of Road Transport of the Department of Infrastructure and Planning, shall appoint an Executive Officer to the CPV Board and other support staff as required from time to time.
- **Tenure**
The Chair is appointed for a 3 year term. CPV Board members are appointed for a period of 2 years.

5. Meetings

Frequency, Venue and timing

This Board will meet as and when required. Meeting dates, times, venue are determined by the Chair.

Approved
Minister for Infrastructure and Transport
30 January 2007

APPENDIX B

OTHER ISSUES CONSIDERED BY THE BOARD

- Participated in the CPV Review consultation phases - stage 1 and 2
- Prepared CPV Review submission to Minister for consideration.
- Monitored the number of wheelchair taxi services provided by Networks.
- Reviewed internal policy and endorsed the continuation of the current 21 years of age requirement for a CPV driver ID card.
- Finalised the "Getting Around Brochure" - taxi fares brochures for Darwin and Alice Springs regions.
- Monitored the success of Lift Incentive Scheme (LIS) including complaints outcomes and analysed LIS statistics.
- Monitored the implementation of the Taxi Subsidy Scheme (TSS)
- Participated in the Taxi Subsidy Scheme (TSS) trial of the Smartcard
- Endorsed the Substitute Taxi Trial from 1 May 2008 – 1 November 2008.
- Endorsed and monitored the continuation of the Substitute Taxi Trial from 1 May 2008 – 1 November 2008.
- Endorsed the trial of "Vacant" signage for private hire vehicles at Airport and Railway ranks.
- Endorsed the request for NT Police to put in place a process to advise DPI immediately on a CPV driver being charged or convicted of a disqualifying offence.
- Monitored new Development Application parking arrangements.
- Endorsed taxi fare review.
- Provided input into the Secure Taxi Rank trial.
- Noted improvements to 'h' endorsement processing i.e. Safe NT Unit, NT Police was implemented resulting in a reduction in wait times for Criminal History checks.
- Reviewed the CPV complaints management process.
- Monitored CPV website publications including uploading of Board Meeting Notes.
- Noted National Training Standards submission.
- Communicated with the Central Australian Commercial Passenger Vehicle Advisory Committee on a regular basis regarding local issues.

APPENDIX D

COMMERCIAL PASSENGER (ROAD) TRANSPORT ACT

The *Commercial Passenger (Road) Transport Act* is an Act to regulate the carrying of passengers in motor vehicles for hire or reward, and for related purposes. The following extract from the Act applies to the Commercial Passenger Vehicle Board.

"Division 2 – Commercial Passenger Vehicle Board

6A. Establishment and membership

- 1) The Minister must establish a board to be known as the Commercial Passenger Vehicle Board.
- 2) The Minister must determine the Board's membership and how it is to operate.

6B. Functions and powers

- (1) The functions of the Board are –
 - (a) to provide advice to the Minister on all matters relating to commercial passenger vehicles (other than motor omnibuses, tourist vehicles and special passenger vehicles); and
 - (b) any other functions conferred on the Board in writing by the Minister.
- (2) The Board has the powers that are necessary and convenient for the performance of its functions.

6C. Report on operations

- (1) The Board must provide the Minister with a report on the Board's operations during a financial year within 3 months after the end of the financial year.
- (2) The Minister must lay a copy of a report provided under subsection (1) before the Legislative Assembly within 6 sitting days after receiving it.

6D. Protection from liability

- (1) This section applies to a person who is or has been a member of the Board.

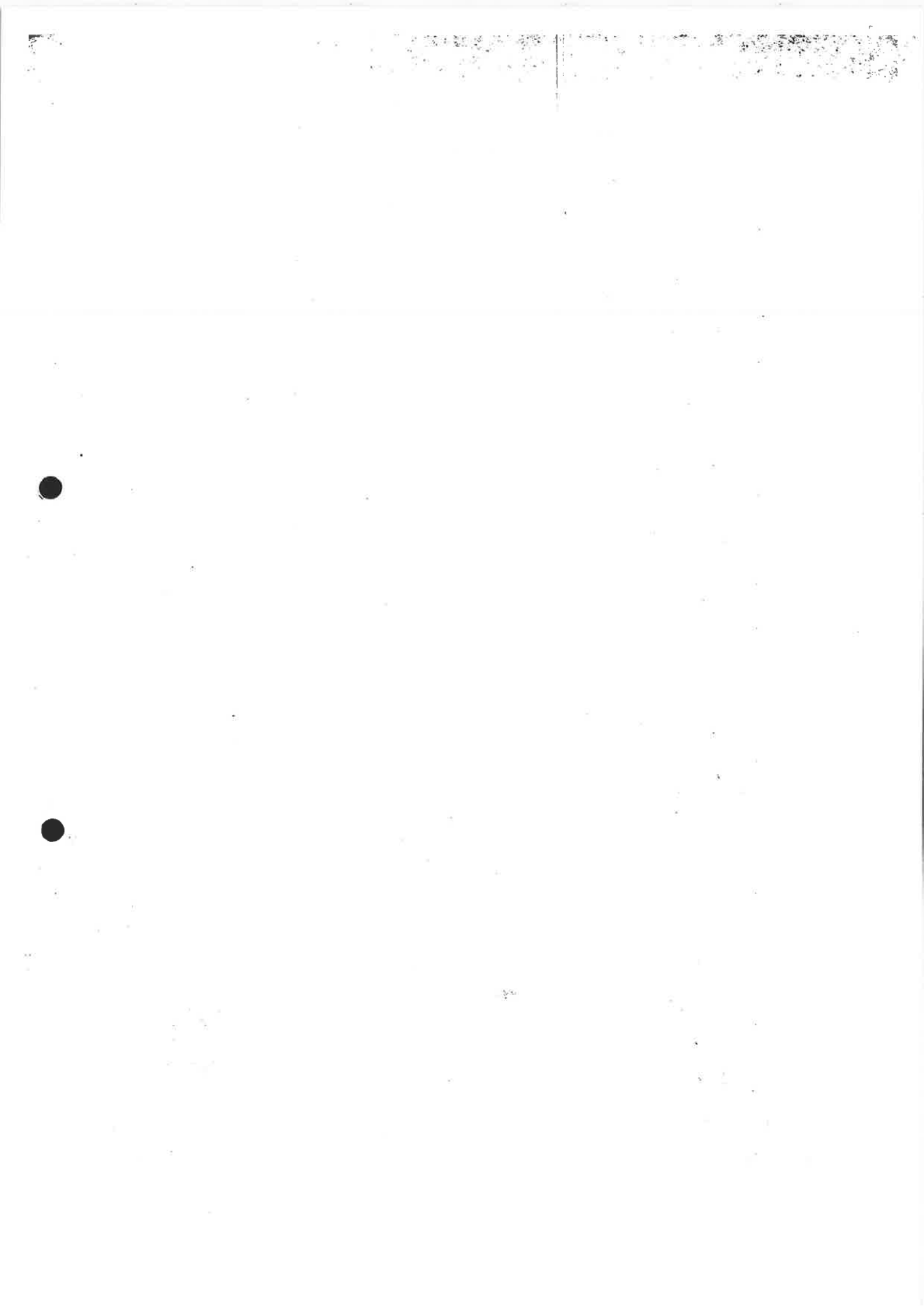
- (2) The person is not civilly or criminally liable for an act done or omitted to be done by the person in good faith in the exercise or purported exercise of a power, or the performance or purported performance of a function, under this Act.
- (3) In addition, the person is not civilly or criminally liable for an act done or omitted to be done by the Board in the exercise or purported exercise of a power, or the performance or purported performance of a function, under this Act.
- (4) Subsections (2) and (3) do not affect any liability the Territory would, apart from those subsections, have for the act or omission."



Annual Report

2007 – 2008





COMMERCIAL PASSENGER VEHICLE BOARD

2007 - 2008 ANNUAL REPORT

Chair's Overview

The Commercial Passenger Advisory Vehicle Board (Board) has been formed to provide formal advice to the Minister for Infrastructure and Transport on all policy and regulatory matters pertaining to the taxi, minibus, private hire car, limousine, special function vehicle and courtesy vehicle sectors of the industry.

The Board facilitates reform of the industry, guides the future direction of the industry, facilitates regulation of the industry and ensures that all industry and consumer interests are represented in ongoing industry development.

As on 30 June 2008, the number of commercial passenger vehicles registered in the Northern Territory was:

Taxis	-	181
Mini Buses	-	36
Courtesy Vehicles	-	16
Private Hire Cars	-	21
Limousines	-	21
Substitute Taxis	-	21
Special Function Vehicles	-	1
Motor Omnibuses	-	655
Tourist Vehicles	-	220
Special Passenger Vehicles	-	4
Total	-	1176

As on 30 June 2008, there were 3993 "h" endorsed drivers in the Northern Territory. Of these drivers, the following CPV identification cards have been issued:

Provisional ID card	-	69
Conditional ID card	-	15
Open ID card	-	841

Board Establishment

The Board was established under Section 6 of the *Commercial Passenger (Road) Transport Act* on 1 March 2003. Members are appointed by the Minister for Infrastructure and Transport.

Functions

The Board provides advice to the Minister on all matters relating to commercial passenger vehicles, other than motor omnibuses and tourist vehicles. Additionally, the Minister may confer other functions on the Board in writing.

Terms of reference of the Board are at Appendix A. The Board held the Annual Planning Workshop on 24 and 25 July and a Board meeting on 30 October 2007. Further meetings were held on 17 January, 18 March and 17 April 2008.

Membership

The Board consists of seven members, including an independent Chair. Members are drawn from commercial passenger vehicle industry sectors, disability groups, indigenous groups and the general community. The Chair has been appointed for a term of three years and other members appointed for a term of two years.

The members of the Board in 2007 - 2008 were:

Community / Consumer members:

Mary Johnson	Independent Chair, Integrated Disability Action Inc (IDA)
Leigh Shacklady	Financial Counsellor, Tangentyere Council
Ram Vemuri	Senior Lecturer, Charles Darwin University
Craig Catchlove,	Tourism

Commercial Passenger Vehicle industry members:

Jason O'Brien	Tiny's Private Hire Car, Alice Springs
Brian Chandler	Metro Minibus, Darwin
Peter Smith	Taxi Top End

Committees

The Board has constituted one committee, the Central Australian CPV Advisory Committee to assist in its deliberations (CACPVAC).

Convener:	Jason O'Brien	Tiny's Private Hire Car
Members:	Judith Kruske	Alice Springs Taxi's
	Danny Brennan	Tailormade Tours
	Warwick Rock	Australian Pacific Touring
	Keith Mansbridge	Keiths Minibus

Board Member, Leigh Shacklady attends the Central Australian CPV Advisory Committee meetings as an invited guest.

Administration and Board Support

The Board is supported by an Executive Officer and staff from the Commercial Passenger Vehicle Branch of the Department of Planning and Infrastructure. The Department also provides office location and support services to the Board.

Board members are entitled to sitting fees for attendance at Board meetings in line with the *Remuneration (Statutory Bodies) Act*. Under this Act, the Board is listed under 'Part C: Advisory and Review Bodies' in 'Table C3: Ministerial Assistance'.

Board members have been working without compensation in their Committee roles since the Committees' inception.

Key Achievements

Lift Incentive Scheme

The Minister announced at a media conference at Parliament House, which the Chair of the CPV Board attended in September 2007 that the Lift Incentive Scheme (LIS) would be introduced in December of the same year and that the Board and the Department would progress a Smart Card System for both the LIS and Taxi Subsidy scheme (TSS) to replace the existing paper voucher system currently in use.

Taxi Fare Reviews 2007- 08

The Board facilitated a taxi fare review on 22 October 2007. The review increased taxi fares in Darwin by 2.51% and in all taxi areas other than Darwin by 3.89%. A second fair review was conducted in March 2008 with taxi fares increasing by a further 3.64% in Darwin and 2.45% in all other areas.

The fare reviews were carried out in conjunction with the Department of Planning and Infrastructure. Base data was obtained from industry. This was evaluated by the Department and adjusted where a reasonable basis for adjustment was available. Adjustment and acceptance rationales were provided in the review.

The methodology used to review taxi fares is based on a "basket of costs". This methodology is considered to be more reflective of cost variations in the taxi industry than cost price index movements. The Board's fare review recommendations were accepted by the Minister and implemented by the Department.

The Board has since endorsed a recommendation that a systematic and regular review commencing each February of taxi fares would allow for the implementation of new fee structures at the commencement of the peak tourist season; i.e. April 1 2009. This will provide the taxi industry with more certainty that regular reviews will occur at a definite time each year.

Taxi Ballot

The Board endorsed the release of 5 new Multi-Purpose Taxi (MPT) licences through a taxi ballot that was conducted on 21 November 2007. A total of 7 taxi licences were made available, with 4 MPT and 2 standard taxi licences released in Darwin and 1 MPT taxi licence released in Alice Springs.

The release of licences across the Northern Territory means that 14.9% of the taxi fleet is now wheelchair accessible.

Northern Territory Commercial Passenger Vehicle Review

The Board provided input into the Commercial Passenger Vehicle review that commenced in April 2008. The Fiveways consultant attended a special Board meeting convened on 19 April 2008 to provide an overview of the Terms of Reference for the review and to meet board members. The consultant met separately with the Chair and Board members to discuss issues affecting the CPV industry.

The Board assisted in the facilitation of public meetings that were held in Darwin in May 2008 and Alice Springs in June 2008.

Central Australia Issues

The Board has established a Central Australian Commercial Passenger Vehicle Advisory Committee to provide input and advise the Board on Central Australian CPV matters. This committee had its first meeting on 11 March 2008 and has met every third Tuesday of each month to discuss industry matters.

The Committee has taken a pro-active role in establishing communication channels with relevant Competent Authorities including Alice Springs Town Council, Great Southern Railway and Alice Springs Airport to progress changes to commercial passenger vehicle ranks at various locations throughout the Alice Springs CBD, the Railway Station and at the Airport. The Committee also provided input into traffic management plans for the proposed Wills Terrace upgrade and for improvements at Alice Springs Railway Station.

Liaison also occurred with NT Major Events and Alice Springs Special Event organisers in the identification and implementation of CPV Traffic Management plans and ranking arrangements for the Alice Springs Show, the Finke Desert Race (Scrutineering and Start/Finish line), the Old Timers Fete and Govies Muster.

Industry consultation and feedback was obtained on CPV driver training issues in Alice Springs. Suggested training options are currently being investigated at committee level for future progression to the Board.

Other Issues Considered by the Board

A list of other major issues considered by the Board is contained in Appendix B.

The Annual Work plan 2007-2008 that includes goals and performance Indicators adopted by the Board are provided at Appendix C.

The *Commercial Passenger (Road) Transport Act* - extract from the Act that applies to the Commercial Passenger Vehicle Board at Appendix D.

APPENDIX A

TERMS OF REFERENCE

1. References

- A. The Commercial Passenger Vehicle (CPV) Board is established pursuant to Section 6A of the *Commercial Passenger (Road) Transport Act* (the Act).
- B. The CPV Board is subject to the direction of the Minister for Infrastructure and Transport. In accordance with Section 6B of the Act the CPV Board is established by the Minister to provide advice on all matters relating to commercial passenger vehicles (other than motor omnibuses, tourist vehicles and special passenger vehicles).

2. Purpose and Goals

- A. The CPV Board will provide considered and impartial advice to the Minister for Infrastructure and Transport on issues relating to commercial passenger vehicles.
- B. The CPV Board will provide the Minister with advice on strategic issues impacting on the development and growth of commercial passenger vehicle industry in the Northern Territory.
- C. The CPV Board will provide advice about strategies to promote community participation in the development of good quality, responsive and accessible commercial passenger vehicle services.
- D. The CPV Board will establish committees and sub committees where required to provide a mechanism for consultation with, and receiving input from, the community and the commercial passenger vehicle industry.
- E. The CPV Board will approve membership of any committees and sub committees established under the CPV Board.
- F. In providing advice or input, the CPV Board will ensure that improved customer/passenger outcomes are achieved as well as meeting the needs of the industry.
- G. The CPV Board will respond to requests for advice from the Minister and the Department of Planning and Infrastructure with reasonable timeliness.

3. Scope of Activities

- A. The CPV Board will be responsible for providing advice on:
 - entry standards for drivers and operators;
 - standards and training requirements for drivers, operators, networks and marshals;

- vehicle standards and age limits;
 - provision of disabled access vehicles;
 - requirements for periodic vehicle inspection;
 - complaint management requirements and driver management processes;
 - codes of conduct for drivers, operators and networks as applies in each industry sector;
 - maximum fare levels;
 - operational matters (ie. ranking); and
 - requirements for the accreditation of drivers, operators and networks.
- B. The CPV Board will construct an annual work plan to address all elements of its Scope on a prioritised basis.
- C. The CPV Board will adopt processes that:
- promote a whole of industry approach to policy development;
 - enable members to make informed decisions based on current issues impacting on service delivery;
 - support advice, input and recommendations with evidence;
 - ensure that advice, input and recommendations are made in the best interests of the community generally, rather than sectional industry interests; and
 - display sensitivity to cross cultural issues and the needs of the disabled.

4. Membership

- A. The members of the CPV Board are appointed by the Minister and will consist of:
- ***Chair***
The Minister shall appoint a person as Chair who does not have a direct relationship with any sector of the commercial passenger vehicle industry.
 - ***Members***
The Minister shall appoint six persons as voting members of the CPV Board. Three of these members shall be drawn from the commercial passenger vehicle industry, and three shall be selected from the general community as representative of clients of the industry.
 - ***Standing invitation to the Director of Road Transport***
The Director of Road Transport is to receive notices of all meetings of the CPV Board and has a standing invitation to attend any CPV Board meeting subject to advance notice to the Chair of the CPV Board.

- **Secretarial support**

The Director of Road Transport of the Department of Infrastructure and Planning, shall appoint an Executive Officer to the CPV Board and other support staff as required from time to time.

- **Tenure**

The Chair is appointed for a 3 year term. CPV Board members are appointed for a period of 2 years.

5. Meetings

Frequency, Venue and timing

This Board will meet as and when required. Meeting dates, times, venue are determined by the Chair.

Approved
Minister for Infrastructure and Transport
30 January 2007

APPENDIX B

OTHER ISSUES CONSIDERED AND NOTED BY THE BOARD

- Provided input and comments on the mutual recognition matrix distributed by the Land Transport Action Group.
- Provided input into the driver training brochure to include mutual recognition of CPV driver training.
- Monitored the number of wheelchair taxi services provided by Networks.
- Endorsed the new *Taxi Standards Regulations*.
- Endorsed the proposal that it should be an offence for MPT drivers to refuse a wheelchair hiring allocated by a Network.
- Endorsed the proposal that it should be a condition that a Taxi Network provides priority service to wheelchair passengers.
- Endorsed the continuation of the current 21 years of age requirement for a CPV driver ID card.
- Provided input into the taxi fares brochures.
- Monitored the success of Lift Incentive Scheme (LIS) including complaints outcomes and analysed LIS statistics.
- Progressed the provision of improved street lighting on Knuckey Street Taxi Rank in conjunction with Darwin City Council.
- Noted and endorsed the need for CPV Networks to be included as a central contact in the DPI counter disaster plan.
- The Board considered the removal of NTG branding from the Board Website and endorsed the new look and feel.
- The Board resolved the request for a special functions vehicle operation that would include evening pub crawls enabling consumption of alcohol in a CPV vehicle, by not endorsing the request.
- Endorsed the Substitute Taxi Trial from 30 August 2007 – 31 October 2007.
- Endorsed and monitored the continuation of the Substitute Taxi Trial from 1 May 2008 - 31 October 2008.
- Endorsed a recommendation that a systematic and regular review commencing each February of taxi fares would allow for the implementation of new fee structures at the commencement of the peak tourist season; i.e. April 1 2009.
- Endorsed the formation of the Darwin ranking committee to progress and advise on any operational matters relating to CPV ranking issues.

APPENDIX C

Annual Work Plan 2007 – 2008



**Commercial Passenger Vehicle Board
Annual Work Plan 2007-2008**

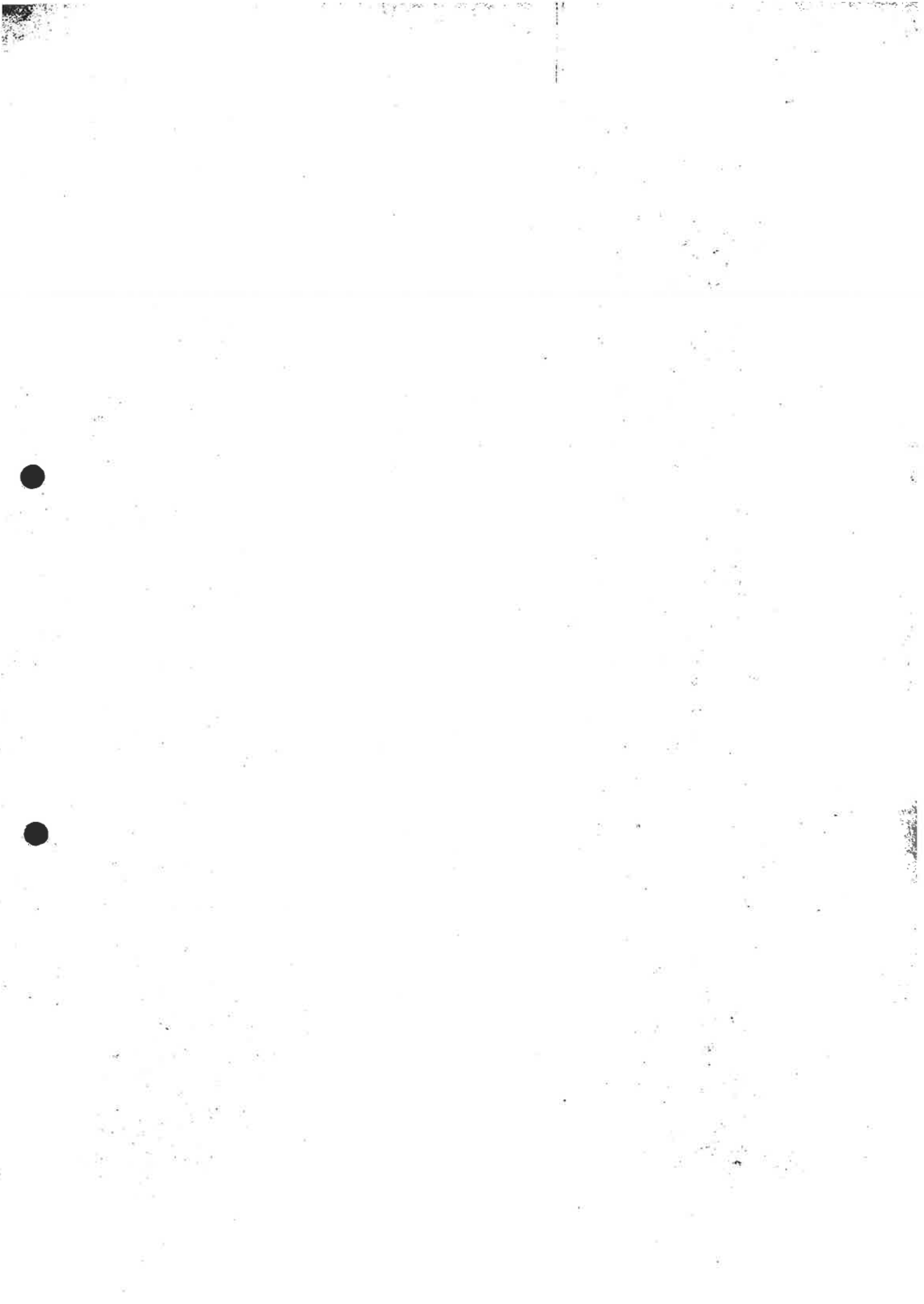


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Mission and Vision Statement of the Commercial Passenger Vehicle Board

- To provide advice to the Minister and Government on commercial passenger vehicle industry and consumer issues.
- To provide advice to the Minister and Government regarding the sustainability of the commercial passenger vehicle industry within the Northern Territory.
- To provide advice to the Minister and Government to ensure services are competitively viable for providers.
- To provide advice to the Minister and Government to ensure services are professional, satisfactory, safe and beneficial for the community.

Key Strategies for 2007-2008

- To facilitate increased interaction and communication between the industry, Board and the Department.
- To facilitate the promotion of the career and lifestyle benefits of the commercial passenger vehicle industry in order to increase the attraction and retention of drivers.
- To advise the Minister and Government to position the NT as a national leader in the provision of on-line accredited CPV training.
- To advise the Minister and Government on standards of service and presentation.

Work Plan for 2007-2008

In order to achieve the **Key Strategies** an annual **Work Plan** has been devised. This plan has been organised so as to comply with the Board's **Scope of Activities** as outlined in the **Terms of Reference**.

Action	KPIs	Timeframe	Action Officer	Comments
<p><u>'H' Endorsement Applications</u></p> <p>Improve the current time taken to process 'h' endorsement applications</p>	<p>a) 90% of completed 'h' endorsement applications processed within 2 weeks</p> <p>b) Reduction in numbers of drivers discontinuing application process</p>	<p>Completed October 2007</p> <p>Completed October 2007</p>	<p>Licensing Officer</p> <p>Licensing Officer</p>	<p>The Board is concerned that time delays in processing 'h' endorsements have resulted in drivers discontinuing their applications.</p> <p>CPV Branch to consider alternative ways to process 'h' endorsement application.</p> <p>Changes to CPV procedures were introduced in October 2007. Current procedure now ensures that only completed applications, including all the required 'Fit and Proper' documentation is accepted at the MVR offices</p> <p>All applications for 'h' endorsements are now processed within 14 days of lodgement.</p> <p>Changes to CPV procedures for lodgement of applications and the timely processing of 'h' endorsement applications has reduced the number of applicants choosing to withdraw from or discontinue with their applications.</p>

CPV Activity 2: PROVIDE ADVICE ON STANDARDS AND TRAINING REQUIREMENTS FOR DRIVERS, OPERATORS, NETWORKS AND MARSHALS

Action	KPIs	Timeframe	Action Officer	Comments
<p><u>On-Line Training</u></p> <p>Investigate on-line training options for completing the theory component of the CPV Driver training</p>	<p>CPV drivers who are required to undertake training have access to appropriate training</p>	<p>Ongoing</p>	<p>Senior Policy Officer</p>	<p>This action is proposed to address delays in training commencement. On line training should be seen as:</p> <p>(a) complementing not replacing existing training</p> <p>(b) optional rather than mandatory.</p> <p>Those who are able to access existing courses should continue to do so.</p> <p>Current training exemptions should continue to apply</p>
<p>Investigate options for completing practical training components using an on-line training program</p>	<p>As above</p>	<p>As above</p>	<p>Senior Policy Officer</p>	<p>Options for CPV Driver training currently included in CPV review being undertaken by fivenines Consultancy</p> <p>As above</p>

CPV Activity 3: PROVIDE ADVICE ON THE PROVISION OF DISABLED ACCESS VEHICLES

Action	KPI	Timeframe	Action Officer	Comments
<p><u>Tariff/Incentive</u></p> <p>Additional tariff/incentive for MPT drivers to be set at \$10.00 when carrying a wheelchair.</p>	<p>Tariff/incentive payments are implemented</p>	<p>Subject to Government decision</p> <p>September 2007</p>	<p>Executive Officer</p> <p>Chair</p>	<p>The Board seeks:</p> <ul style="list-style-type: none"> ▪ input on the implementation of the tariff/incentive process ▪ updates on the implementation of the DDA (due for implementation on January 1 2008). <p>The Chair of the CPV Board attended a media conference at Parliament House in September 2007. The Minister announced that the Lift Incentive Scheme (LIS) would be introduced in December 2007 and that the Board and the Department would progress a Smart Card System for LIS and Taxi Subsidy scheme (TSS) to replace the existing paper voucher system currently in use.</p> <p>The Chair participated as an active member of the LIS and TSS Working Groups that consisted of attendees from the CPV Industry, Networks and Operators together with NT Taxi Council and Northern Territory Government Department of Planning and Infrastructure and Department of Health and Community Services representatives to progress the implementation of the new Smart Card System.</p> <p>The Chair provided input and advice into the drafting of Information Bulletin CVP20 – Lift incentive.</p> <p>The LIS was introduced in December 2007.</p>

					<p>LIS is now a standing agenda item for all Board meetings.</p> <p>Complaints management and feedback procedures implemented in January 2008.</p> <p>No complaints have been lodged under the <i>Disability Discrimination Act</i> following the introduction of the LIS.</p> <p>Input into the implementation of the TSS and LIS Smart Card replacing the vouchers systems currently in place.</p>
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CPV Activity 4: PROVIDE ADVICE ON COMPLAINT MANAGEMENT REQUIREMENTS AND DRIVER MANAGEMENT PROCESSES

Action	KPI	Timeframe	Action Officer	Comments
<p><u>Uniform Display of Fare Schedules</u></p> <p>All mini-bus operators to uniformly display their fare schedules within their vehicles</p>	<p>All fare schedules are displayed within minibuses to ensure a transparent and professional service to the public.</p>	<p>By December 2007</p> <p>Completed March 2008</p>	<p>Liaison Officer</p>	<p>The Board is concerned that members of the public, particularly those in indigenous communities are being 'exploited' due to inconsistencies in fees being charged by mini-bus drivers.</p> <p>CPV Inspectors have enforced the display of fare schedules for view by passengers from the exterior of all minibuses.</p>

<p><u>Complaint Management Process</u></p> <p>Implement a new complaint management process</p>	<p>Complaint management process facilitates appropriate tracking, monitoring and follow up of complaints.</p> <p>Obtain a better understanding of taxi network Booking system for people in wheelchairs</p>	<p>Current-ongoing</p> <p>December 2007</p>	<p>Admin Officer</p> <p>Completed April 2008</p>	<p>The Board is keen to ensure that all complaints are recorded and followed up to ensure a quality service to the public.</p> <p>Accreditation and Auditing Unit within the Road Transport Branch has been established and now manages and reports on CPV complaints including the tracking and monitoring of actions for all complaints received.</p> <p>The Board was keen to ensure that Taxi Networks were aware of their obligations to provide MPT priority service to people in wheelchairs and to obtain a better understanding of how networks dispatch and track MPT bookings.</p> <p>The Chair of the Board, Manager CVP and Ministerial Liaison Officer visited the two Darwin Taxi Networks</p>
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<p>CPV Activity 5: PROVIDE ADVICE ON MAXIMUM FARE LEVELS</p>			
Action	KPI	Timeframe	Action Officer
<p><u>Increase in Taxi Fares</u></p> <p>Increase taxi fares by 2.51% Darwin and 3.89 % in all other areas</p>	<p>Fare increase implemented</p>	<p>By September 2007</p> <p>October 2007</p>	<p>Executive Officer</p> <p>Following an annual review of existing fares, the Board endorsed a proposed increase.</p> <p>Fare increase implemented</p>

<p><u>Review Cost Basket Methodology</u></p> <p>Review existing 'cost basket methodology' used to undertake fare reviews</p>	<p>Cost basket methodology reviewed to determine 'best practice' model for future reviews.</p>	<p>March 2008</p>	<p>Transport Policy and Planning</p>	<p>The existing cost basket methodology will need to be reviewed to determine the appropriateness and relevance of its content and scope for future reviews. Issues for review should include:</p> <ul style="list-style-type: none"> ▪ an examination of costs assigned to the category 'other journeys' ▪ the 'flag fall' component; and ▪ the utilisation of the Tarago as a 'standard vehicle'. <p>Transport Policy and Planning provided an overview to the Board on the Taxi Fair Review and explained the methodology used to obtain and verify data. Some factors that have contributed to the changes to the basket of costs include fuel costs, interest rates, network fees and establishment costs.</p>
<p><u>Scheduling Fare Reviews</u></p> <p>Schedule fare reviews to be systematically undertaken on an annual basis.</p>	<p>Annual fare review schedule devised and implemented</p>	<p>By December 2007</p>	<p>Executive Officer</p>	<p>A systematic and regular, annual review in February would allow for the implementation of new fee structures at the commencement of the peak tourist season; i.e. April 1 2008.</p>

<p>CPV Activity 6: PROVIDE ADVICE ON OPERATIONAL MATTERS</p>			
<p>Action</p>	<p>KPI</p>	<p>Timeframe</p>	<p>Action Officer</p>
<p><u>Substitution Arrangements</u></p>			<p>Comments</p>

<p>Examine benefits of 'substitution' arrangements as a strategy to address periods of high consumer demand.</p>	<p>Evaluation of trial 'substitute taxi scheme' completed</p>	<p>By December 2007</p> <p>January 2008</p> <p>Ongoing</p>	<p>Executive Officer</p>	<p>The Board expressed concern at the challenges faced by the industry during periods of high demand; i.e. during the tourist season, and the shortage of operators to meet the demand.</p> <p>The Board indicated an interest in monitoring the outcomes of the trial 'substitute taxi scheme' with a view to utilising this scheme to meet shortfalls in other industry sectors.</p> <p>The Board considered substitute minibus licences and requested DPI obtain legal advice on options for substitute minibus vehicle to operate under a different category (MO).</p>
<p><u>Conditions of Licence</u></p> <p>Undertake review of current 'conditions of licence'</p>	<p>Review completed</p>	<p>By March 2008</p> <p>Ongoing</p>	<p>Executive Officer</p>	<p>The Board expressed concern over the current effectiveness of the 'conditions of licence' and in particular issues associated with transferability of licences.</p> <p>Conditions of licences included in scope for CPV review being undertaken by Fiveways Consultancy.</p>
<p><u>Industry Committees</u></p> <p>Initiate Industry Committees in Darwin and Alice Springs</p>	<p>Industry Committees initiated and resourced</p>	<p>By January 2008</p> <p>March 2008</p>	<p>Executive Officer Liaison Officer</p>	<p>The Board considered the initiation of Industry Committees as an effective means of enhancing communication between the Board and Department. These committees will be attended by Departmental representatives.</p> <p>Central Australian CPV Advisory Committee established in March 2008 to provide an information sharing forum between Central Australian CPV Industry and the Board.</p>

<p><u>Industry Liaison Officer Role</u></p> <p>Review the Departmental 'Industry Liaison Officer' role to expand its communication functions.</p>	<p>Industry Liaison role provides consistent, regular and relevant information to industry members.</p> <p>Industry members consider they are adequately informed by Department.</p> <p>Increase NT visitors awareness of CPV transport options.</p>	<p>Ongoing</p>	<p>The Board was keen to ensure that all industry members were kept informed of relevant legislative changes or new initiatives.</p> <p>The Board recommends that the responsibilities of the 'Industry Liaison' role include the development of regular newsletters and attendance at Board meetings. The newsletters could include information on legislative changes or new initiatives.</p> <p>The Board would welcome regular updates on the status of the Industry brochure being undertaken by the Liaison Officer.</p> <p>Brochure/Newsletter under development</p> <p>A "Getting around Darwin" and "Getting around Alice" brochure has been developed and is ready for printing. Distribution at NT Airports, NT Railway Stations, motels, accommodation houses and through NT Tourism.</p>
<p><u>CPV Website</u></p> <p>Website to be used to communicate legislative changes or new initiatives to industry members.</p>	<p>Website is considered to be a useful and accessible communication tool by industry members.</p>	<p>Current-ongoing</p>	<p>The Board and Departmental representatives will monitor the current usage and accessibility of the Web site.</p> <p>The Board considered the removal of NTG branding from the Board Website and endorsed the new look and feel.</p> <p>Liaison Officer</p>

<p><u>Industry Promotion</u></p> <p>Members to actively encourage their constituents to undertake activities to promote the CPV industry as a small to medium enterprise.</p>	<p>Events organised to promote industry.</p> <p>Increase in operators wanting to join the industry.</p>	<p>Current-ongoing</p>	<p>Board Members</p>	<p>The Board noted the importance of industry groups undertaking proactive promotion of their industry to increase the attraction and retention of operators.</p> <p>The emphasis needs to shift from a focus on a 'job' to depicting the lifestyle and benefits of the CPV industry as a 'profession'.</p> <p>The Department is able to organise for members of Marketing and Communications to address a Board meeting to generate ideas that can be passed on to constituents. (The recent promotion of Buslink could be used as a model for this type of promotion).</p> <p>The Chair advised the Board that a promotion of Taxi and CPV industry in the Northern Territory was included as part of an NT interstate road show.</p>
<p><u>Endorsement of Communication Protocols</u></p> <p>Board members adhere to Communication Protocols</p>	<p>Consistent understanding and adherence to communication protocols</p>	<p>Current ongoing</p>	<p>Not progressed at Board level</p>	<p><u>Communication Protocols</u></p> <p>A Board member can speak on behalf of the Board if the information has the endorsement of all Board members and the Minister / DPI. It is not appropriate for a Board member to express an individual opinion, without whole of Board endorsement.</p> <p>If contacted by the media, all Board members should refer the matter to DPI Marketing and Communications through the CPV Branch.</p> <p>All changes to legislation or procedures should be communicated by the Department formally to the Board and to all CPV operators via the Liaison Officer role/newsletters and/or website.</p>

				Board meeting notes published on the CPV Board Website. Terms of Reference that includes communications, protocols that are published on the website.
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CPV Activity 7: PROVIDE ADVICE ON REQUIREMENTS FOR THE ACCREDITATION OF DRIVERS, OPERATORS AND NETWORKS

Action	KPI	Timeframe	Action Officer	Comments
<p><u>Alternative English Test</u> Investigate alternative options to the current 'multiple choice English test'</p>	<p>Effective assessment methods are introduced to assess language competency.</p>	<p>June 2008 Ongoing</p>	<p>Senior Policy Officer Admin Officer</p>	<p>The Board expressed concern at the implications and potential misunderstandings that can occur as a result of drivers for whom English is a second language. It was considered useful to review the current approach used to assess English language competency. Currently in Draft stage.</p>

APPENDIX D

COMMERCIAL PASSENGER (ROAD) TRANSPORT ACT

The *Commercial Passenger (Road) Transport Act* is an Act to regulate the carrying of passengers in motor vehicles for hire or reward, and for related purposes. The following extract from the Act applies to the Commercial Passenger Vehicle Board.

"Division 2 – Commercial Passenger Vehicle Board

6A. Establishment and membership

- 1) The Minister must establish a board to be known as the Commercial Passenger Vehicle Board.
- 2) The Minister must determine the Board's membership and how it is to operate.

6B. Functions and powers

- (1) The functions of the Board are –
 - (a) to provide advice to the Minister on all matters relating to commercial passenger vehicles (other than motor omnibuses, tourist vehicles and special passenger vehicles); and
 - (b) any other functions conferred on the Board in writing by the Minister.
- (2) The Board has the powers that are necessary and convenient for the performance of its functions.

6C. Report on operations

- (1) The Board must provide the Minister with a report on the Board's operations during a financial year within 3 months after the end of the financial year.
- (2) The Minister must lay a copy of a report provided under subsection (1) before the Legislative Assembly within 6 sitting days after receiving it.

6D. Protection from liability

- (1) This section applies to a person who is or has been a member of the Board.

- (2) The person is not civilly or criminally liable for an act done or omitted to be done by the person in good faith in the exercise or purported exercise of a power, or the performance or purported performance of a function, under this Act.
- (3) In addition, the person is not civilly or criminally liable for an act done or omitted to be done by the Board in the exercise or purported exercise of a power, or the performance or purported performance of a function, under this Act.
- (4) Subsections (2) and (3) do not affect any liability the Territory would, apart from those subsections, have for the act or omission."



COMMERCIAL PASSENGER VEHICLE BOARD

2005 - 2006 ANNUAL REPORT

Chair's Overview

The Commercial Passenger Vehicle Board (Board) has been formed to provide formal advice to the Minister for Infrastructure and Transport on all policy and regulatory matters pertaining to the taxi, minibus, private hire car, limousine, special function vehicle and courtesy vehicle sectors of the industry.

The Board facilitates reform of the industry, guides the future direction of the industry, facilitates regulation of the industry and ensures that all industry and consumer interests are represented in ongoing industry development.

As on 30 June 2006, the number of commercial passenger vehicles registered in the Northern Territory was:

Taxis	-	165
Mini Buses	-	39
Courtesy Vehicles	-	19
Private Hire Cars	-	20
Limousines	-	15
Substitute Taxis	-	12
Special Function Vehicles	-	2
Motor Omnibuses	-	613
Tourist Vehicles	-	211
Special Passenger Vehicles	-	3
Total	-	1099

Board Establishment

The Board was established under Section 6 of the *Commercial Passenger (Road) Transport Act* on 1 March 2003. Members are appointed by the Minister for Infrastructure and Transport.

Functions

The Board provides advice to the Minister on all matters relating to commercial passenger vehicles, other than motor omnibuses, tourist vehicles and special passenger vehicles. Additionally, the Minister may confer other functions on the Board in writing.

The Chair of the Board has been delegated relevant powers of the Director of Commercial Passenger (Road) Transport under the *Commercial Passenger (Road) Transport Act* and the Deputy Registrar under the *Motor Vehicles Act*.

Terms of reference of the Board are at Appendix A. The Board has met on six occasions in 2005 - 2006 – in August, September and December 2005 and in February, March and May 2006.

Membership

The Board consists of ten members and an independent Chair. Members are drawn from commercial passenger vehicle industry sectors, disability groups, indigenous groups and the general community. The Chair has been appointed for a term of three years and other members appointed for a term of two years.

The members of the Board in 2005 - 2006 were:

Community / Consumer members:

John Pinney AM	Independent Chair
David Fleming	Former Director, Grand Touring Luxury Transport
Mary Johnson	Vice President, Integrated Disability Action Inc
Renton Kelly	Chairman, Alice Springs Broadcasters Pty Ltd
Leigh Shacklady	Financial Counsellor, Tangentyere Council
Ram Vemuri	Senior Lecturer, Charles Darwin University

Commercial Passenger Vehicle industry members:

Ken Armstrong	President, Private Hire Car and Limousine Association <i>(Alternative Member: Glen MacLeod)</i>
Monica Kraft	Director, Arafura Minibus
Casey Morgan	Owner, Katherine Taxis <i>(Alternative Member: Jim Brawn)</i>
Col Newman	Executive Officer, Taxi Council of the NT
Jason O'Brien	Tiny's Private Hire Car, Alice Springs

Committees

The Board has constituted five committees to assist in its deliberations. These committees are:

- Central Australian CPV Advisory Committee

Convener: Ren Kelly
Members: Jason O'Brien
Leigh Shacklady
Bob Barnes (up to March 2006)
Danny Brennan (from January 2006)
Dennis Brennan
Pat Brennan (up to January 2006)
Geoff Christensen
Michelle Fisher (up to March 2006)
George Gameson (up to March 2006)
Warwick Rock

- Complaints and Discipline Committee

Convener: John Pinney AM
Members: Mary Johnson
Ram Vemuri

- Ranking Committee

Convener: Ken Armstrong / Col Newman (from May 2006)
Members: Ken Armstrong (from May 2006)
David Fleming
Monica Kraft
Col Newman (up to May 2006)

- Training Committee

Convener: Ram Vemuri
Members: Ken Armstrong
David Fleming
Mary Johnson
Ren Kelly

- Vehicles Committee

Convener: Monica Kraft
Members: Ken Armstrong
David Fleming
Colin Newman

Administration and Board Support

The Board is supported by an Executive Officer and staff from the Commercial Passenger Vehicle Branch of the Department of Planning and Infrastructure. The Department also provides office location and support services to the Board.

Board members are entitled to sitting fees for attendance at Board meetings in line with the *Remuneration (Statutory Bodies) Act*. Under this Act, the Board is listed under 'Part C: Advisory and Review Bodies' in 'Table C3: Ministerial Assistance'.

Board members have been working without compensation in their Committee roles since the Committees' inception. This has led to a general lowering of Committee effectiveness and members' priorities.

Performance In Detail

Taxi Fare Reviews

The Board completed two taxi fare reviews in 2005 – 2006. The first fare review was implemented in August 2005. This review increased taxi fares in Darwin by 3.83% and in all taxi areas other than Darwin by 3.23%. The second fare review, implemented in April 2006 increased taxi fares by 3.68% in Darwin and by 2.45% in all taxi areas other than Darwin.

Additionally, the August 2005 fare review allowed for the collection of any applicable airport exit toll from passengers in Darwin.

The fare reviews were carried out in conjunction with the Department of Planning and Infrastructure. Base data was obtained from industry. This was evaluated by the Department and adjusted where a reasonable basis for adjustment was available. Adjustment and acceptance rationales were provided in the review.

The methodology used to review taxi fares is based on a "basket of costs". This methodology is considered to be more reflective of cost variations in the taxi industry than cost price index movements. The Board's fare review recommendations were accepted by the Minister and implemented by the Department.

High Occupancy Fares

In conjunction with the Department of Planning and Infrastructure and in consultation with industry, the Board developed a high occupancy taxi fare

structure. These fares apply to the pre-booked carriage of six or more passengers in taxis that are equipped and approved to carry them.

This initiative encourages an increase in the number of higher capacity taxis, most of which would also be wheelchair accessible. Additionally, it increases the number of higher capacity taxis available to the general community at a lower cost than hiring two taxis for groups of six or more persons.

Fuel Surcharge

Following the 2005 increase in fuel prices, a 50c fuel surcharge was applied to all taxi fares from November 2005. This fuel surcharge was applied until 30 April 2006 or until the next taxi fare review, whichever was earlier. The fuel surcharge ceased on 26 April 2006 with the implementation of the 2006 taxi fare review.

Legislation Amendment Proposals

The Board has developed a list of proposed amendments to the *Commercial Passenger (Road) Transport Act*. Amendment proposals include: prohibiting the sub-leasing of taxi licences; permitting transfer of licences in certain circumstances; providing quarterly payment of licence fees to existing operators but not to new operators; provision of supplementary taxi and minibus licences to allow operators to serve occasional peak demands; and enhanced smoking prohibitions applicable to drivers and passengers in commercial passenger vehicles.

The amendment proposals have been provided to the Department of Planning and Infrastructure for consideration and action.

Central Australia Issues

The Board has established a Central Australian Commercial Passenger Vehicle Advisory Committee to provide input and advise the Board on Central Australian CPV matters. This committee had its first meeting on 9 August 2005 and has met one week prior to each Board meeting since then to discuss industry matters.

Other Issues Considered by the Board

A list of other major issues considered by the Board is contained in Appendix B.

The Goals and Performance Indicators adopted by the Board are provided at Appendix C.

APPENDIX A

TERMS OF REFERENCE

1. Membership

Members of the Board are appointed by the Minister for Infrastructure and Transport and are drawn from:

- the taxi industry
- the minibus industry
- the private hire car/limousine/special function vehicle/courtesy vehicle industry
- disability groups
- indigenous groups
- tourism/general community
- drivers
- regional operators

In appointing members, the Minister will take into account the need to ensure that regional interests are represented.

2. Role of the Board

- The Board will provide formal advice to the Minister on all policy and regulatory matters pertaining to the taxi, minibus, private hire car, limousine, special function vehicle and courtesy vehicle sectors of the industry.
- The Board will facilitate reform of the industry; guide the future direction of the industry; facilitate regulation of the industry; and ensure all industry and consumer interests are represented in ongoing industry development.
- In particular the Board will be responsible for overseeing:
 - new entry standards for drivers and operators;
 - training requirements for drivers, operators, networks and marshals;
 - vehicle standards and age limits;
 - provision of disabled access vehicles;
 - requirements for periodic vehicle inspection;
 - standards for network licences including complaint management requirements & driver management processes;
 - codes of conduct for drivers, operators and networks;
 - maximum fare levels for taxis;
 - recording of operators' maximum fares for minibuses; and
 - consideration of unresolved customer and public complaints.

3. Powers of the Board

In addition to its advisory role, the Board will have powers phased in over time to:

- determine whether drivers, operators and networks meet 'fit and proper' requirements for accreditation;
- accredit training providers; and
- suspend drivers, operators and networks for breaches of regulatory requirements and/or approved Codes of Conduct.

APPENDIX B

OTHER ISSUES CONSIDERED BY THE BOARD

- Developed minimum requirements for rank marshal approval.
- Reviewed and provided comment on a draft Code of Conduct for Communication and Dispatch Networks.
- Reviewed its Strategic Directions.
- Amended the fare 'book up' sections of the taxi and minibus drivers and operators Code of Conduct to ensure clarity that fare 'book up' is not permitted.
- Amended sections of the taxi drivers and operators Code of Conduct relating to providing a priority service to passengers in wheelchairs.
- Facilitated discussions between stakeholders to improve commercial passenger vehicle ranking provisions in Darwin and Alice Springs.
- Provided advice to the Minister for Infrastructure and Transport on disqualifying offence legislation amendment provisions, taxi licence ballots in Darwin and Alice Springs and on the future of the Board.
- Participated as review panel members for commercial passenger vehicle driver fit and proper assessments.
- Facilitated flexible driver training and assessment arrangements in Alice Springs.
- Assessed and endorsed a number of vehicles as private hire cars, limousines and taxis.
- Consulted with Consumer Affairs, Darwin International Airport, Darwin City Council, Alice Springs Town Council and the Department of Planning and Infrastructure on a number of commercial passenger vehicle related issues.
- Published notes of issues discussed at its meetings on the internet.
- Monitored commercial passenger vehicle licence numbers and inspections.
- Prepared an annual report of its operations.

APPENDIX C

GOALS AND PERFORMANCE INDICATORS 2005 - 2006

Goals	Performance Indicators	Performance
<p>To achieve stabilisation within the Commercial Passenger Vehicle Industry</p>	<p>An increase in the numbers of drivers trained, measured through the numbers of new IDs issued.</p> <hr/> <p>The establishment of discipline procedures for drivers and operators.</p>	<p>This data collection commenced end 2005 and will be collated for the next annual report.</p> <hr/> <p>Fit and Proper Assessment Guidelines revised to incorporate Disqualifying Offence provisions</p>
<p>To facilitate increased interaction between the industry, Board and the Department</p>	<p>Industry better informed. This indicator will be measured by the following process: Conduct a minimum of 1 public forum in Darwin and Alice Springs each year</p>	<p>1 forum for taxi operators and 1 forum for minibus operators conducted in Alice Springs</p>
<p>To ensure consistent standards of service and presentation</p>	<p>The publication of minimum acceptable standards for industry operations</p> <hr/> <p>Reduction in the number of vehicles not passing inspections. This indicator will be measured by tracking the number of vehicles not passing inspections</p>	<p>Codes of Conduct for minibus and taxi drivers and operators revised to prevent book up of fares and to ensure priority is provided to passengers in wheelchairs</p> <hr/> <p>Vehicles not passing inspection in 2005-06 were 8.1% of the total vehicles inspected. The percentage for 2004-05 was 3.6%</p>
<p>To ensure the provision of equitable rates for drivers</p>	<p>To achieve consistency with national benchmarks</p>	<p>Two taxi fare reviews carried out in 2005 -2006 Taxi fare fuel surcharge implemented from November 2005 to April 2006</p>

APPENDIX D

COMMERCIAL PASSENGER (ROAD) TRANSPORT ACT

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(a) to provide advice to the Minister on all matters relating to commercial passenger vehicles (other than motor omnibuses, tourist vehicles and special passenger vehicles); and

(b) any other functions conferred on the Board in writing by the Minister.

(2) The Board has the powers that are necessary and convenient for the performance of its functions.

6C. Report on operations

(1) The Board must provide the Minister with a report on the Board's operations during a financial year within 3 months after the end of the financial year.

(2) The Minister must lay a copy of a report provided under subsection (1) before the Legislative Assembly within 6 sitting days after receiving it.

6D. Protection from liability

(1) This section applies to a person who is or has been a member of the Board.

(2) The person is not civilly or criminally liable for an act done or omitted to be done by the person in good faith in the exercise or purported exercise of a power, or the performance or purported performance of a function, under this Act.

(3) In addition, the person is not civilly or criminally liable for an act done or omitted to be done by the Board in the exercise or purported exercise of a power, or the performance or purported performance of a function, under this Act.

(4) Subsections (2) and (3) do not affect any liability the Territory would, apart from those subsections, have for the act or omission.”

COMMERCIAL PASSENGER VEHICLE BOARD

ANNUAL REPORT

Establishment

The Commercial Passenger Vehicle Board ('The Board') was established under Section 6 of the *Commercial Passenger (Road) Transport Act* on 1 March 2003.

Interim Board

An Interim Board was set up on 7 November 2002. Ms Melanie Little was the Chair of the Interim Board until its 4th meeting on 30 January 2003. Mr John Pinney, AM has been the Chair since 19th February 2003. The Interim Board has met on 10 occasions and actioned 117 items.

As at 30 June 2003 the members of the Interim Board were:

John Pinney, AM Chair
Ken Armstrong
Craig Catchlove
Ken Cohalan
Mary Johnson
Bob Lockhart
Ken Mildred
Tony Rooke
Julian Sharples
Paul Styles
Leigh Shacklady

Functions

The Board has been established to provide advice to the Minister on all matters relating to commercial passenger vehicles, other than motor omnibuses, tourist vehicles and special passenger vehicles.

Additionally, the Minister may confer other functions on the Board in writing. Under this provision, the Board has been directed that the operation of the cap on taxi numbers for Darwin and Alice Springs be reviewed, and a report forwarded to Cabinet by 20 May 2004.

Terms of Reference of the Interim Board are attached to this report.

Board Support

The Board is supported by an Executive Officer. Office location is provided by Public Transport Branch.

Committees

The Board has formed 4 Committees with the following Terms of Reference:

1. Complaints and Discipline Committee

- To determine whether drivers, operators and networks meet 'fit and proper' requirements under the legislation.
- Suspend drivers, operators and networks for breaches of regulatory requirements and/or approved Codes of Conduct.
- Inspection requirements.
- Application of Codes of Conduct for drivers, operators and networks.
- Complaint management requirements.
- Audit operations.

Convener – John Pinney

The Committee met on 4 occasions and actioned 2 items.

2. Training Committee

- Entry standards for drivers and operators.
- Industry training requirements.
- Driver management processes.
- Development of Codes of Conduct for drivers, operators and networks.
- Audit training providers.
- Oversee development of commercial passenger vehicle businesses.

Convener – Paul Styles

The Committee met on 3 occasions and actioned 20 items

3. Vehicles Committee

- Maximum fare levels for taxis.
- Vehicle standards and age limits.
- Inspection requirements (in conjunction with Complaints Committee).
- Standards for network licences.
- The provision of disabled access vehicles.

Convener – Paul Styles

The Committee met on 3 occasions and actioned 1 item.

4. Ranking Committee

- Coordinating CPV service for major events and significant locations.
- Monitoring ranking in various locations.
- Applying for ranks to the competent authority as necessary.
- Monitor regional CPV services.

Convener – Ken Mildred

The Committee met on 9 occasions and actioned 36 items.

TERMS OF REFERENCE OF THE INTERIM BOARD

1. Membership

- (a) The Board shall consist of up to ten members including a Chair. All members and the Chair will be appointed by the Minister for Infrastructure, Planning and Environment, taking into account nominations from various stakeholder sectors.
- (b) Membership will include:
 - one representative each from the taxi, limousine and minibus sectors;
 - one representative from the tourism industry;
 - one representative of disabled community groups;
 - one general community representative;
 - one representative of indigenous groups; and
 - one representative from Local Government.
- (c) In appointing members, the Minister will take into account the need to ensure that regional interests are represented.

2. Role of the Advisory Board

- The Board will provide advice to the Minister on all matters pertaining to the taxi, minibus and private hire car industries.
- In particular, it will review and make recommendations on:
 - entry standards for drivers and operators;
 - industry training requirements;
 - maximum fare levels for taxis;
 - vehicle standards and age limits;
 - inspection requirements;
 - standards for network licences including complaint management requirements and driver management processes;
 - Codes of Conduct for drivers, operators and networks;
 - the provision of disabled access vehicles.

3. Powers of the Board

In addition to its advisory role, the Board or its delegate sub-committees will have the power to:

- determine whether drivers, operators and networks meet 'fit and proper' requirements under the legislation;
- accredit training providers;
- suspend drivers, operators and networks for breaches of regulatory requirements and/or approved Codes of Conduct.

COMMERCIAL PASSENGER VEHICLE BOARD

2003-04 ANNUAL REPORT

Establishment

The Commercial Passenger Vehicle Board (Board) was established under Section 6 of the *Commercial Passenger (Road) Transport Act* on 1 March 2003. Members are appointed by the Minister for Transport and Infrastructure.

Functions

The Board provides advice to the Minister on all matters relating to commercial passenger vehicles, other than motor omnibuses, tourist vehicles and special passenger vehicles. Additionally, the Minister may confer other functions on the Board in writing.

Terms of reference of the Board are contained in Attachment A to this report. The Board met on eleven occasions in 2003-04 and actioned 165 items.

Membership

The Board consists of ten members and an independent chair. Members are drawn from industry, disability groups, indigenous groups and tourism / general community sectors. The members of the Board in 2003-04 were:

John Pinney AM	Chair
Ken Armstrong	
Craig Catchlove	(to November 2003)
Ken Cohalan	
David Fleming	(from November 2003)
Mary Johnson	
Renton Kelly	(from June 2004)
Monica Kraft	(from December 2003)
Ishfaq Last	(from November 2003 to March 2004)
Bob Lockhart	(to November 2003)
Ken Mildred	(to April 2004)
Casey Morgan	(from June 2004)
Jason O'Brien	(from November 2003)
Tony Rooke	(to September 2003)
Leigh Shacklady	
Julian Sharples	(to December 2003)
Paul Styles	(to November 2003)
Ram Vemuri	(from November 2003)

Committees

The Board constituted four committees to assist in its deliberations. These committees were:

Complaints and Discipline Committee

Convener: John Pinney AM

Ranking Committee

Convener: Ken Armstrong

Training Committee

Convener: Ram Vemuri

Vehicles Committee

Convener: Ken Cohalan

Board Support

The Board was supported by an Executive Officer and a part-time Administrative Support Officer. Public Transport Branch of the Department of Infrastructure, Planning and Environment provided office location.

The Board is disappointed that it has been constrained in its ability to progress some identified projects due to budgetary restraints and limited support staff.

Performance In Detail

Taxi Fare Review

The Board completed the 2003 taxi fare review in conjunction with the Department of Infrastructure, Planning and Environment. Base data was provided by the Taxi Council. This was vetted by the Department and adjusted where a reasonable basis for adjustment was available. Adjustment and acceptance rationales were provided in the review.

The methodology used was based on a "basket of costs" approach. This was considered to be more reflective of cost variations in the taxi industry than cost price index movements. The Consumer Affairs Council endorsed the final recommendations.

The Board has commenced the 2004 taxi fare review.

Vehicle Standards

In conjunction with the Department and in consultation with industry, the Board prepared commercial passenger vehicle requirements and maintenance standards. These standards apply to taxis, private hire cars, limousines, special function vehicles and courtesy vehicles.

The purpose of these standards is to detail the minimum acceptable vehicle, technical, comfort and aesthetic standards applicable to prospective and existing commercial passenger vehicles. The standards increase transparency and reduce subjectivity in vehicle standards decision-making.

Driver Training Forum

The Board organised a forum for discussion of issues related to commercial passenger driver training in the Northern Territory. The forum developed a number of recommendations, some of which were implemented by the Board.

Representatives from the following sectors were invited to the forum:

Taxi Council
Minibus industry
Taxi industry
Private hire car / limousine industry
Registered training organisations
Driver trainers
Department of Employment, Education and Training
Department of Infrastructure, Planning and Environment

Private Hire Car Ranking at Special Functions or Events

Recent amendments to the *Commercial Passenger (Road) Transport Act* provided for the ranking of private hire cars at approved functions or events, in accordance with approved conditions. The Board considered requests from the private hire car industry for ranking provisions in accordance with the amendments. A number of functions and events were subsequently approved under this category, including all Northern Territory airports and railway stations.

Delegation of Powers and Functions

The Chair of the Board was delegated relevant powers of the Director of Commercial Passenger (Road) Transport under the *Commercial Passenger (Road) Transport Act* and the Deputy Registrar under the *Motor Vehicles Act*.

Development of Website

The Board developed its website to ensure transparency in its operations. The site contained background information, membership of the Board, terms of reference of the Board and Committees and notes from meetings of the Board.

The website address is www.cpvboard.nt.gov.au.

Governance Issues

The Board adopted Strategic Directions, Operating Procedures and a Member Induction Manual to form the basis of an accountability framework. This will guide the Board's work program and operations. In 2004-05, the Board will report on the Performance Indicators stated in its Strategic Directions. The Goals and Performance Indicators of the Board are contained in Attachment B to this report.

Legislative barriers prevented the Board from acting on all its terms of reference in 2003-04. However, the Minister has directed the Department to review these, with a view to having legislative impediments ready for public discussion within the next year.

Issues Referred by the Minister

The Minister referred a number of issues to the Board. These are contained in Attachment C to this report.

Other Issues Considered by the Board

A list of other major issues considered by the Board is contained in Attachment D to this report.

TERMS OF REFERENCE

1. Membership

Members of the Board are appointed by the Minister for Transport and Infrastructure and are drawn from:

- the taxi industry
- the minibus industry
- the private hire car/limousine/special function vehicle/courtesy vehicle industry
- disability groups
- indigenous groups
- tourism/general community
- drivers
- regional operators

Members drawn from the regional operator and driver sectors are appointed on a rotational basis between the industry sectors. In appointing members, the Minister will take into account the need to ensure that regional interests are represented.

2. Role of the Board

- The Board will provide formal advice to the Minister on all policy and regulatory matters pertaining to the taxi, minibus, private hire car, limousine, special function vehicle and courtesy vehicle sectors of the industry.
- The Board will facilitate reform of the industry; guide the future direction of the industry; facilitate regulation of the industry; and ensure all industry and consumer interests are represented in ongoing industry development.
- In particular the Board will be responsible for overseeing:
 - new entry standards for drivers and operators;
 - training requirements for drivers, operators, networks and marshals;
 - vehicle standards and age limits;
 - provision of disabled access vehicles;
 - requirements for periodic vehicle inspection;
 - standards for network licences including complaint management requirements & driver management processes;
 - codes of conduct for drivers, operators and networks;
 - maximum fare levels for Taxis;
 - recording of operators' maximum fares for Minibuses; and
 - consideration of unresolved customer and public complaints.

3. Powers of the Board

In addition to its advisory role, the Board will have powers phased-in over time to:

- determine whether drivers, operators and networks meet 'fit and proper' requirements for accreditation;
- accredit training providers; and
- suspend drivers, operators and networks for breaches of regulatory requirements and/or approved Codes of Conduct.

ATTACHMENT B

GOALS AND PERFORMANCE INDICATORS

Goals	Performance Indicators
<p>To achieve stabilisation within the Commercial Passenger Vehicle Industry</p>	<p>A decrease in driver turn-over.</p> <p><i>(The first step in this process will be the development of a system that will enable the tracking of driver turn-over rates so that future benchmarking can be established).</i></p> <p>The establishment of discipline procedures for drivers and operators.</p>
<p>To facilitate increased interaction between the industry, board and the Department</p>	<p>Industry better informed. This indicator will be measured by the following process:</p> <p>Conduct a minimum of 1 Public Forum in each Region by December 2004. Distribute a list of questions to participants before the Forums and measure if there has been an increase in their understanding by distributing a questionnaire after the meeting.</p>
<p>To ensure consistent standards of service and vehicle presentation</p>	<p>Reduction in the number of vehicles not passing inspections. This indicator will be measured by:</p> <p>tracking the number of not passing inspections.</p>
<p>To ensure the provision of equitable rates for drivers</p>	<p>To achieve consistency with national benchmarks</p>

ATTACHMENT C

ISSUES REFERRED BY THE MINISTER

The Minister referred the following issues to the Board in 2003-04:

- Provide recommendations on private hire car ranking at special events and functions.
- Ensure views of three Darwin taxi networks are taken into consideration prior to providing recommendations on private hire car ranking.
- Provide recommendations on the taxi ratio regime.
- Forward the Board's operating framework for approval.
- Review driver training concerns.
- Chair to meet with Taxi Council President to incorporate Council issues into Board's program.
- Consider and advise on issues raised in various correspondences from the public to the Minister.

ATTACHMENT D

OTHER ISSUES CONSIDERED BY THE BOARD

Facilitated suitable ranking for taxis, minibuses and private hire cars at major events, airports and railway stations.

Provided clarification for the definition of special functions for special function vehicles.

Provided recommendation to the Minister for the taxi ratio regime.

Consulted with Consumer Affairs on resolving taxi and minibus fare book-up concerns.

Consulted with stakeholders on proposed wheelchair accessible taxi lift fee.

Consulted with Darwin City Council to permit wheelchair accessible taxis to park in disabled parking spaces.

Developed a discussion paper on commercial passenger vehicle licence management.

Developed and approved exemption criteria for five year driving experience requirement.

Reviewed courtesy vehicle maximum age limits.

Monitored commercial passenger vehicle licence numbers and inspections.

Developed a discussion paper on surcharge for carrying six or more passengers.

Evaluated criteria for approval of rank marshals.

Obtained advice from the Anti-Discrimination Commissioner regarding accessible minibuses.

Provided a submission addressing the Northern Territory Transport Plan.

Considered taxi security camera national specifications issue.

Investigated suitability of driver training competencies.

Considered submissions for providing driver training and supported a correspondence-style driver training course in Darwin.

Prepared the annual report.

COMMERCIAL PASSENGER VEHICLE BOARD

2004-05 ANNUAL REPORT

Establishment

The Commercial Passenger Vehicle Board (Board) was established under Section 6 of the *Commercial Passenger (Road) Transport Act* on 1 March 2003. Members are appointed by the Minister for Infrastructure and Transport.

Functions

The Board provides advice to the Minister on all matters relating to commercial passenger vehicles, other than motor omnibuses, tourist vehicles and special passenger vehicles. Additionally, the Minister may confer other functions on the Board in writing.

The Chair of the Board has been delegated relevant powers of the Director of Commercial Passenger (Road) Transport under the *Commercial Passenger (Road) Transport Act* and the Deputy Registrar under the *Motor Vehicles Act*.

Terms of reference of the Board are contained in Attachment A to this report. The Board met on nine occasions in 2004-05 and actioned 83 items.

Membership

The Board consists of ten members and an independent chair. Members are drawn from industry, disability groups, indigenous groups and tourism or general community sectors. The members of the Board in 2004-05 were:

John Pinney AM	Chair
Ken Armstrong	
Ken Cohalan	(to November 2004)
David Fleming	
Mary Johnson	
Renton Kelly	
Monica Kraft	
Casey Morgan	
Col Newman	(since March 2005)
Jason O'Brien	
Leigh Shacklady	
Ram Vemuri	

Committees

The Board constituted four committees to assist in its deliberations. These committees are:

- Complaints and Discipline Committee
Convener: John Pinney AM
- Ranking Committee
Convener: Ken Armstrong
- Training Committee
Convener: Ram Vemuri
- Vehicles Committee
Convener: Monica Kraft

Board Support

The Board was supported by an Executive Officer and staff from the Commercial Passenger Vehicle Branch of the Department of Planning and Infrastructure. The Department also provided office location and support services to the Board.

Performance In Detail

Taxi Fare Review

The Board completed the 2004 taxi fare review in conjunction with the Department of Planning and Infrastructure. Base data was obtained from industry. This was vetted by the Department and adjusted where a reasonable basis for adjustment was available. Adjustment and acceptance rationales were provided in the review.

The methodology used was a "basket of costs" approach. This was considered to be more reflective of cost variations in the taxi industry than cost price index movements. The Consumer Affairs Council endorsed the final recommendations. These were accepted by the Minister and implemented by the Department.

High Occupancy Tariffs

In conjunction with the Department of Planning and Infrastructure and in consultation with industry, the Board progressed work on high occupancy taxi

tariffs. These tariffs would apply to the pre-booked carriage of six or more passengers in taxis that are equipped and approved to carry them.

This initiative would encourage an increase in the number of higher capacity taxis, most of which would also be wheelchair accessible. Additionally, it would increase the number of higher capacity taxis available to the general community at a lower cost than hiring two taxis for groups of six or more persons.

Mutual Recognition Protocol

The Board developed a mutual recognition protocol for interstate taxi drivers. This is based on the *Mutual Recognition (Northern Territory) Act 1993* which relates to the recognition of regulatory standards adopted in Australia regarding goods and occupations. The mutual recognition principle deals with the ability of a person who is registered in connection with an occupation in a State or Territory to carry on an equivalent occupation in another State or Territory.

Application of this protocol involves acceptance of interstate taxi driver approvals in the Northern Territory. Mutual recognition of drivers in other commercial passenger vehicle categories will be determined on a case by case basis, as the jurisdictions vary widely in their approval processes for other categories. However, in each assessment mutual recognition principles will apply.

Review of 'Fit and Proper' Assessment Guidelines

The Registrar of Motor Vehicles has an obligation, under the *Motor Vehicles Act*, to ensure that an applicant is a 'fit and proper' person before granting or approving the renewal of a licence to drive commercial passenger vehicles.

The Board reviewed the guidelines for assessing 'fit and properness' and recommended amendments to ensure that the assessment process is open and transparent, meeting procedural fairness and natural justice requirements. The recommendations were accepted by the Registrar. The revised Guidelines are published on the Board's website.

Minimum Driving Experience Requirement

The Board considered representations from industry that the requirement for minimum five years driving experience for the issue of commercial passenger vehicle driver identification cards was excessive.

The Board reviewed interstate requirements, local conditions and arguments for retaining the existing requirement. It decided that for the Northern Territory, a minimum two years driving experience and a minimum age of 21

years are suitable requirements and consistent with interstate practice. These recommendations were accepted and implemented by the Department of Planning and Infrastructure.

Other Issues Considered by the Board

A list of other major issues considered by the Board is contained in Attachment C to this report.

ATTACHMENT A

TERMS OF REFERENCE

1. Membership

Members of the Board are appointed by the Minister for Transport and Infrastructure and are drawn from:

- the taxi industry
- the minibus industry
- the private hire car/limousine/special function vehicle/courtesy vehicle industry
- disability groups
- indigenous groups
- tourism/general community
- drivers
- regional operators

Members drawn from the regional operator and driver sectors are appointed on a rotational basis between the industry sectors. In appointing members, the Minister will take into account the need to ensure that regional interests are represented.

2. Role of the Board

- The Board will provide formal advice to the Minister on all policy and regulatory matters pertaining to the taxi, minibus, private hire car, limousine, special function vehicle and courtesy vehicle sectors of the industry.
- The Board will facilitate reform of the industry; guide the future direction of the industry; facilitate regulation of the industry; and ensure all industry and consumer interests are represented in ongoing industry development.
- In particular the Board will be responsible for overseeing:
 - new entry standards for drivers and operators;
 - training requirements for drivers, operators, networks and marshals;
 - vehicle standards and age limits;
 - provision of disabled access vehicles;
 - requirements for periodic vehicle inspection;
 - standards for network licences including complaint management requirements & driver management processes;
 - codes of conduct for drivers, operators and networks;
 - maximum fare levels for Taxis;
 - recording of operators' maximum fares for Minibuses; and
 - consideration of unresolved customer and public complaints.

3. Powers of the Board

In addition to its advisory role, the Board will have powers phased-in over time to:

- determine whether drivers, operators and networks meet 'fit and proper' requirements for accreditation;
- accredit training providers; and
- suspend drivers, operators and networks for breaches of regulatory requirements and/or approved Codes of Conduct.

ATTACHMENT B

GOALS AND PERFORMANCE INDICATORS

Goals	Performance Indicators/(How we know we have achieved our goals)
<p>To achieve stabilisation within the Commercial Passenger Vehicle Industry</p>	<p>An increase in the numbers of drivers trained, measured through the numbers of new IDs issued.</p> <p>The establishment of discipline procedures for drivers and operators.</p>
<p>To facilitate increased interaction between the industry, Board and the Department</p>	<p>Industry better informed. This indicator will be measured by the following process:</p> <p>Conduct a minimum of 1 public forum in Darwin and Alice Springs each year.</p>
<p>To ensure consistent standards of service and presentation</p>	<p>The publication of minimum acceptable standards for industry operations.</p> <p>Reduction in the number of vehicles not passing inspections. This indicator will be measured by tracking the number of vehicles not passing inspections.</p>
<p>To ensure the provision of equitable rates for drivers</p>	<p>To achieve consistency with national benchmarks</p>

ATTACHMENT C

OTHER ISSUES CONSIDERED BY THE BOARD

- Commenced a review of Communication and Dispatch Network requirements.
- Amended the fare 'book up' sections of the drivers and operators 'Code of Conduct' to ensure clarity that fare 'book up' is not permitted.
- Amended private hire car special events definition to include ranking at casinos and Arafura Games opening and closing ceremonies as approved events.
- Evaluated if existing multiple purpose taxi incentives for operators allow for any surplus to be passed on to drivers.
- Published notes of issues discussed at its meetings on the internet.
- Investigated taxi drivers' liability for alcohol carried by passengers into prohibited areas.
- Reviewed its Strategic Directions.
- Liaised with Darwin Port Corporation regarding security requirements for taxis entering Port areas.
- Facilitated suitable ranking for taxis, minibuses and private hire cars at major events.
- Monitored commercial passenger vehicle licence numbers and inspections.
- Facilitated flexible driver training and assessment arrangements.
- Assessed and endorsed a number of vehicles as taxis, multiple purpose taxis and high occupancy taxis.
- Consulted with Consumer Affairs Council, Darwin International Airport, Darwin City Council, Alice Springs Town Council, the Department of Planning and Infrastructure, Australian Hotels Association and NT Police on a number of commercial passenger vehicle related issues.
- Prepared an annual report of its operations.