



**STANDARD TERMS AND CONDITIONS  
FOR TAXI OPERATORS AT GOLD COAST AIRPORT (GCA)  
AS AT 1 JULY 2021**

**1. Background**

1.1 Taxi Operators are put on notice that:

- (a) the Airport is private property, and entry onto the Airport by the Taxi Operator is at the discretion of GCA;
- (b) if with the consent of GCA the Taxi Operator enters onto the Airport such entry constitutes acceptance of these terms and conditions;
- (c) ground transport activities at Gold Coast Airport are subject to statutory controls imposed under the Act and the *Airports (Control of On Airport Activities) Regulations 1997* (Cth).

1.2 “**Taxi Operator/s**” means any person or body corporate who operates or is involved in the provision of a taxi service pursuant to the Transport Act. The term includes therefore:

- (a) Taxi owner drivers; and
- (b) Taxi owners who engage third parties to drive the Taxi; and
- (c) third party drivers of the Taxi.

**2. Non-exclusive personal licence rights granted**

The rights granted are (only):

- (a) to enter onto the Airport; and
- (b) an authority for the Taxi Operator to conduct the Business on the Airport.

**3. Conduct of the Business**

The Taxi Operator must at all times conduct the Business in a proper manner:

- (a) without any Touting;
- (b) to the satisfaction of GCA acting reasonably; and
- (c) in accordance with these ST&C's.

**4. Tailgating**

Tailgating is strictly prohibited at the Airport. If the Taxi Operator engages in Tailgating, then GCA may charge the Maximum Fee to the Taxi Operator.

**5. Nuisance**

The Taxi Operator must not do anything at the Airport that may constitute a nuisance, annoyance or danger to any person or to any part of the Airport.

**6. Professional Conduct of Business**

The Taxi Operator must at all times operate the Business from the Airport professionally and competently.

**7. Signs**

Unless authorised by GCA the Taxi Operator must not display any advertisement placard or sign within the Airport.

## **8. Use of Airport**

- (a) The Taxi Operator must not use the access rights granted under these ST&C's in connection with any commercial enterprise other than the Business.
- (b) The Taxi Operator must not enter any part of the Airport with a Taxi other than in connection with the operation of the Business, or where the Taxi is being used by the Taxi Operator as a means of private transportation to and/or from the Airport and will either be parked in one of the public car parks and/or is simply dropping-off.

## **9. Taxi Facilities and other use provisions**

- 9.1 The use of the Taxi Facilities by Taxi Operators is always subject to:
- (a) availability of space in the Taxi Facilities;
  - (b) compliance with the ST&C's; and
  - (c) GCA's directions at all times.
- 9.2 The Taxi Operator will raise no objection, or make any claim against GCA, or any third party, relating to any lack of availability of space in the Taxi Facilities.
- 9.3 The Taxi Operator must follow all directions and signage throughout the Airport and Taxi Facilities as applies to the Taxi.
- 9.4 Except where a Taxi controlled by the Taxi Operator enters the Airport only for the purposes of dropping-off, such Taxi must not stand on the Airport otherwise than on:
- (a) the designated Taxi Facilities; or
  - (b) another area nominated by GCA (acting reasonably) if the Taxi Facilities are full.
- 9.5 Any Taxi that is incapable of being driven off the Taxi Facilities and/or the Airport without danger to the driver and/or third parties must be towed from the Airport immediately at the Taxi Operator's cost.
- 9.6 No Taxi may be cleaned, repaired or maintained whilst on the Airport.
- 9.7 No Taxi used in the Business that comes on-Airport may:
- (a) emit excessive fumes;
  - (b) be left with its engine idling for an unduly lengthy period; or
  - (c) have music playing at excessively loud levels.
- 9.8 If drop-off of customers is necessary during the operation of the Business the Taxi Operator must:
- (a) only use the official passenger drop-off and set-down zones designated by GCA;
  - (b) not leave the Taxi while it is parked in a drop-off and set-down zone; and
  - (c) not stop in a drop-off and set-down zone for more than 1 minute or such other period nominated by GCA from time to time.

## **10. Drivers' licences and official stickers**

- 10.1 The Taxi Operator must ensure that it and any person employed by the Taxi Operator in the conduct of the Business at the Airport:
- (a) possesses the required Driver Authorisation; and

- (b) possesses a valid drivers' licence to enable the Taxi Operator to drive in both Queensland and/or New South Wales.
- 10.2 The Taxi Operator must ensure that each Taxi accessing the Airport in the conduct of the Business displays a correctly installed RFID Tag linked to an account with a positive balance.
- 10.3 GCA must be notified, and the RFID Tag must be removed from the Taxi, immediately a Taxi ceases to be used in the Business.
- 10.4 GCA is entitled to charge a reasonable fee for the provision of replacement RFID Tags.

## **11. Gold Coast Airport Ground Transport Gateway**

- 11.1 The Taxi Operator at all times must either:
  - (a) register and maintain a user account on the Gold Coast Airport Ground Transport Gateway; or
  - (b) be a driver of a Gateway Account Holder.
- 11.2 The Gateway Account Holder must at all times comply with the terms of use of the Gold Coast Airport Ground Transport Gateway.
- 11.3 Each Taxi that is operated in the Business must be registered by the Gateway Account Holder on the Gold Coast Airport Ground Transport Gateway.

## **12. RFID Tag's and Electronic collection system**

- 12.1 Access to the Airport and Taxi Facilities is controlled by an RFID Tag and Electronic Collection System.
- 12.2 The Taxi Facilities will not include facilities for payment of the Visitation Fee by cash. The Taxi Operator must obtain an RFID Tag and ensure the RFID Tag and associated account is managed on the Gold Coast Airport Ground Transport Gateway Site.
- 12.3 The Taxi Operator must ensure the RFID Tag has sufficient credit available to pay the Visitation Fee in order to access the Airport and/or Taxi Facilities for the purpose of conducting the Business.
- 12.4 The Taxi Operator's RFID Tag will be debited with the Visitation Fee for each occasion a Taxi exits the Taxi Facilities.
- 12.5 If the Taxi Operator requires a replacement RFID Tag, the Gateway Account Holder must apply to GCA, explaining why a replacement RFID Tag is required and must pay the Replacement Cost to GCA before receiving a replacement RFID Tag.

## **13. Compliance with legislation and other requirements**

- 13.1 The Taxi Operator must while operating the Business at the Airport comply with:
  - (a) the Act;
  - (b) all regulations, by-laws, orders and proclamations made or issued under the Act;
  - (c) all practice standards and regulations imposed on the Taxi Operator by a Gateway Account Holder;
  - (d) all proper requirements of all statutory authorities and all statutes, ordinances, regulations and by-laws relating to the Airport and the conduct of the Business, including without limitation requirements:
    - (i) under the Transport Act;

- (ii) under the Competition and Consumer Act 2010 (Cth);
  - (iii) relating to the storage of petrol, oil or other materials of an explosive or flammable nature on the Airport;
  - (iv) for the provision and installation of suppressors on the Taxi Operator's electrical equipment to prevent interference with radio or television transmission and reception and any computer radar communication or other electrical equipment;
  - (v) to take all reasonable precautions against the outbreak of fire, and to observe and comply with all directions for the time being in force relating to the prevention, outbreak, spread and control of fire on the Airport;
  - (vi) under the "Gold Coast Airport Bird and Wildlife Management Plan"; and
  - (vii) relating to fence integrity at the Airport. Fence integrity is critical to prevent animal ingress onto operational areas within the Airport and the Taxi Operator must promptly report any fence damage of which it becomes aware of to the Airport Safety Officer: 0407 755 722.
- (e) all reasonable rules, directions and orders made from time to time in respect of the Business by GCA and without limitation in respect of:
- (i) access to, and use of, facilities which GCA designates for use by Taxi Operators;
  - (ii) the use of roads within the Airport;
  - (iii) restrictions on the size, weight and type of Taxis accessing the Airport;
- (f) all applicable industry codes of conduct and the like; and
- (g) the Airport Environmental Strategy.
- 13.2 In the event that a Taxi Operator fails to comply with these ST&C's, GCA reserves the right, in its absolute discretion, to prohibit such Taxi Operator from accessing the Airport to operate the Business.

#### **14. Insurance**

- 14.1 The Taxi Operator must take out and keep current public liability insurance for at least \$20,000,000.00 covering personal injury and property damage claims arising out of the operation of the Business by the Taxi Operator at the Airport.
- 14.2 The insurance policy required pursuant to clause 14.1 must:
- (a) note GCA as an insured; and
  - (b) be with a reputable Australian registered insurer.
- 14.3 The Taxi Operator must provide GCA with a certificate of currency whenever reasonably required.
- 14.4 The Taxi Operator must not do anything or omit to do anything whereby any insurance effected in accordance with clause 14.1 may be vitiated or become ineffective.

#### **15. Indemnity**

- 15.1 The Taxi Operator must indemnify and keep indemnified GCA its officers, servants and agents from and against all liabilities damages, costs, charges, expenses, actions

and claims whatsoever which are suffered incurred brought or made against them or any of them in respect of:

- (a) any damage directly or indirectly sustained by the Taxi Operator or by any other person whether in respect of person or property which may arise from the use of the Airport or any part thereof;
- (b) the observance or non-observance (as the case may be) of any of the Taxi Operator's obligations under these ST&C's; and
- (c) defending or settling any such actions or claims.

15.2 The indemnity does not cover any actions and claims to the extent that they arise out of the negligent acts, omissions or default of GCA or any officer servant or agent of GCA.

15.3 The indemnity in these ST&C's is a continuing obligation, separate and independent from the other obligations of the Taxi Operator and survives termination of the Taxi Operator's right of access to the Airport to operate the Business. It is not necessary for GCA to incur expense or make payment before enforcing a right of indemnity conferred by these ST&C's.

## 16. Definitions

In this document:

- (a) **Act** means the Airports Act 1996 (Cth) and any regulation prescribed by the Airports Act 1996 (Cth).
- (b) **Airport** means Gold Coast Airport.
- (c) **Airport Environmental Strategy** means the strategy in force at any time at the Airport which has been developed and approved by the responsible minister under the Act and implemented by GCA for the management of the Environment at the Airport.
- (d) **Business** means the provision of Taxi services in connection with which the Taxi Operator enter the Airport and all conduct in relation to that business.
- (e) **Driver Authorisation** means for those Operators providing a taxi service in:
  - (i) Queensland - the driver authorisation required to operate a taxi service, as defined in the *Transport Operations (Passenger Transport) Act 1994 (Qld)*; and
  - (ii) New South Wales - driver authority issued for an accredited taxi-cab operator pursuant to the *Passenger Transport Act 2014 (NSW)*.
- (f) **Electronic Collection System** means an electronic fee charging and collection system operated by or on behalf of GCA for calculation and payment of the Visitation Fee.
- (g) **Environment** means and includes:
  - (i) ecosystems and their constituent parts, including people and communities; and
  - (ii) all natural and physical resources including animal and plant life; and
  - (iii) the qualities and characteristics of locations, places and areas, however large or small, that contribute to their biological diversity and integrity, intrinsic or attributed scientific value or interest, amenity, harmony and sense of community; and

- (iv) the social, economic, aesthetic and cultural conditions that affect or are affected by things mentioned in paragraphs (i) to (iii).
- (h) **Gateway Account Holder** means the Taxi Operator that holds an account on the Gold Coast Airport Transport Gateway, approved by GCA to:
  - (i) conduct the Business at the Airport; and/or
  - (ii) provide RFID Tags to its Taxi Operators to operate the Business at the Airport.
- (i) **Gold Coast Airport Ground Transport Gateway** means the website <http://parkcharge.gcagtgateway.com.au/public> (or such other online portal as notified by GCA from time to time) where Taxi Operators register to be a Gateway Account Holder.
- (j) **Maximum Fee** means the amount of \$12.00 to be deducted from an RFID Tag if the Taxi Operator engages in Tailgating.
- (k) **Replacement Cost** means the cost of \$14.00 per RFID Tag for any extra RFID Tag which is required, in addition to the initial RFID Tag issued to Gateway Account Holders;
- (l) **RFID Tag** means an electronic tag provided by an authorised road tolling company as notified to the Gateway Account Holder and/or issued to its Taxi Operators, by GCA in writing. Only one RFID Tag is issued per Taxi;
- (m) **ST&C's** means these standard terms and conditions for Taxi Operators at the Airport and/or all terms and conditions from time to time promulgated and published by GCA, which apply to all Taxi Operators who enter the Airport for the purposes of conducting their Business;
- (n) **Supervisor** means the person/s employed to manage the Taxi Operators and the Taxi Operators' use of the Taxi Facilities.
- (o) **Tailgating** is deemed to occur if:
  - (i) there is an entry of a Taxi recorded but no exit recorded in relation to one trip by that Taxi; or
  - (ii) the Taxi Operator has entered the Taxi Facilities, but an exit was not recorded for that Taxi Operator.
- (p) **Taxi** has the meaning the Transport Operations (Passenger Transport) Act 1994 (Qld) gives the term.
- (q) **Taxi Facilities** means the designated Taxi pick up and drop off ranks and any driver amenities facilities that GCA provides from time to time for use by the Taxi Operator.
- (r) **Terminal** means the buildings used for the embarkation and disembarkation of international and domestic passengers at the Airport.
- (s) **Touting** means offering, soliciting or inducing person/s to hire a Taxi without that Taxi being pre-booked or waiting its turn in the Taxi pick up rank.
- (t) **Transport Act** means the local, State or Federal statutory provisions and regulations applicable to the Airport and/or the exercise of the Taxi Operators Business.
- (u) **Visitation Fee** means the access fee debited to the RFID Tag via the Electronic Collection System charged each time a Taxi Operator enters the Airport to operate the Business. The list of Visitation Fees is available on the Gold Coast Airport Ground Transport Gateway.



