



**ARTIO**

Australian Road Transport  
Industrial Organisation

**New South Wales Branch**

PO Box 277

HURSTVILLE NSW 2220

Mob: 0412 880861

Fax: 02 9579 2333

Email: [hughmc@artionsw.com.au](mailto:hughmc@artionsw.com.au)

ABN: 93149961882

# *The Courier*

*Information and Advice for NSW Transport Operators*

**Newsletter Vol. 3 No. 9: 18 August 2017**

## **Contents**

1. Industry Unites on Reasonable Travel and Overtime Meal Allowance Expense Amounts
2. NTC Releases Draft Discussion Paper on Evaluation of PBS
3. Private Sector Wage Growth Stabilises
4. New App to Assist Operators Accessing Port Botany
5. NHVR Issues Chart Showing Heavy Vehicle Classes
6. NHVR Lauds NHVAS Success
7. Infrastructure Update
8. Queensland Government Targetting Rogue NSW Based Waste Operators
9. Legislation Enabling Automated Vehicle Trials Passes NSW Parliament
10. ARTIO NSW Office Arrangements
11. TWUSUPER Super News August 2017
12. Economic and Industry Indicators

---

## **Industry Unites on Reasonable Travel and Overtime Meal Allowance Expense Amounts**

---

***Report prepared by Paul Ryan, National Industrial Relations Advisor, ARTIO, who represented ARTIO at the meeting with the ATO, 17 August 2017***

An industry delegation met with officials from the Australian Taxation Office (ATO) on 16 August in Sydney to discuss industry concerns over the decrease in 'reasonable meal expenses' that can be claimed by truck drivers without substantiation (receipts). The amount has been reduced by \$42.10 (from \$97.40 to \$55.30) or 43% from the commencement of the 2017/18 financial year. This is as a direct result of the ATO's issue of Tax Determination 2017/19.

Those industry organisations present were:

- ARTIO – represented by Paul Ryan and Gary Mahon (also Queensland Trucking Association).
- TWU.
- ATA and NatRoad.

A summary of the main matters raised is set out below:

- At the outset, the industry claimed that there had been no consultation nor warning of what the ATO had planned to do with the level of 'reasonable meal expenses' that could be claimed without receipts by employed truck drivers. The ATO did not dispute this.
- Since 1985, truck drivers have been treated as part of a wider group whereby 'reasonable meal expenses' can be claimed, provided the money has been expended by the taxpayer, up to a specified level without the need to keep receipts.
  - Truck drivers have now been singled out and treated differently to every other occupation.
- There appeared to be no logic nor rational explanation behind the reduction, other than a view within the ATO based on several audits, that there appeared to be a 'misunderstanding' in the transport industry on how the system worked.
  - It appeared that the ATO were using the behaviour of extreme outliers to regulate the industry as a whole by cutting existing arrangements by almost 50%.
  - Further, there were several errors in the ATO's paper prepared as a basis of consultation which clearly showed a lack of knowledge of long distance transport operations.
- The industry made the point strongly that there are EBAs, contracts and over-award payments made by employers to employed truck drivers around meal allowance payments - \$90 was confirmed as common.
- The point was made by industry that employed 'long distance' drivers are already required by law to keep a work diary detailing in 15 minute increments of where/when etc. and whether they are working or on a break. The ATO should consider its use in determining valid meal claims.

#### **Where to Now**

- The industry sought the cancellation of TD2017/19 (the ATO Determination that reduced the rate from \$97.40 to \$55.30) and a return to the 2016/17 Determination, increased by a small component for CPI.
  - This would then allow the industry to participate in a proper and detailed consultative process to determine what would be a fair amount for truck drivers to be able to claim, without receipts, into the future.
- The ATO officials were not authorised to make a decision, but advised that they would consult with the decision-makers (Deputy Commissioner level) internally over the next few days and advise the industry early next week of when a decision on our request as detailed in paragraph 6 above might be finalised.
- Overall, the meeting was positive and united industry certainly put a very strong case to the ATO for the review and amendment of this unfair Determination.
- Finally, the industry put to the ATO that its communication and language needed to be clear and concise to ensure compliance around these types of issues.

Members will be kept informed of developments.

---

## **NTC Releases Draft Discussion Paper on Evaluation of PBS**

---

### ***Extracts from NTC media release, 15 August 2017***

The National Transport Commission has released a discussion paper which presents preliminary findings of an evaluation of the PBS scheme and possible actions for improving the efficiency and effectiveness of the scheme.

Chief Executive of the NTC Paul Retter said the purpose of this evaluation is to look at ways to improve the effectiveness and efficiency of the PBS scheme, and in doing so respond to Australia's growing freight task.

"Road freight is projected to increase by 26 per cent in the next 10 years. PBS vehicles are well placed to assist industry and government in coping with this forecasted growth.

"Since 2007 when the world-first scheme started, PBS vehicles have been involved in fewer crashes, carried more freight with fewer trips, generated lower emissions and reduced road maintenance expenditure. We need to continue improving the scheme to promote greater uptake of these vehicles," Mr Retter said.

Australia remains a world leader as the only country to have a high productivity heavy vehicle scheme incorporated into the Heavy Vehicle National Law and administered by a national regulator.

The scheme was introduced as an alternative performance-based regulatory system that could replace the prescriptive method of using mass and dimension limits. This is the first comprehensive evaluation of the scheme.

Submissions in response to this discussion paper will be accepted until 9 October 2017 via the NTC website, [www.ntc.gov.au](http://www.ntc.gov.au).

Feedback from this consultation will help inform recommendations to be presented to transport ministers in May 2018.

More information on the PBS marketplace project is available on NTC website.

---

## **Private Sector Wage Growth Stabilises**

---

Figures issued by the Australian Bureau of Statistics for the three months ending 30 June highlight a stabilising in private sector wage growth rates.

For the last three quarterly pay periods, annual wage growth in ordinary hours pay in the private sector in trend terms has remained at 1.8 per cent. Wages growth has oscillated between 0.4 per cent and 0.5 per cent on a quarterly basis in every quarter since the March 2015 quarter. Wages growth in trend terms across the economy as a whole stood at 1.9 per cent in the year ending 30 June because wages in the public sector grew on average by 2.4 per cent.

In the transport, postal and warehousing sectors, wages grew by 1.8 per cent during 2016-17, compared to 2.2 per cent in 2015-16.

---

## **New App to Assist Operators Accessing Port Botany**

---

***Adapted from media release, Minister for Roads, Maritime and Freight, 7 August, 2017***

The Minister for Roads, Maritime and Freight, Melinda Pavey, says that freight movements in and out of Port Botany will become easier following the launch of an app which will allow port users, including transport operators and stevedores, to monitor activity in the port precinct.

Mrs Pavey said the app will provide live data including real time truck turnaround and performance data as well as information on queuing and advice on arrival times in the port precinct.

Mrs Pavey said the app is free to download and is available on IOS and Android. It was developed by the NSW Government's Cargo Movement Co-ordination Centre's IT platform.

Mrs Pavey said that before the launch of the app such information was only available through a closed system to stevedores and a limited number of transport operators.

---

## **NHVR Issues Chart Showing Heavy Vehicle Classes**

---

The National Heavy Vehicle Regulator has published a chart entitled 'Classes of Heavy Vehicles in the National Heavy Vehicle Law' which shows how types of heavy vehicle fit within a heavy vehicle class. – Class 1, Class 2 or Class 3.

Roger Garcia, NHVR's Access Manager, said the chart '...will provide industry with a clear understanding of what class their heavy vehicle belongs to when applying for an access permit, or when operating under a notice.

To download the chart or for more information please visit the NHVR website, [www.nhvr.gov.au](http://www.nhvr.gov.au).

---

## **NHVR Lauds NHVAS Success**

---

The National Heavy Vehicle Regulator has lauded the success of the National Heavy Vehicle Accreditation Scheme.

NHVR Safety and Productivity Executive Director, Geoff Casey, says the NHAS has 6,607 operators in the mass module which is applied to 36,308 vehicles while 99,421 vehicles are in the NHVAS maintenance module.

Mr Casey said that the NHVAS was 'continually strengthening' NHVAS's safety requirements. This now includes moving towards a formal Safety Management System. He said the improvements will assist operators in meeting their 'primary duty' responsibilities under new Chain of Responsibility laws which take effect in mid-2018.

---

## **Infrastructure Update**

---

Significant infrastructure milestones achieved during the first two weeks of August include:

- The opening of a new heavy vehicle rest area capable of taking up 20 B-Doubles at Marlo, near Mullengandra on the Hume Highway.
  - Awarding of the final bridge construction contract on the Pacific Highway between Glenugie and Tyndale.
- 

## **Queensland Government Targetting Rogue NSW Based Waste Operators**

---

*Adapted from media release, Queensland Acting Minister for Main Roads, Road Safety and Ports, 15 August, 2017*

Queensland's Acting Minister for Main Roads, Road Safety and Ports, Steven Miles, has announced that the Queensland Government has begun targeting NSW based heavy vehicles dumping waste into Queensland.

Mr Miles said a joint agency operation is underway which involves officers from the Queensland Department of Main Roads, the Queensland Department of Environment and Heritage Protection and the Queensland Police Force who are stationed at border crossings under what is called Operation TORA. He said officers engaged in Operation TORA inspections commenced targeting unlicensed waste management operators and will inspect waste vehicles from 10 August.

---

## **Legislation Enabling Automated Vehicle Trials Passes NSW Parliament**

---

***Adapted from media release, Minister for Roads, Maritime and Freight, 17 August, 2017***

Legislation to allow the trial of automated vehicles in NSW has passed both houses of NSW Parliament, according to the Minister for Roads, Maritime and Freight, Melinda Pavey.

Mrs Pavey said the legislation would establish a legislative framework to allow the safe testing of connected and highly automated vehicle technology in NSW.

“These new laws will enable industry, researchers and government to trial automated vehicle technologies on our roads, not only in the city but in regional areas as well,” Mrs Pavey said.

The legislation allows the Minister to approve trials – including type of vehicles, roads used and trial time period – and require trial applicants to have the appropriate insurance provisions and safety management plans in place.

Mrs Pavey said the NSW Government recently announced a two-year trial of a driverless shuttle bus at Sydney Olympic Park. She said the trial aims to find the best way to harness the next generation of driverless technology and how to make it work for NSW.

For more information about the NSW Smart Shuttle trial and the vehicle visit [www.transport.nsw.gov.au/smartshuttle](http://www.transport.nsw.gov.au/smartshuttle).

---

## **ARTIO NSW Office Arrangements**

---

The ARTIO NSW office will be closed from close of business today until 13 September, however, Members requiring assistance or advice can still contact Hugh McMaster, Secretary/Treasurer, tel; 0412 880861, email, [hughmc@artionsw.com.au](mailto:hughmc@artionsw.com.au).

---

## **TWUSUPER Super News August 2017**

---

### **Annual crediting rates declared**

TWUSUPER has declared its annual crediting rates for the year ended 30 June 2017, and the results confirm an exceptional year despite volatile investment markets.

Andrew Killen, TWUSUPER’s Chief Investment Officer, said, “Investment markets have had their fair share of ups and downs over the past 12 months. Despite these challenges, the Fund’s investment team has delivered an outstanding set of numbers.”

Declared crediting rates are as follows:

## TWUSUPER, Transuper and TransPersonal members

Period to 30 June 2017	Investment option Declared crediting rate %			
	Equity Plus	Balanced (MySuper)	Cash Plus	CPI
1 year	13.65	11.54	1.73	1.9
3 years	9.09	7.86	1.90	1.5
5 years	12.83	10.51	2.28	2.0

## TransPension members

Period to 30 June 2017	Investment option Declared crediting rate %			
	Equity Plus	Balanced (MySuper)	Cash Plus	CPI
1 year	15.34	13.08	2.07	1.9
3 years	10.29	8.89	2.27	1.5
5 years	14.55	11.89	2.73	2.0

This information is of a general nature only and does not take into account your objectives, financial situation or needs. Before acting on this information, you should consider its appropriateness having regard to your objectives, financial situation and needs. A copy of TWUSUPER's current Product Disclosure Statement should be obtained from us (by calling 1800 222 071 or visiting [twusuper.com.au](http://twusuper.com.au)) and considered carefully before you make a decision in connection with TWUSUPER. TWU Nominees Pty Ltd ABN 67 002 835 412, AFSL 239163, is the trustee of TWUSUPER ABN 77 343 563 307 and the issuer of interests in it.

---

### Annual statements available for TWUSUPER members by end of September 2017

Annual statements are due to be mailed and made available on Member Access by the end of September 2017. So now's a good time for your employees to check the personal details we have recorded for them are correct and up-to-date, especially email addresses. Members can update any of their details by phoning us on **1800 222 071** 8am to 8pm (AEST/AEDT) weekdays. To login to Member Access, they should go to [twusuper.com.au/ma](http://twusuper.com.au/ma)

TWU Nominees Pty Ltd ABN 67 002 835 412, AFSL 239163, is the trustee of TWUSUPER ABN 77 343 563 307 and the issuer of interests in it.

---

### Workplace education sessions available

Whether you have employees approaching retirement age or younger employees, TWUSUPER's workplace education sessions are tailored specifically to their needs. The sessions are conducted at no cost to you or your employees and we arrange them at a time and location that suits you. For further details, please contact your Business Relationship Manager or call the Employer Service team on **1800 241 877** 8am to 8pm (AEST/AEDT) weekdays.

TWU Nominees Pty Ltd ABN 67 002 835 412, AFSL 239163, is the trustee of TWUSUPER ABN 77 343 563 307 and the issuer of interests in it.

---

### SG contributions due 28 October

Employers must pay Super Guarantee payments for eligible employees at least four times a year, and the ATO can apply the Super Guarantee Charge if payments are late. SG contributions for the 1 July – 30 September quarter are due no later than 28 October 2017. For the 2017/18 financial year, the SG rate is 9.5% of an employee's ordinary time earnings – if you haven't paid the minimum amount on time and to the correct fund, you may have to lodge a Superannuation guarantee charge statement and pay the superannuation guarantee charge (SGC).

If you are paying via TWUSUPER's free clearing house – SCH Online – please allow 10 business days for contribution data and payments to reach other funds.\*

\* SCH Online is a financial product operated by The Superannuation Clearing House Pty Limited (Authorised Representative Number 290290), an authorised representative of Pacific Custodians Pty Limited (Australian Financial Services Licence Number 295142). TWU Nominees Pty Ltd (ABN 67 002 835 412) is not responsible for and does not accept liability for the products and services of SCH Online. You should use your own judgment before deciding to use SCH Online.

This information is of a general nature only and does not take into account your objectives, financial situation or needs. Before acting on this information, you should consider its appropriateness having regard to your objectives, financial situation and needs. A copy of TWUSUPER's current Product Disclosure Statement should be obtained from us (by calling 1800 222 071 or visiting [twusuper.com.au](http://twusuper.com.au)) and considered carefully before you make a decision in connection with TWUSUPER. TWU Nominees Pty Ltd ABN 67 002 835 412, AFSL 239163, is the trustee of TWUSUPER ABN 77 343 563 307 and the issuer of interests in it.

## Economic and Industry Indicators

Indicator/Source <sup>1</sup>	As at	Unit of Measure	Quantity	% Variation
GDP latest quarter (ABS)	Mar Qtr 2017	\$m	423,737	1.7
CPI (ABS)	Jun Qtr 2017	Per cent		1.9
Cash rate (RBA)	Current	Per cent	1.5	
Estimated Residential Population (ABS)	18 August 2017	Million	24.624	1.9
Retail Turnover (ABS)	Jun 2017	\$m	26,162	3.6
Actual New Capital Expenditure (ABS)	Mar Qtr 2017	\$m	27,752	-9.8
Inventories held by private business (ABS)	Mar 2017	\$m	156,559	2.1
Dwelling unit approvals (ABS)	Jun 2017	Number	17,463	-14.9
Manufacturers Income (ABS)	Mar 2017	\$m	80,653	-3.7
TEUs Port Botany year to date	Jun 2017	Number	2,436,083	4.6
Employed persons (ABS)	Jul 2017	Million	12.197	2.2
Unemployment rate(ABS)	Jun 2017	Percentage	5.6	-0.1
Wage Price Index (ABS)	Jun Qtr 2017	Per cent		
All employees				1.9
Transport, postal and warehousing				1.8
New motor vehicle sales (ABS)	Jun 2017	Number	101,083	3.3
Cab Chassis/Prime Mover Sales (TIC)	5 months ending May 2017	Number	10,677	7.7
Vans (TIC)	5 months ending May 2017	Number	2,235	1.0
AIP Terminal Gate Price-Diesel-Sydney	18 August 2017	Cents/litre incl. GST	111.2	

*DISCLAIMER: This document is an information source only. Despite our best efforts, ARTIO NSW makes no statements, representations or warranties about the accuracy or completeness of the information and disclaims responsibility for all liability for all loss or damage you*

<sup>1</sup> ABS – Australian Bureau of Statistics; RBA – Reserve Bank of Australia; AIP – Australian Institute of Petroleum; TIC – Truck Industry Council/'Prime Mover' latest issue.

*might incur as a result of the information being inaccurate or incomplete in any way, and for any reason. The information contained in this document is not intended to be nor should it be relied upon as a substitute for legal or other professional advice.*

---