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Information and Advice for NSW Transport Operators

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Second Morrison Ministry

The Prime Minister has announced the second Morrison Ministry following the re-election of the Liberal/National Coalition at the Federal election held on 18 May. The new ministry was sworn in on 29 May.

Those with responsibility in areas relevant to road transport are:

- Hon Christian Porter, Attorney General and Minister for Industrial Relations. Mr Porter is the Member for Pearce based in Perth.
- Senator the Hon Michaelia Cash, Minister for Employment, Skills, Small and Family Business. Ms Cash is a Liberal senator for WA.
- Hon Michael McCormack, Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development. Mr McCormack is the Member for Riverina based in Wagga Wagga.
- Hon Alan Tudge, Minister for Population, Cities and Urban infrastructure. Mr Tudge is the member for Aston based in Melbourne.
- Scott Buchholz, Assistant Minister for Road Safety and Freight Transport. Mr Buchholz is the Member for Wright based in Beaudesert. He is also a former director of CQX and Toowoomba Express Couriers and had 25 years work experience in the industry prior to entering Federal Parliament.

This is the first time that "freight" has been recognised in a ministerial title.

The likely make-up of the House of Representatives is:

	Old	New
Liberal National Coalition	73	77
Labor	72	68
Greens	1	1
Independents	5	5

The likely make up of the Senate is:

	Old	New
Liberal National Coalition	31	35
Labor	26	26
Greens	9	9
Centre Alliance	2	2
One Nation	2	2
Australian Conservatives	1	1
Lambie Network	1	1
Derryn Hinch's Australian Justice Party	1	0
Fraser Anning's Conservative National Party	1	0
Liberal Democrats	1	0
United Australia Party	1	0

The likely new makeup of the new Senate will mean it will have fewer minor party representatives. This should give the Coalition more opportunity to pass its legislation.

NTC Seeks Industry Views to Build a Better Fatigue Management System

The National Transport Commission wants industry views so a better fatigue management system can be built. It has released an issues paper to provoke comment.

This follows a decision of Commonwealth, State and Territory transport and roads ministers to direct the NTC to review the Heavy Vehicle National Law (HVNL) from first principles.

The NTC says the primary goal of the HVNL's fatigue management requirements is to prevent drivers from driving while fatigued.

The key risk controls are:

- Primary duties.
- Work and rest hours.
- Work diaries and record keeping.

However, the NTC says that in practice, the main control for driver fatigue is a combination of maximum work hours and minimum rest hours, typically demonstrated by a work diary but that this control is not applied in the same way for all drivers because work diaries and record-keeping requirements vary depending on the distance driven and the applicable work and rest hours option.

It also says the NHVR can exempt operators from fatigue management requirements in some cases and that WA and the NT do not participate in the HVNL but instead, they take a work health and safety approach to regulating heavy vehicle driver fatigue.

The NTC says heavy vehicle drivers are still dying in fatigue-related crashes, and fatigue is still a factor in many major heavy vehicle crashes.

It says fatigue management under the HVNL doesn't consider the complexity of fatigue risks and causes, and how they interrelate.

It says the HVNL focuses on fatigue risk prevention controls, not mitigation controls or outcomes.

It also says the HVNL doesn't have the flexibility to accommodate sophisticated fatigue management systems and practices which may be more effective.

The NTC says the HVNL's 'work and rest' approach doesn't adequately recognise or accommodate the industry's diversity which includes a wide range of operators, tasks, regions and risk profiles. It says fatigue management requirements are complex, highly prescriptive, are hard to understand and hard to comply with and cause problems that include:

- Misunderstanding the prescriptive work and rest hour regimes.
- Onerous administration and inconsistency between jurisdictions.

It says enforcement options in the HVNL do not necessarily reflect differences in risk severity. Instead, it says the HVNL encourages an inefficient and sporadic use of enforcement resources without always focussing on improving safety

The NTC seeks industry views on how fatigue management can be better managed in a new HVNL to achieve:

- Safer outcomes.
- Effective fatigue risk management.
- Continuous improvement in risk controls.
- A harmonised approach (rather than a uniform one).
- Simple and flexible compliance options.
- Efficient enforcement and proportional sanctions.

The NTC says it will consult **on the following questions** until 16 August:

1: How can we change our approach to fatigue management so we reduce fatigue-related incidents and deliver Australia's road transport task efficiently and safely?

2: What fatigue risks that are currently out of scope for the HVNL should be brought into scope? What is in scope that shouldn't be?

3: What are the key risk factors associated with long hours, night shifts and other work schedule factors? How do we account for the fact that not all work hours have the same risk without introducing excessive complexity?

4: How should a new HVNL address driver health and lifestyle factors? What kinds of controls could be effective?

5: How do we ensure the HVNL is agile enough to adopt best practice fatigue management as it emerges? How do we encourage continuous improvement? Can training help?

6: How can we better accommodate emerging technologies? How can the new HVNL get the best value from technology and data? Do you think fatigue monitoring technology can supersede work and rest hour requirements?

7: How can the new HVNL meet the needs of all Australian states and territories? What should the new HVNL do? How can the new HVNL meet the needs of all Australian states and territories? What should the new HVNL adopt from Western Australia and the Northern Territory, other transport modes and other industries' fatigue management approaches?

8: Are prescriptive rules desirable in a new HVNL? If so, how can we simplify rules in the HVNL to make them easier to understand so that they're easier to comply with?

9: Would the compliance options described in section 4.5 be a more effective approach to regulating fatigue management? If so, what should be included in the new HVNL, its subordinate documents, or elsewhere, such as in work health and safety laws? How would the appropriate fatigue management option be allocated to an operator – by self-selection or other means?

10: Should the new HVNL give operators the option of taking full responsibility for risk management? What would be the roles of the regulator and roadside enforcement in such a system?

11: How can we get the best overall value from a compliance and enforcement strategy for fatigue management? How are scarce resources best allocated, and what tools do regulators need? What provisions in the law do operators need?

12: What else would you like to tell us about effective fatigue management?

A copy of the NTC's report is available at: [www.ntc.gov.au/Media/Reports/\(4806F7F5-CAC2-8DF8-58C7-EA5F7A8B6ACD\).pdf](http://www.ntc.gov.au/Media/Reports/(4806F7F5-CAC2-8DF8-58C7-EA5F7A8B6ACD).pdf).

NHVR to Take Over On Road Compliance in the ACT from 1 July

The National Heavy Vehicle Regulator has said it will provide heavy vehicle on-road compliance and enforcement across the ACT from 1 July.

This means the NHVR's Safety and Compliance Officers will be authorised to stop heavy vehicles to check compliance with the Heavy Vehicle National Law, driver licences, registrations and road rules. The NHVR will also take on responsibility for issuing major, minor and self-clearing defects notices.

It says that self-clearing defect notices – introduced to the ACT for the first time – will be issued for faults that don't pose a safety risk but still need to be rectified as soon as practicable.

The NHVR says Access Canberra will continue to clear major and minor defects for ACT-registered vehicles.

Other responsibilities remaining with Access Canberra will be:

- Licensing and registration services.
- Roadworthiness checks for heavy vehicle registration purposes.

- Accepting payment of infringement notice penalties.
- Sale of National Written Work Diaries.

ACT to Also Have Same Fatigue Laws as Other Jurisdictions where the NHVL Applies

Amendments to legislation are scheduled to occur from 1 July 2019 to have the same national heavy vehicle fatigue laws in the ACT as in Queensland, New South Wales, Victoria, South Australia and Tasmania.

This means that drivers will have to comply with the maximum work and minimum rest requirements for their work and rest hour options prescribed in the HVNL.

More information is available at on:

- Transfer of ACT heavy vehicle enforcement to the NHVR information sheet www.nhvr.gov.au/about-us/national-services-transition .
- Compliance bulletin 4 – www.nhvr.gov.au/safety-accreditation-compliance/on-road-compliance-and-enforcement/compliance-and-enforcement-bulletins.
- Heavy vehicle defects • Fatigue management. www.nhvr.gov.au/safety-accreditation-compliance/fatigue-management/about.

New Australian Standard Released for Workplace Drug Tests

Adapted from article. "OHS Alert", 22 May, 2019

Standards Australia has released a revised Australian and New Zealand Standard for testing saliva for drugs which it says will improve the reliability of results and enhance workplace safety.

[AS/NZS 4760:2019, Procedure for specimen collection and the detection and quantification of drugs in oral fluid](#) was developed with the support of device manufacturers, testing laboratories, trade unions, aviation agencies and other organisations industry, and highlights the latest methods for detecting drugs in saliva, Standards said.

"A number of occupations are involved in regular drug testing as part of achieving a safer workplace. Given the nature of the work at the centre of these tests, there is a strong interest in accurate results," Standards acting CEO Adrian O'Connell said.

"This revision has been built with regard to the latest technology and scientific developments to benefit to our community," he said.

Standards said testing workers for drugs is now common in industries like construction, mining and transport, while police tests of road-users are increasing, with NSW police expected to conduct up to 200,000 roadside drug tests per year from 2020.

A copy of the revised standard is available from infostore.saiglobal.com/en-au/Standards/AS-NZS-4760-2019-1144217_SAIG_AS_AS_2711498/.

WA Heavy Vehicle Accreditation Update

Main Roads WA has updated its advice in relation to heavy vehicle accreditation in WA.

According to Main Roads WA, WA Heavy Vehicle Accreditation (WAHVA) is mandatory for individuals and organisations which require a permit or order to perform any transport task as part of a commercial business or for profit within WA, including interstate operators.,

WAHVA involves three mandatory modules Fatigue, Maintenance and Dimension and Loading, which transport operators are required to incorporate into their daily work practices. There is also an optional Mass Management Module which is only required if an operator wishes to operate within the Accredited Mass Management Scheme.

Further information on these modules and the accreditation process is available from the Main Roads WA website, www.mainroads.wa.gov.au/UsingRoads/HVS/accreditation/Pages/home.aspx.

Clever “ATO” Scam Emails in Circulation

Advice, Pitcher Partners

Pitcher Partners, ARTIO NSW’s auditor has provided ARTIO NSW with the following advice in relation to “ATO” scam emails:

“Sophisticated fraudulent emails purporting to be from the ATO are currently in circulation.

Like many email scams, the emails ask the recipient to take action such as clicking a link for the promise of a tax refund. The emails are increasingly sophisticated, on the surface often indistinguishable from official ATO communication. Australians are being warned that these emails are a scam, and to err on the side of caution before opening or clicking unknown links in these emails.

Clicking a link in the fraudulent emails often takes the recipient to another page where they are asked to fill in personal details, which are then stolen.

The scam emails can be identified in a number of ways.

- The sender’s name in the ‘from’ field may be edited to look like an email address ending in ‘ato.gov.au’. However, the genuine email address of the scammer, hidden from view, does not end in the correct suffix.
- Other hints can include: no use of your name, poor quality logo, poor spelling and grammar, or the message being unexpected.

The email scam is just one of many which may catch recipients unawares. The ATO has noted a surge in phone calls from scammers claiming to be officers from the ATO, demanding money and in some cases threatening legal action if money is not paid immediately.

People of any age can be a target for scammers, so it is important to raise awareness amongst family and colleagues, and remain vigilant.

If you receive a suspicious or unexpected email from someone claiming to be the ATO, another official organisation such as ASIC or your accountant, ascertain the legitimacy of the email by contacting the organisation before taking further action. It’s recommended you use the contact information provided on the organisation’s website, rather than those enclosed in the email to ensure your enquiry is addressed by the legitimate party. Alternatively, Pitcher Partners clients may wish to contact their advisor who can assist with determining the legitimacy of the email and provide additional guidance.

You can also stay up-to-date with the latest scams on the [ATO website](#).”

Fatalities Continue Downward Trend

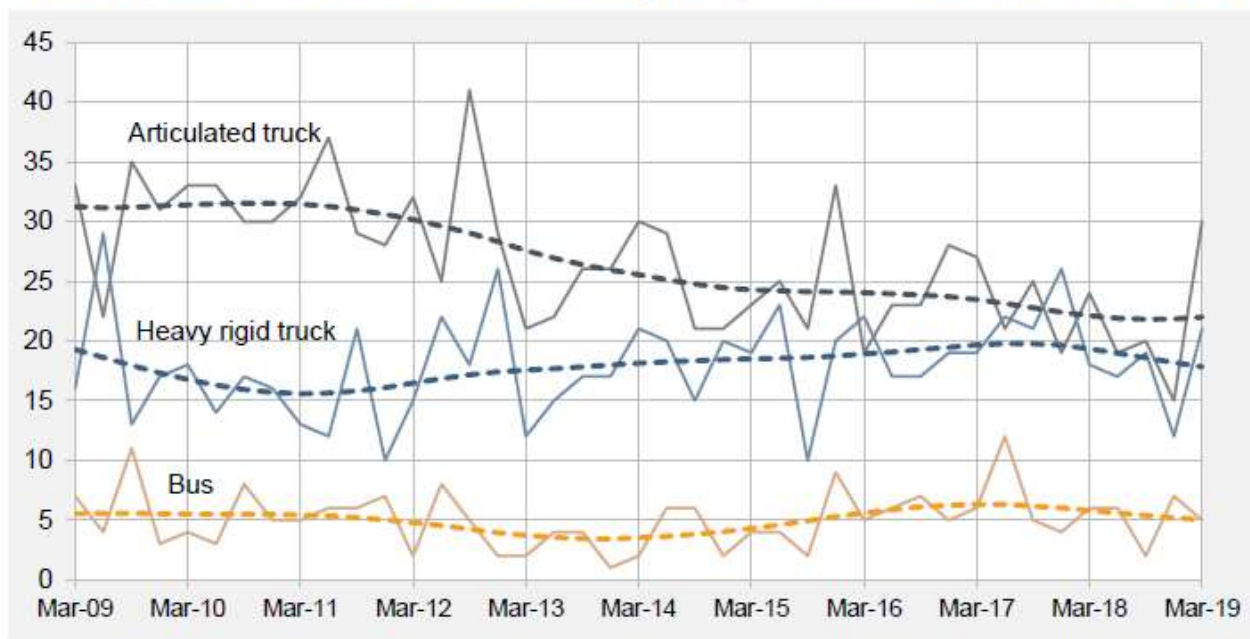
Source: Bureau of Industry Transport and Regional Economics

The Bureau of Industry Transport and Regional Economics’ latest report for the March 2019 quarter shows a continuing downward trend in heavy vehicle fatalities.

During the year ending 31 March, 163 people died from 147 fatal crashes involving heavy trucks. These included 93 deaths from 84 crashes involving articulated trucks, 77 deaths from 69 crashes involving heavy rigid trucks and 7 deaths from 6 crashes involving both a heavy rigid truck and an articulated truck.

As the graph below shows, while the number of fatal crashes involving heavy vehicles varies considerably from quarter to quarter, the downward trend in the number of heavy vehicle fatalities is clear. This is most evident in the case of articulated trucks (the dotted black line) while there is no clear trend evident in heavy rigid truck fatalities (the dotted blue line).

Quarterly counts of fatal crashes involving heavy vehicles, Australia, with trends



New Clearways

RMS has advised that new clearways will be operational on the following roads:

Third Ave and Sunnyholt Rd from Richmond Rd to Old Windsor Rd, Stanhope Gardens

In both directions from Monday, 3 June. Clearway hours will apply 'At All Times' including weekdays, weekends and public holidays.

Kissing Point Rd from James Ruse Dr, North Parramatta to Stewart St, Dundas Valley

In both directions from Monday 1 July from 6am to 7pm on weekdays and 9am to 6pm on weekends and public holidays.

Old Northern Rd from Showground Rd, Castle Hill to Windsor Rd, Baulkham Hills

In both directions from Monday 24 June from 6am to 7pm on weekdays and from 9am to 6pm on weekends and public holidays.

Road Works Update

Reminder, Road Closure, M4 Motorway, Queen's Birthday Long Weekend

ARTIO NSW wishes to remind Members that RMS has advised that the M4 Motorway will be closed in both directions at The Northern Road intersection, South Penrith over the Queen's Birthday long weekend from 9pm on Friday 7 June to 4am on Tuesday 11 June, weather permitting.

The reason for the closure is to remove the existing (old) bridge over the M4 Motorway.

RMS advises that detours will be in place during this closure.

Reminder, Road Closures, Gardeners Rd, Kent Rd, Bourke St and Bourke Rd, Mascot from 3 June

ARTIO NSW takes this opportunity to remind Members of advice from WestConnex related to the planned closure of Gardeners Rd, Kent Rd, Bourke Rd and Bourke St, Mascot.

Road closures will take place on the following nights between 9pm and 5am: 3, 5, 7, 12, 14, 17, 19, 21, 24, 26 June.

Gardeners Rd will be closed between O'Riordan St and Kent Rd. Kent Rd will be closed between Gardeners Rd and Ricketty St. Bourke St will be closed between Church Ave and Gardeners Rd. Approximately 200m of Bourke Rd will be closed north of the Gardeners Rd intersection.

Access will be maintained to affected businesses and residents at all times.

Reminder, Ramp Closure, Burnett St Eastbound onto M4 Motorway from 2 June

ARTIO NSW takes this opportunity to remind Members of advice from RMS that the eastbound on ramp from Burnett St to the M4 Motorway will be closed, from 9pm to 4am, weather permitting, between Sunday 2 June and Friday 7 June; between Tuesday 11 June and Friday 15 June; and between Sunday 16 June and Friday 21 June.

Road Closure, Marsden St, Parramatta

RMS has advised that Marsden St, Parramatta, from Campbell St to the Great Western Hwy, and from Early St to the Great Western Hwy will be closed between 8pm and 5am for up to two night shifts between Sunday 2 June and Tuesday 4 June.

Detours will be in place.

Road Closure, Robinson Rd, Bringelly

RMS has advised that Robinson Rd Bringelly will be closed from 2 June to 21 June to enable construction of a new roundabout near The Northern Rd intersection. Detours will be in place east of the construction site via Jersey Rd and Carrington Rd.

Access to and from the eastern side of The Northern Rd to the construction site is still possible.

Road Works, Newell Hwy, Marthaguy

RMS has advised that work started on construction of overtaking lanes at Marthaguy, south of Gilgandra, from Monday 27 May.

Work will take about nine months to complete, weather permitting.

It says work will take place between 7am and 6pm, Monday to Friday and 7am to 2pm on Saturdays.

A 40km/h speed limit and lane closures will be in place during work hours.

Road Works, Southern Cross Dr, Eastlakes

RMS contractors have advised that road works will take place on Southern Cross Dr, Eastlakes, for up to 3 nights a week for 18 shifts between Sunday 16 June and Friday 16 August, weather permitting, excluding public holidays.

Work hours will be between 8pm and 5am from Sunday to Friday.

Parramatta Light Rail Construction Begins

Transport for NSW has advised that Stage 1 of the Parramatta Light rail, which will connect Westmead to Carlingford via the Parramatta CBD and Camellia, is underway.

Hawkesbury Rd, Westmead from Darcy Rd to Jessie St is being widened in preparation for the construction and operation of the Parramatta Light Rail.

As a result, from late May, parking zones will be permanently removed on both sides of Hawkesbury Rd between Jessie St and Darcy Rd to accommodate the future Parramatta Light Rail:

Accessible parking will no longer be possible outside Westmead Hospital and the Children's Hospital.

Two hour parking outside the Westmead Institute and opposite Westmead Emergency Department will no longer be available as well as unrestricted parking opposite Westmead Hospital and the Westmead Institute.

Further information is available, tel: 1800 139 389 or email ParramattaLightRail@transport.nsw.gov.au.

Road Works, Corner Mona Vale Rd and Douglas St, St Ives

RMS has advised that road works will take place at the corner of Mona Vale Rd and Douglas St, St Ives, from Tuesday, 11 June.

Work will take place over 30 shifts until Friday, 30 August, weather permitting.

Northbound motorists needing to turn right into Douglas St from Mona Vale Rd will need to use Woodbury Rd and Hume Ave. Southbound motorists needing to turn right into Douglas St will need to use Killeaton St and Kenthurst St.

Changed Parking Conditions, Epping

Following commencement of rail services on 26 May on the metro North West Line changes will be implemented to parking arrangements near Epping Station.

Temporary parking changes and bus layovers that were introduced associated with this work will be reversed in stages as the metro begins.

Parking spaces will be reinstated on Oxford St, Beecroft Rd, Langston Pl and Pembroke St.

Other Road Works

The following new road work alerts may impact your operations. Please refer to earlier editions of *The Courier* for other current road works.

Suburb/Town	Road	Date/s	Work Times
Bondi Junction/ Bellevue Hill	Old South Head Rd from Bondi Rd to Penkivill St	23/6-16/8/19	8pm-5am Sun-Fr
Cammeray	Cnr Miller and Palmer Sts	4/6/-8/7/19 19/7-2/8/19	8pm-5am Sun-Fr
Colyton	Carlisle Ave from Eddie Rd to Roper Rd	30/5-14/6/19	7pm-5am Sun-Fri
Eastern Creek	Wallgrove Rd from Interchange Dr to Great Western Hwy	To 2886/19	8pm-5am Sun-Fri
Gladesville	Cnr Gladesville Rd and Ryde Rd	2/6-28/6/19	8pm-5am Sun-Fri
Granville	Paramatta Rd eastbound east of the railway line	25/5-2/6/19	
Horsley Park	Wallgrove Rd from Old Wallgrove Rd to Saxony Rd	3/6-12/7/19	7am-5pm Mon-Fri
Kogarah	Princes Hwy from South St to Grey St	2/6-5/7/19	8pm-5am Sun-Fri
Moorebank	Moorebank Ave from Heathcote Rd to Helles Ave	2/6-26/7/19	8pm-5am Sun-Fri
Mosman	Cnr Military Rd and Belmont St	2/6-14/6/19	8pm-5am Sun-Fri
Mt Druitt	John Hines Ave to cnr Great Western Hwy	11/6-30/8/19	8pm-5am Sun-Fri 7am-5pm Mon-Fri 8am-1pm Sat
Parramatta	Cnr Pitt St and Great Western Hwy nr Marsden St and Great Western Hwy	To end of June	8pm-5am Sun-Fri 7am-6pm Mon-Fri 8am-1pm Sat
Punchbowl/ Roselands	Canterbury Rd from King Georges Rd to Punchbowl Rd	2/6-5/7/19	8pm-5am Sun-Fri
Queens Park/ Waverley/Bondi Junction	Carrington Rd/Council St from Pine St to Bondi Rd	2/6-26/7/19	8pm-5am Sun-Fri
St Marys	Great Western Hwy from cnr Glossop St to Sydney St	11/6-30/8/19	8pm-5am Sun-Fri 7am-5pm Mon-Fri 8am-1pm Sat

ARTIO NSW Events: Industry Leaders Dinner, 27 June 2019

ARTIO NSW's next Industry Leaders Dinner will be held on Thursday, 27 June with guest speaker, Peter Frazer, President, Safer Australian Roads and Highways (SARAH) Group.

Peter established SARAH following the death of his daughter in an avoidable crash on the Hume Highway in 2012.

As a consequence of this tragedy, he and his family decided that they would contribute to improving road safety outcomes through their policy development, community education as well as their advocacy work.

Peter is a keynote road safety speaker and regularly undertakes engagements at local, state, national and global events and conferences.

Further information is available from the ARTIO NSW Secretary/Treasurer, tel: 0412 880861 or email, hughmc@artionsw.com.au.

Economic and Industry Indicators

Indicator/Source ¹	As at	Unit of Measure	Quantity	Annual % Variation
GDP latest quarter (ABS)	Dec Qtr 2018	\$m	462,031	2.3
CPI (ABS)	Mar Qtr 2019	Per cent		1.3
Cash rate (RBA)	Current	Per cent	1.5	
Estimated residential population (ABS)	31 May 2019	Million	25,391	1.9
Retail turnover (ABS)	Mar 2019	\$m	27,293	3.0
Actual new capital expenditure (ABS)	Mar Qtr 2019	\$m	29,451	-0.4
Inventories held by private business (ABS)	Dec 2018	\$m	161,513	1.2
Dwelling unit approvals (ABS)	Apr 2019	Number	14,819	-21.8
Manufacturers Income (ABS)	Dec 2018	\$m	82,925	-1.7
TEUs Port Botany (NSW Ports)	9 months to Mar 2019	Number	2,008,354	1.3
Employed persons (ABS)	Apr 2019	Million	12.815	2.5
Unemployment rate (ABS)	Apr 2019	Per cent	5.1	-0.4
Wage price Index (ABS)	Mar Qtr 2019	Per cent		
All employees				2.3
Transport, postal and warehousing				2.5
New motor vehicle sales (FCAI)	4 months ending Apr 2019	Number	344,088	-8.1
Cab Chassis/Prime Mover Sales (TIC)	3 months ending Mar 2019	Number	6,972	-3.8
Vans (TIC)	3 months ending Mar 2019	Number	1,346	-5.8
AIP Terminal Gate Price-Diesel-Sydney	31 May 2019	Cents/litre incl. GST	139.5	-0.3

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¹ ABS – Australian Bureau of Statistics; RBA – Reserve Bank of Australia; AIP – Australian Institute of Petroleum; FCAI – Federated Chamber of Automotive Industries; TIC – Truck Industry Council/’Prime Mover’ latest issue.