

23 May 2026

Deputy President Clancy  
Fair Work Commission  
11 Exhibition Street  
Melbourne VIC 3000

By email: [chambers.clancy.dp@fwc.gov.au](mailto:chambers.clancy.dp@fwc.gov.au)

Dear Deputy President,

**Re: AM2026/10 and ors — Applications to vary vehicle allowances**

We refer to the materials filed by the Australian Council of Trade Unions (**ACTU**) on 20 May 2026, including the draft determinations (**Draft Determinations**). As we foreshadowed during the hearing of this matter on 18 May 2026, and in order to ensure that the Australian Industry Group is able to properly consider the materials, formulate its position and articulate any concerns arising, we respectfully seek an opportunity to file any further written submission in the matter by **5:00pm on 29 May 2026**.

The proposed period of time is sought, in part, on account of our involvement in a number of other major concurrent matters, which are constraining our capacity to deal with the matter. This includes:

1. the Commission's review of the *Road Transport Contractual Chain Order — Fuel Cost Recovery — 2026* (MS2026/1), in respect of which we were required to file our submission and evidence on 22 May. Further, the matter has been listed for hearing on Monday, 25 May;
2. the Junior Rates Case (MS2024/24), in respect of which we are required to file our submission and evidence on 29 May 2026; and
3. various government consultation processes (including the Federal Government's 'Closing Loopholes Review', in which we are also required to file any written submissions by 29 May 2026).

Further, the Draft Determinations appear to reflect the amended claim advanced by the ACTU in a supplementary submission filed on the evening of Sunday 17 May 2026 (**Amended Claim**). As a consequence of the timing of the filing of that material, the Australian Industry Group had very limited opportunity to consider the unions' Amended Claim before making oral submissions, and was not able to consult members in relation to it.

Accordingly, we submit that the period of time sought should be granted in order to enable us to consult members about the Amended Claim and present any further relevant submissions arising from it.



Our request is supported by Ageing Australia, Australian Business Industrial and Business New South Wales. We understand that they similarly seek to file an additional submission within the timeframe proposed.

We thank the Commission for its consideration of this request.

Yours sincerely,

A handwritten signature in black ink that reads "R. Bhatt".

**Ruchi Bhatt**  
Principal Advocate