

30 November 2020

Mr Andrew Palmer QC
Independent Reviewer
Dangerous Goods Act Review
C/- WorkSafe Victoria
P O Box 279
Geelong VIC 3220
Email: to DGReview@worksafe.vic.gov.au

**Independent Review of the *Dangerous Goods Act 1985* and associated regulations
consultation paper October 2020**

Dear Mr Palmer

Gas Energy Australia (GEA) thanks you for the opportunity to provide feedback on the Independent Review of the *Dangerous Goods Act 1985* and associated regulations consultation paper released in October 2020.

By way of background, Gas Energy Australia is the national peak body which represents the bulk of the downstream gaseous fuels industry which covers Liquefied Petroleum Gas (LPG), Liquefied Natural Gas (LNG) and Compressed Natural Gas (CNG). The industry comprises major companies and small to medium businesses in the gaseous fuels supply chain; refiners, fuel marketers, equipment manufacturers, LPG vehicle converters, consultants and other providers of services to the industry.

A key feature of our industry is the portability and transportability of our products. This is highlighted in the consultation paper's statement that "Dangerous goods are transported across the state every day, from road tankers moving thousands of litres of LPG, to local tradespeople carrying cylinders of acetylene in their vans. Many dangerous goods transport businesses also operate across state boundaries." It is the second part of this quote "operate across state borders" that GEA would like to see incorporated into the review in greater detail.

It doesn't make sense for a company delivering LPG containers from a depot at Deer Park in Victoria to a regional depot across the border at Albury in NSW, to have different or out of step (not referring to the same version of a national code of practice) regulatory and safety requirements for transport or storage. GEA urges the Independent Review to investigate deviations from national dangerous goods frameworks and recommend harmonisation of Victorian legislation, regulation and codes or practice with these frameworks as much as possible.

In relation to our industry as it currently operates in Victoria, there is a high degree of compliance to relevant industry standards and regulatory requirements and generally strong controls relating to safety and risk management. The industry's guidance for storage and handling of LP Gas is from Australian Standard *AS1596: Storage and handling of LP Gas*, and pressure vessels (the containers the gas is stored in) are captured under Victorian Regulations such as, *Equipment (Public Safety) Regulations 2007*¹ and the *Occupational Health and Safety Regulations 2017*². It is worth noting that there is significant interaction with the Victorian *Dangerous Goods (Transport by Road or Rail) Regulations 2018*.³ This guidance and regulatory control have resulted in a

¹ https://content.legislation.vic.gov.au/sites/default/files/1320d9b9-ef6a-3923-9527-411f018bd5e5_07-053sr.pdf

² https://content.legislation.vic.gov.au/sites/default/files/2020-09/17-22sra007%20authorised_0.pdf

³ https://content.legislation.vic.gov.au/sites/default/files/b18df0b3-11fc-3184-b7d1-49a98392f06f_18-155sra001%20authorised.pdf

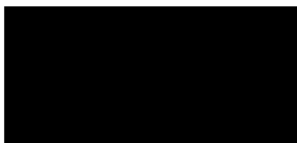
low number of major incidents relating to LPG facilities in Victoria. GEA notes the different guidance and regulatory frameworks operating in Victoria and encourages the Independent Review to recommend alignment with the model Work, Health and Safety framework as adopted in other jurisdictions.

In relation to regulatory overlap, there are a number of areas of regulatory interaction that already exist such as the *Dangerous Goods (Transport by Road or Rail) Regulation* with the *Occupational Health and Safety Regulations* (both regulations call up the Australian Standard AS2030 series which provides guidance for “The verification, filling, inspection, testing and maintenance of cylinders for storage and transport of compressed gases”). Duplication should be minimised, and instruments should be simplified and/or harmonised to improve safety outcomes.

In summary, GEA considers safety outcomes and affordability for households and businesses would be best served by a harmonised dangerous goods framework that is aligned with the national Model Work, Health and Safety Laws, removes duplication of duties and recognises trusted Australian Standards.

For your consideration.

Yours sincerely

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John Griffiths
Chief Executive Officer