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Mr Sal Petrocchio
Chief Executive Officer
National Heavy Vehicle Regulator
PO Box 492, Fortitude Valley QLD 4006
E Sal.Petrocchio@nhvr.gov.au; codes@nhvr.gov.au

**GAS ENERGY AUSTRALIA RESPONSE: REVIEW OF THE GUIDELINES FOR
PREPARING AND REGISTERING INDUSTRY CODES OF PRACTICE UNDER THE
HEAVY VEHICLE NATIONAL LAW – DISCUSSION PAPER**

Dear Sal

Gas Energy Australia (GEA) appreciates the opportunity to respond to the NHVR Review of Guidelines for Preparing and Registering Industry Codes of Practice (Guidelines) Under the Heavy Vehicle National Law (HVNL) Discussion Paper.

GEA notes the specific questions contained in the Discussion Paper and highlights that we are not directly engaged with the preparing or registering codes under the HVNL. So, rather than offer specific feedback, we have opted to provide general feedback on why we have chosen not to take up the development of an industry code and in doing so, hope it will help the NHVR shape its strategy for codes of practice going forward.

The simple message is that the process of developing codes of practice for a heavily regulated industry such as dangerous goods is burdensome for small industry sectors.

Our industry has taken a pathway that is consistent with the NHVR Guidelines and Workplace Health and Safety (WHS) requirements which utilises Australia's trusted, leading independent, non-governmental, not-for-profit standards organisation, Standards Australia to develop and publish voluntary documents that set out specifications, procedures and guidelines that aim to ensure products, services, and systems are safe, consistent, and reliable and which are often called up in regulations or codes of practice across Australia.

For example, the Australian Code for the Transport of Dangerous Goods by Road & Rail Edition 7.7, 2020¹ has many Australian standards referenced including:

- AS/NZS 1596 The storage and handling of LP Gas; and
- AS 2809 Road tank vehicles for dangerous goods (suite).

These standards are maintained through Standards Australia as good industry practice with risk and safety in mind and have not been drafted to provide a legal defence but to keep people safe and industry operating.

¹ https://www.ntc.gov.au/sites/default/files/assets/files/ADG%20Code%207.7_0.pdf

The process through Standards Australia is independent, rigorous, has a high level of public trust and can provide documents that include broad safety outcomes that satisfy transport, operations and maintenance for dangerous goods rather than being singular codes aimed at compliance with the HVNL. It also provides the opportunity for a wide range of stakeholders including industry, regulatory authorities and other affected parties.

The Discussion Paper notes a role for Australian Standards to be incorporated into codes of practice and that some have been approved as codes under WHS laws. GEA's experience has been that a safety focused Australian standard provides a more usable document for our industry and we recommend that any revision of the Guidelines make a Standards Australia pathway an acceptable alternative to single focused industry codes.

For your consideration.

Yours sincerely

A handwritten signature in black ink, appearing to read "John Griffiths", with a horizontal line drawn through the bottom of the signature.

John Griffiths
Chief Executive Officer
Gas Energy Australia