

9 August 2017

Mr Paul Retter  
Chief Executive Officer  
National Transport Commission  
Level 15/628 Bourke Street  
Melbourne VIC 3000  
Via NTC portal

## PROPOSED REVISED LOAD RESTRAINT GUIDE

Dear Paul

Gas Energy Australia (GEA) appreciates the opportunity to respond to the National Transport Commission's (NTC's) proposed revised Load Restraint Guide. GEA offers the following comments in relations to recognising appropriate Australian Standards, removing references to LPG and making clear that the Australian Dangerous Goods Code of Practice takes precedence over the Load Restraint Guide when dealing with the carriage of dangerous goods.

### **Recognise Australian Standards**

GEA suggests that the compliance requirements in the section "You can choose how to restrain your load to meet these standards" should include reference to Australian Standards relevant to the load. The Load Restraint Guide should acknowledge this on the page 6 "overview". GEA suggests the following wording:

"The Performance Standards define what is required but not how to do it. This Guide provides general information to help you choose a load restraint system suitable for your load. Further specific load restraint methods may be used as specified in applicable Australian Standards such as AS5714: Load restraint for LP Gas cylinder distribution."

The above inclusion recognises that there are trusted sources of information which provide guidance as an interim step between the Load Restraint Guide and individual certification.

### **Remove references to LPG in the Light Vehicle Load Restraint Guide**

The inclusion of LPG cylinders as a specific requirement over and above the reference to the Australian Dangerous Goods Code in the Guide would confuse regulators and industry because the information referred to is misleading and out of context.

- The Australian Standard AS 1596: Storage and handling of LP Gas Appendix O specifies that where cylinders of LP Gas are transported for private, domestic use, inside any enclosed vehicle compartment, that quantity should not exceed 33 litre water capacity (i.e. one nominal 13 kg cylinder). The 15kg maximum capacity outlined in the Load Restraint Guide is incorrectly specified and does not encompass trade or commercial applications or the transport on the tray of a vehicle which are covered in separate appendices in the above-mentioned standard.
- It should also be noted that some States and Territories have specific regulatory requirements related to cylinder capacity such as Queensland which specifies 50 litre water capacity when transported inside a vehicle. Singling out and simplifying LPG in this case would cause more confusion and the reference should be removed because if implemented it would be misinterpreted and result in significant negative impacts on trade and commercial operations and ultimately consumers.

### **Australian Dangerous Goods Code of Practice takes precedence**

GEA is also concerned about the double jeopardy issue in relation to Load Restraint and Dangerous Goods regulations where a release of product from a bulk tank could be captured under both regulations. GEA suggests that there should be clear delineation of responsibility for these regulations which is not currently obvious to the reader.

GEA suggests that the performance standards as outlined in in the appendix should be clarified to recognise the requirements already existing in the Australian Code for the Transport of Dangerous Goods by Road and Rail.

GEA recommends that the performance standards include the following:

“The Australian Code for the Transport of Dangerous Goods by Road and Rail sets out specific load restraint requirements that apply to dangerous goods. Where specified, these requirements take precedence over the Load Restraint Guide.”

Gas Energy Australia suggests that the Load Restraint Guide would benefit from being aligned with various specific requirements within the Australian Code for the Transport of Dangerous Goods by Road and Rail and relevant Australian Standards and looks forward to seeing this alignment in a revised Load Restraint Guide.

### **Recommendations**

GEA recommends that the revised Load Restraint Guide the NTC puts to ministers should:

- recognise appropriate Australian Standards;
- remove references to LPG; and
- make clear that the Australian Dangerous Goods Code of Practice takes precedence over the Load Restraint Guide when dealing with the carriage of dangerous goods.

GEA welcomes the opportunity to further discuss these recommendations and looks forward to continuing to work with the NTC to improve road safety and productivity.

For your consideration.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Griffiths', with a long horizontal flourish extending to the right.

John Griffiths  
Chief Executive Officer  
Gas Energy Australia