

## **ARA SUBMISSION**

# **NATIONAL TRANSPORT COMMISSION REVIEW: DRAFT CODE FOR THE LAND TRANSPORT OF DANGEROUS GOODS**

DECEMBER 2024

The Australian Retailers Association (ARA) welcomes the opportunity to make a submission on the National Transport Commission's (NTC) review of the draft Code for the Land Transport of Dangerous Goods.

The ARA is the oldest, largest, and most diverse national retail body, representing a \$430 billion sector that employs 1.4 million Australians – making retail the largest private sector employer in the country. As Australia's peak retail body, representing more than 120,000 retail shop fronts and online stores, the ARA informs, advocates, educates, protects, and unifies our independent, national, and international retail community.

We represent the full spectrum of Australian retail, from our largest national and international retailers to our small and medium sized members, who make up 95% of our membership. Our members operate in all states and across all categories - from food to fashion, hairdressing to hardware, and everything in between.

### **EXECUTIVE SUMMARY**

The ARA supports the adoption of Option 4 in the draft Code, recognising its potential to enhance public safety, improve consistency across jurisdictions, and simplify compliance for businesses managing dangerous goods. These objectives mark significant progress in creating a unified framework for the handling, storage, and transport of dangerous goods, benefiting both the retail sector and the wider community.

The draft Code introduces key updates that are strongly supported by the ARA, including concessions for low-risk goods, the alignment of requirements across transport modes, and simplifications such as easier aggregate quantity calculations and the introduction of "unlimited" thresholds for specific UN numbers. These changes address operational inefficiencies and provide much-needed clarity for businesses.

While the ARA acknowledges these positive developments, there are considerations that require attention to ensure a smooth transition for retailers. These include providing clear guidance for practical implementation, addressing transport cost impacts for Limited Quantity (LQ) loads, and ensuring the proportionality of compliance requirements.

By addressing these considerations, the implementation of the draft Code can achieve its intended outcomes while supporting the operational realities of retailers.

### **CONSIDERATIONS**

#### **1. Adequate Timelines for Implementation**

The implementation of the draft Code will require significant adjustments for retailers, including updates to processes, systems, and workforce training. Ensuring that the timeline allows businesses to adapt effectively will be critical to minimising disruption and ensuring compliance.

## **2. Clear Guidance and User-Friendly Formatting**

The draft Code introduces significant changes, including simplified aggregate quantity calculations and concessions for low-risk goods. However, the ability of businesses to navigate and implement these updates effectively will depend on the provision of clear and user-friendly guidance.

## **3. Exemptions and Concessions for Low-Risk Goods**

The introduction of exemptions and concessions for low-risk goods, such as the removal of AU-specific placarding requirements for items like bonbons and party poppers, and the new special provision (SP592) for small helium cylinders, addresses operational inefficiencies. These changes are welcomed but require clear communication to ensure consistent application across the sector.

## **4. Training and Resources**

The inclusion of training requirements for personnel handling dangerous goods is a critical improvement. However, ensuring that these resources are accessible and scalable, particularly for small and medium-sized enterprises, remains an important consideration.

## **5. Managing Compliance Costs**

Additional requirements introduced by the draft Code, such as fire extinguishers and driver training for Limited Quantity (LQ) loads, will have cost implications for businesses. While these costs may primarily be borne by transport companies, some retailers may face direct costs, particularly those managing their own transport operations or partnering with smaller logistics providers. Understanding the variability of current compliance levels across the industry will be essential to assess the broader cost impact effectively.

## **6. Addressing Operational Challenges**

Specific operational challenges, such as inventory management limitations in capturing new attributes for higher-risk aerosols or questions surrounding the notification scheme for non-licensed vehicles, need further clarification to ensure their practicality and value.

By addressing these challenges, the updated Code can ensure greater compliance while minimising disruptions for retailers.

## **RECOMMENDATIONS**

To build on the strong foundations of the draft Code and address the considerations outlined, the ARA recommends the following:

### **1. Phased Implementation Approach**

The implementation of the draft Code will require retailers to adapt their processes, systems, and workforce. The ARA recommends that the NTC consult with industry stakeholders to determine an appropriate implementation timeline and phasing. This collaborative approach will ensure businesses have sufficient time to integrate the necessary changes effectively while minimising disruption to operations.

### **2. Enhanced Guidance and Usability**

Provide detailed product classifications, user-friendly formatting, and practical examples to simplify navigation of the Code. Guidance should focus on areas such as simplified aggregate quantity calculations, exemptions for low-risk goods, and the application of “unlimited” thresholds.

### 3. Tailored Training Resources

Develop accessible training materials to support businesses in meeting the updated requirements. Resources should be tailored to the needs of small and medium-sized enterprises, ensuring scalability and practicality. Leverage the role of industry bodies, such as the Australian Retailers Association, through established communication channels to reach smaller businesses.

### 4. Maintain Proportional Compliance Costs

Ensure that compliance requirements, such as equipment purchases or system updates, are proportional and manageable for businesses of all sizes.

### 5. Address Specific Challenges Identified in the Consultation

- **Q58 - Should aerosols be treated like other gases, and be subjected to a lower threshold for higher risk aerosols?** The introduction of lower risk thresholds for higher-risk aerosols (e.g., UN1950) must be based on attributes already captured by inventory management systems. Adding new attributes would impose significant costs and technical challenges.
- **Q62 - Do you consider there are other substances or articles that should be included in the “unlimited” threshold category?** Including UN0337 FIREWORKS in the “unlimited threshold” category would simplify compliance for these low-risk items.
- **Q65 - Do you support the introduction of a notification scheme for vehicles that don’t require a licence?** The introduction of a notification scheme for vehicles that don’t require a licence is seen as redundant and adds unnecessary complexity without clear benefits.

### 6. Promote and Preserve Concessions for Low-Risk Goods

Highlight the operational benefits of concessions, such as the removal of AU-specific placarding requirements for products such as party poppers, and the introduction of special provision (SP592) for small helium cylinders, ensuring these are retained in the final Code.

### CONCLUSION

The ARA appreciates the opportunity to contribute to the NTC’s review of the draft Code for the Land Transport of Dangerous Goods. We commend the NTC for addressing key challenges such as aligning with international standards, simplifying compliance, and introducing practical updates for low-risk goods.

By incorporating the recommendations outlined, the ARA is confident that the draft Code will achieve its objectives while supporting the operational realities of retailers. We look forward to continuing to work collaboratively with the NTC to ensure the successful implementation of these important updates.

Any queries in relation to this submission can be directed to [policy@retail.org.au](mailto:policy@retail.org.au).