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	Comment or Question	NTC Response
	Could we develop a reference group of smaller operators or similar? Potential for a reference group. More about having a bank of people we can seek input from if we don't get much response on particular consultation points.	The intent is to undertake broad consultation rather than , consultation will be broadly undertaken. The NTC has an extensive stakeholder list and actively encourages all interested parties to add their details to this list. In addition to broad consultation, targeted consultation will be undertaken with specific SME or impacted stakeholders.
	Who was the survey sent to?	All invitees to this meeting. The same survey was also sent to industry associations
Survey - Page 1 - Alignment of the land mode specific provision to ADR/RID		
Q1. Benefits?	It will be easier to update the code every 2 years.	Implementing a framework to enable maintenance all of the requirements in the ADG Code into the future was a key consideration in building the review principles. This will provide ongoing benefits to both the industry and regulators.
	Potential to obtain and use data and information informed by experts from other DG road and rail regulators. Potential for alignment of risk, in cases where the transport context is similar enough to justify adoption of the other approach.	
	Are there many benefits to be had apart from fixing out of date issues which were not addressed previously? Consistency with international practices allowing for smoother transition of cross border movements already happens with the 2 yearly UN Model update. These 2 yearly amendments also align with IMDG and IATA where possible Australian transport operators operate under a different climate to those in Europe and there will be some ambiguity with ADR and RID due to the uniqueness of some Australian operations.	Any alignment to IMDG was done some 40 years ago. The 2 yearly update only updates the provisions copied from the UN, this doesn't include any land mode provisions. Any alignment with the IMDG or IATA is purely a consequence of incorporating the UN provisions. There is no proposal to stop incorporating the UN provisions. Many of the mode related provisions have their origins in the ADR but these haven't been updated for at least 15 years. There are several mode specific concepts or provisions in the ADR that the ADG Code could benefit from, e.g. 'tank container', definition of UN 1139, UN 1202, UN 1210 (diesel) , SP 598, Special provisions for carriage - columns 16, 17, 18, 19
	The ADR/RID/ADN codes drafted by a UN working group (p15) with wide representation from over 48 countries charged to develop and align with the UN MR. The ADR/RID are both compressive and covering training, classification, testing certification packaging, waste, tunnels and dangerous goods adviser etc. Alignment with this process ensures Australia takes full advantage of the technological and regulatory changes in the transport of dangerous goods; and ensures Australian Industries are not disadvantaged by obsolete and redundant regulatory requirements and processes.	
Q2. Challenges?	Integrating ADR/RID provisions that are accepted for use, while retaining the look & feel of the ADG Code. These two processes are going to be in tension due to the different style of ADR. Will need to develop processes to maintain ADG against ADR/RID in future, so there are clear terms of engagement, how to deal with items that have been already decided against. Clear timelines for the process would support this as well (similar to the ADG code timetable, but with a bit more detail). This would also help NTC, competent authorities and the community with work planning and expectations. Where a decision is made to adopt information from ADR, but keep the ADG style, there will be a significant risk of introducing maintenance challenges in the longer run. This will likely need some kind of supporting protocols to manage over time. An example is the need for clear protocols for converting ADR drafting conventions into those of the ADG Code. Alternative is to adopt the UNMR/ADR/RID drafting style, however this moves the risk in misinterpretation from experts to the regulated community, which might increase the risk of misinterpretation.	The layout of the ADR and ADG Code are very similar in style and layout. Both essentially replicate Parts 1 - 6 of the UNMR, with minor variations. These are then followed by the land mode specific requirements. With some minor reordering of these later Parts in the ADG Code, it would be very easy to update the ADG Code in line with updates to the ADR. The process for Australia's involvement in ADR updates and consultation with industry would be similar to the processes for our input into the IMDG Code and the IATA Code. Yes, there will need to be a clear process for consultation and updating of the ADG Code but it's expected that this would be a simpler process than the current process. Where requirements are based on other Codes, e.g. incompatibilities based on IMDG Code (see review principle 3) these will be identified, making it easier for maintaining alignment with the source
	Different working environments and rules than EU Australian specific requirements which may differ from overseas requirements.	Based on the comparison of the ADG Code to the ADR completed to date, there is nothing that stands out that would raise a risk in Australia, e.g., both the ADR and the ADG allow for gas cylinders to be constructed to local Standards. Placards - there's no suggestion that we change the look of our Placards. Keeping the current look of our Placards would not impact the cohesiveness of the overall Code. The quantity related requirements in both the ADR and the ADG Code are calculated on the cargo transport unit. This has an accumulating effect, i.e. at a single trailer level and at an aggregated vehicle level for combination vehicles.
	It seems inadvisable to review the ADG Code and focus on the adoption of the ADR/RID to the exclusion of Australian proposals and ideas from Australian industry and regulators. It is important to pay attention to the special needs of the Australian transport industry that are different to the needs of the industry in Europe. The revised edition of the Code must come by consultation with the Australian industry, Ministers and other state and federal government departments.	The review principles been reworded for clarification. There is no intent to adopt the ADR/RID to the exclusion of the Australian provisions. The intent is to reincorporate Australian specific requirements when there is evidence to support them. When examined, the ADR framework is stricter than the current Australian framework. The main difference is the minimum requirements to participate in any part of DG transport activities and the application of risk proportionate controls. Further analysis has also identified that many of the unique Australian provisions are already dealt with in the ADR, just in a more integrated manner.
	Need a paradigm shift in thinking by some regulatory and Industry to understand the benefits of closer alignment with ADR	It's hoped that all stakeholders will see the benefit in having an ADG Code that delivers the best overall outcome for all. A strong focus will be on delivering a cohesive and maintainable ADG Code.

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	Challenges are more in Part 7-13 of ADG Code because already aligned with UN on other Chapters. What we are doing has merit and worthwhile for safety and cost effectiveness. Better technical information. DGL in ADR is a lot more comprehensive and provides a lot of additional, useful information. Challenges will be in the land mode specific Parts (7-13 which we haven't reviewed for many years. Consultation with regulators and any proposals developed must be tested with industry, including smaller businesses not covered by big associations. What regulators think is good needs to be tested with industry. It must work for them,	The Australian developed provisions were slated to be removed over the life of ADG 7. Many of these provisions are already captured in the ADR. The benefit is that the ADR is regularly maintained and worded to ensure they integrate with other related provisions. Consultation with smaller operators is the key reason the NTC will consult directly with all interested stakeholders. It's also expected that working group Chairs will ensure the WG has wide representation form all levels of industry.
Negative impacts for Australia?	Potential for adoption of provisions that don't sufficiently account for Australian conditions. Need to ensure that adoption of ADR provisions doesn't negatively interact with the Australian transport context in a way that increases risk of harm. There will also be an ongoing workload to assess and integrate ADR changes as they occur. There may be a need to undertake significant training/retraining on the impact of the changes. If the ADR style is adopted, this will be more difficult to communicate than keeping ADG style (though easier to maintain in the longer term).	
	Costly for industry - due to changes – disruptive	If done right, there shouldn't be big costs. E.g. placarding and segregation methodologies are not expected to change. The main costs are expected to be in training
	Confusion amongst some stakeholders if they are not engaged to provide comments/have input. RE DG LIST to ALIGN WITH ADR – Road and Rail Operators will have to expend a large amount of money to update already existing freight data systems. The extra columns required will be confusing to end users and stakeholders in general. Training will also need to be provided to operating staff together with changes required to operator's documentation for training and operation requirements. Changes to any process should be user friendly and cost friendly not user hostile and not impose extra burden and costs on industry.	There is every intent to involve and consult with stakeholders in every step of the review. The NTC is not aware of any operator that currently includes all of DG list columns in their freight handling systems. Where operators are trying to build this, an excel spreadsheet of the DG list, with separated data points is provided to them. This practice will continue. Our experience with existing freight systems that are costly to update, is that they are hard coded and often outdated and non-compliant. Columns in the ADR that are irrelevant to Australia will not be included in the ADG Code, e.g. 'tunnel categories', 'labels' and 'Hazard identification No. Anecdotal evidence shows that the level of knowledge and understanding of the existing requirements is already very low.
	The current ADG Code represents many thousands of hours invested by Australian businesses and regulators, in terms of understanding, familiarity, training and systems both simple and complex. Suggesting that the ADG should be replaced by the ADR unless justified otherwise is a position that places little value on the current situation and will likely require a costly and time consuming effort to analyse gaps, retrain workers and adjust or redesign systems. This will cause serious disruption amongst industry and may result in additional training costs for industry as they become familiar with the ADR terminology, definitions and rules that are different from the ADG Code. The ADG Code and Australian Standards 2809 are very much intertwined and embedded with each other. Europe has very different operating environments, climates and legal systems than Australia. The inherent risk of transport in Europe is very different too, with the size of vehicles limited to 18.75m in most of the European Union countries. The maximum quantity of dangerous goods that can be physically transported on each vehicle is lower than that of Australian combination vehicles which can be up to 36.5m in length in Western Australia. Freight in Western Australia is transported across some of the most remote and harshest environments on Earth without the luxury of having emergency services being able to respond to an incident scene within minutes.	Both anecdotal and observed evidence shows that the level of knowledge and understanding of the existing requirements is already very low. There are minimal differences in the terminology between the ADR and the ADG Code. Current issues with terminology in the ADG Code relate to Australia not correctly using the definitions drawn from the UN MR. These have been corrected as part of ADG 7.8. We acknowledge that there will be potentially significant costs required for training. Ministers have already agreed to the development of a training needs analysis. Some of the recent changes have highlighted the low level of current understanding. We should expect parties involved in DG to be appropriately trained. It's also anticipated that once a clear set of training and competency expectations have been set, that suitable training packages will be more readily available on the market. This is expected to decrease training costs over time.
	Provided that Derogation are built in to provide for unique Australian conditions then I see no negatives	
	Changes in training will be necessary. Need to get the prime contractor trained properly. Consignor community a lot larger than prime contractors, because every small business could be a consignor. ADR has a good process for this. Regulators failed to provide information to consignors. The person with the highest level of control needs to be trained. Limited guidance available for consignors	Agree, all parties, starting with the consignor, need to be trained. It's imperative that consignors also understand the requirements and have the competency to comply. If the consignor gets it's wrong, then there is limited ability for those along the supply chain to identify and correct the non-compliance. Closer alignment to ADR would enable us to prepare a guidance document similar to those issued by countries such as UK and Ireland - see the *ADR Carriage of Dangerous Goods By Road A Guide for Business* , published by the Health and Safety Authority, Ireland
Survey - Page 2 - Alignment would enable 2-yearly maintenance cycle		
	There are lots of potential benefits, but the devil will be in the detail. We will need to balance alignment with the needs of an Australian-specific transport context. As noted earlier, there will need to be care taken to ensure that the alignment results in an overall benefit for the regulated community and maintains risk protections for the broader community.	In conducting the review, the primary aim of the NTC is to deliver a Code that provides the best overall outcome to the regulated community, the regulators and the law and policy makers. The review principles have developed to provide the best opportunity to succeed with this. Linking into an existing process, will make updating our mode specific requirements on a regular basis a more consistent and formalised process. It will ensure the integrity of the Code and allow Australia to be part of and benefit from a worldwide conversation

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Is this a good thing?	The unique Australian specific provisions of the ADG Code should be incorporated into the Code as currently worded. What will the final benefits be to all stakeholders v what we have now regarding unique Australian specific provisions?	In moving from ADG 6 to ADG 7, the intent was to examine each unique Australian provision. This became an impossible task. It was impossible to provide the evidence to remove something because they came in without evidence. The result was that the timeframe for the review kept blowing out and the decision was made to just keep the Australian provisions as they were and phase them out over the life of ADG 7. some of these provisions stemmed from trying to algin to the IMDG Code back in the 1980's, some originally came from the ADR and others came from nowhere. Since then, we've merely tinkered with them. That's not to say they have no merit but by starting with the ADR provision, we start with a cohesive document that is easy to maintain. If we then compare the result to the Australian provisions, we will most likely find that they are all catered for in the ADR provisions. The review principles have also been updated to show that incompatibilities will be drawn from the IMDG Code. This was the original starting point for the ADG Code they have not been reviewed for many, many years. Better recording of the source of requirements in the revised ADG Code will enable the NTC to identify changes to the source and amend the ADG Code as relevant.
	Maintaining all the provisions of the ADG Code on a two year cycle should be done regardless of alignment ADR/RID.	This is not possible without a process to do so and a knowledge of the source information to base changes on. Any piecemeal approach will continue to create broken linkages in the Code. The review principles have been designed to ensure a framework that enables easy maintenance of the provisions in the ADG Code to ensure they remain contemporaneous and aligned to international practices and requirements. This will also provide benefits to stakeholders working across borders and transport modes.
	I see this as good thing. The alignment to codes that are designed with a focus on prevention, education training and higher risks will lead to less complex laws, and better compliance and lower costs to industry	
Alternatives - to WP.15?	Where particular items are retained (especially if adopted as a block), then separate MAG working parties could be constituted to ensure that changes are assessed and integrated during each review cycle, and report back to the MAG for consideration. An initial analysis by NTC would support this work effectively. This would obviously entail an administrative effort but would work to keep the style of the ADG Code, which is likely to be seen as a favourable outcome. There may also be value in including references in the ADG code (either in an index/appendix or within each chapter) to support future work, and also to allow the community and regulators to easily understand where the provisions are derived from.	The process for making amendments outside the agreed process for aligning to UN MR amendments does not allow for regular maintaining of the mode specific requirements. The intent is to implement a similar process to the UN MR updates for ADR updates. This will mean greater consultation and input on WP.15 papers and an agreed Australian position prior to the meetings. The suggested approach of separate MAG working parties for unique Australian provisions would be extremely resource intensive and will likely result in Code that continues to be broken and disjointed. A list of source documents for the ADG provisions will be developed and maintained.
	System seems to work as it is	All indications from stakeholders is that the current system is broken and not working. Some of the current requirements stem back to the 1980's. There is currently no process for reviewing the Australian (mode specific) requirements other than on an ad-hoc basis. This leads to several issues: 1. The two-yearly time frame does not provide sufficient time to prepare a RIS, which is a requirement for policy changes 2. Ad-hoc amendments lead to the Code becoming even less cohesive than it currently is. It also present a very high risk of introducing conflicts and inconsistencies 3. Many of the current requirements were nor supported by any data or evidence. This makes it impossible to show why they are no longer right. 4. Due to time and cost restraints, these requirements were carried forward from ADG 6 without any examination for currency, risk evidence or appropriateness. This was done on the understanding that they would all be phased out over the life of ADG 7.
	Are alternatives required?	
	Chapter 7-13 of the ADG Code have received very little attention since about 1995. I see these chapter (if not covered by ADR in an aspects) being maintained via CAP/NTC working Parties being made of Industry and regulators	
	These should be reviewed at MAG on a two yearly basis.	This is not possible without a process to do so and source information to base changes on. Any piecemeal approach will continue to create broken linkages in the Code. Additionally, any amendments that don't stem from the UN are seen as Policy rather than Maintenance. Policy matters require a RIS, which the 2 yearly maintenance cycle doesn't cater for, so must be done as a separate process/project. This is extremely resource heavy. It is more efficient to link into an existing process. By participating in WP.15, we have an opportunity to discuss each proposal, put forward our views and understand the rationale. We can still decide whether or not to implement the amendment. MAG is an advisory group only. They are not a decision making body.
	It would be helpful if the source (e.g. UN, ADR, RID, etc.) of each provision was documented.	Such a list will be developed and maintained by the NTC. It is not intended for this to be a public document.

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	Not happy with the process. Not wise for the NTC to put themselves up as the decision maker about what gets put up to the Ministerial Council. It will cause problems for getting proposals endorsed. If WA doesn't agree, our Minister wont say yes or no.	The NTC is not the decision maker. The NTC puts forward proposed amendments to the Transport Ministers, who make the final decision. All proposals are developed in consultation with stakeholders, including the MAG and competent authorities, prior to being put forward to Ministers. The NTC will not put up a proposal to Ministers if it thinks that it will get knocked out by a jurisdiction's disagreement. MAG is a part of the consultation - The NTC will continue to work with jurisdictions to identify and address any objections to a specific amendment proposal.
Survey - Page 3 - WP.15 Participation		
Benefits of Australian participation (non-voting)?	Better understanding of reasons for change, and potentially able to avoid implementing changes where the Australian context has not been considered. There would also be a potential to feed back concerns about how land mode changes could affect Australia, especially if we are more closely aligned. This could potentially support changes in ADR/RID if felt appropriate.	Agreed. Australia's participation in WP.15 would allow our voice to be heard and our input to be considered.
	keeping abreast of emerging issues	
	If harmonisation already exists with UN Model Recommendations is there a benefit with Australia participating as a non-voting member – as Australia does not get a say nor a chance to influence decisions made?	The UN SC does not deal with mode related provisions. Australia is an active member of the committees that maintain the sea related and air related provisions but not land related. As a non-voting member of WP 15, we would be able to actively participate and influence, just not vote. Only those who are a signatory to the agreement have voting rights. This is similar to the UN where UN countries are the only parties with a right to vote but there are many non-government organisations that actively participate in the meeting. Many of the papers put to the SC come from non-government organisations. Being a non-voting member does not mean our voice won't be heard or that we won't have any influence. We would still be active participant and still have a right to make presentation of our views. We would also be able to put forward proposals for consideration.
	There is little benefit attending as a non voting member.	We would benefit from participating in the conversation, hearing the arguments so we understand the rationale behind an amendment. Even if we chose not to adopt an amendment, we would at least understand the problem they were trying to solve and the rationale behind the change to better understand if it's an issue for. Hopefully if we believed it was an issue for Australia, we would adopt the WP.15 amendment and not write our own unique solution. Keeping with the ADR solution would ensure the cohesiveness of the Code is retained and also enable future maintenance of the provision.
	It will provide an opportunity for the Australian to better understand emerging issues, or contribute to issue or influence discussion or decisions.	
Survey - Page 4 -		
	Adoption of ADR principles & provisions is likely to be contentious. Preferably everyone can keep an open mind about both the benefits and challenges and will recognise real value in updates (and retention) as appropriate. Suspect they are likely to be controversial as currently written. A successful review process will require good faith. Needs to be framed as not having a pre-determined outcome.	The review principles have rewritten to hopefully make this clear. The NTC's intent is to deliver a Code that provides the best overall outcome for all parts of the system, including: -requirements that are risk appropriate without posing an unnecessary impediment to the transport process -provides transparency and greater opportunity for input from all stakeholders -easily maintained to ensure the Code remains contemporaneous and aligned to international practice -enables smooth cross border movement
	The Unique Australian specific provisions of the ADG Code should be reincorporated into the Code as currently worded.	It's already been established that the current Australian provisions are outdated and in many instances either don't work or have no basis. Provisions such as the blanket requirement for oxygen supplied respirators imposes huge costs on industry but has no data or evidence to support the requirements. A further example is the specific requirement in Table 9.2 that Nitromethane must not be transported on the same vehicle as Class 6. There is no evidence to show where this originated from or to support the requirement. No such incompatibility is included in the IMDG Code and a review of several SDS for Nitromethane shows no identification of such an incompatibility. To simply keep the unique Australian provisions without examination would be a failure of any review and in many instances, the data to properly examine them doesn't exist. It's expected that Australian provisions that are risk justified will have an equivalent requirements in the ADR. Opting for the ADR wording would ensure continuity with the Code and easy maintenance of the provision.
	That there is a balanced approach to derogations	

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Overall thoughts	Last year the Deputy Director General of DMIRS WA wrote to the NTC in response to their question and stated: NTC: Do we want to consider aligning Australian requirements for land transport to adopting the ADR/RID, either by direct reference, with variations in the MSI, or by mirroring. WA: No, the ADR/RID has many good ideas that are worthy of imitating, but adoption would be a mistake because of the different Australian transport environment and landscape. The revised editions of the Code must come by consultation with the Australian industry, Ministers and other state and federal government departments. WA would like to see the proposed principles modified.	The view of the WA DDG DMIRS was provided in response to the questions raised in the 2020 Issue Paper. This view was a key consideration in the recommendations in the Advice Paper being to incorporate relevant ADR concepts, rather than recommending adoption of the ADR. This recommendation was endorsed by all of the transport Ministers, including WA. There is no proposal, or intent to 'adopt' the ADR. The majority of the ADR will continue to replicate the UN MR. The only ADR provisions that are proposed to be incorporated in the ADG Code are those that relate specifically to land transport. These will not be copied exactly from the ADR but will be modified to ensure Australian methodologies for matters such as the look and feel of placards, segregation methods, etc. are retained. Additionally, substances requiring segregation will continue to be drawn from the IMDG Code to allow for easy cross border trade. The review principles have been rewritten to make this clearer.
	Very supportive and a significant step forward that has been part of the old ACTDG landscape since 1995	
	Adopting the ADR and having Australian derogations would be easier to maintain. If we are not picking up the ADR, are we picking up unique provisions to go in the Code? And if we are, would it not mean more work for the NTC, MAG and CAP?	Adoption of ADR was considered but rejected for the following reasons: It was not supported by some jurisdiction and was seen as introducing change for the sake of change. It was felt that it could introduce requirements that don't add value. Having the ADR and a separate set of derogations is unlikely to work or be accepted by duty holders. The review aims to incorporate relevant provisions from the ADR into the ADG Code. In the first instance, getting it right will take a lot of work but will reduce work in long term.
	We can adopt ADR agreed to by regulators and industry. Principles at the moment focus on the ADR to the exclusion of Aust. principles. Why don't we look to North America that is much more similar to Australian conditions. Don't be Euro-centric. We have re-written first three principles to keep us more flexible to deviate from ADR where we think we should. Don't agree with current principles - focussed on ADR without consultation. Have support from NSW for re-written principles. Want to start with the re-written principles.	The NTC acknowledges that a lot of explanation and clarification of principles is required. The only predetermined outcome we have is to deliver a Code that is cohesive, integrated and that sits within a framework that allows us to maintain it into the future. The content is not predetermined. The reason for starting with the ADR (land mode provisions only) is that we would be starting with a cohesive document. The problem with starting with the ADG Code is that it is not cohesive. It's a repository of disjointed provisions. Every Australian provision will be checked off against what is brought in from the ADR. The problem with starting with the Australian provision and then trying to justify taking them out is that we'll end up with the same result as when we went from ADG 6 to ADG 7. That would not deliver a good result and would waste the opportunity we now have to deliver an outcome that will work not just now but also into the future. There was no data or evidence to support many of the Australian provisions or to show that they were an appropriate control. If there was no data or evidence when they were introduced, there is no way to examine them to see if they are still valid. It's about starting with a document and framework that is cohesive and works
	No predetermined outcome? The impression is less about the exploration of ideas, its more about aligning with ADR. Gives a suggestion of predetermined outcome. Would like more open minded and genuine in consultation looking for good ideas, rather than setting tight boundaries around it. Language used in principles give the appearance of a predetermined outcome.	The review principles have been rewritten to make the intent clearer. The NTC's intent is to deliver a Code that provides the best overall outcome for all parts of the system. The original review principles were drafted with brevity in mind. They have now been reworded to more clearly articulate what was previously left unsaid.
Biggest concern	Data and evidence may not be readily available for some work items. Requiring adoption of ADR as the default will likely result in reluctance to adopt the change, and requiring retention of ADG code provisions could result in a loss of potential benefits. Communicating the reason why we are making changes that are adopted will be critical to a successful implementation. The reforms should not introduce confusion or reduce existing risk protections in place around road and rail transport of DG.	The review principles have been designed to deliver a Code that reduces confusion and removes the conflicts and contradictions.
	WA suggests the following changes to the current draft principles to address the concerns outlined earlier in the questionnaire : Principle 1 – The review uses the existing ADG Code, proposals discussed and agreed by the Maintenance Advisory Group, and provisions in the ADR and RID as the basis for the updated Code while retaining current methodologies for classification, placarding, segregation and compliance to Australian Standards (where relevant). Principle 2 – Unique Australian specific provisions of the ADG Code should be reincorporated into the Code as currently worded, except if there is sound justification for an amendment or removal supported by data and evidence. Principle 3 – As decided by the Maintenance Advisory Group, the adoption of sections and ideas from ADR/RID must not cause variations to provisions in the ADG Code unless they are shown to be beneficial to Australia's transport industry regarding a positive balance of cost savings and safety gains.	This would be following the same process as for the transition from ADG 6 to ADG 7. An examination of that review highlights that it was an impossible and flawed process that resulted in a compromised Code containing conflicting and contradicting requirements that often had no evidence or data to support them. To follow the same process would waste the opportunity we have and set the review up for failure.
	There is a balanced approach to derogations	
General comments		

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	The idea of looking at North America is an example of being flexible and bringing other considerations into the discussion. The principles were so narrowly cast you weren't allowed to look at anything other than the ADR. Aust industry not allowed to bring up anything that is not ADR related. Opportunity to do a review to include industry's ideas of improving cost effectiveness and lowering the risk. We must listen to industry and allow them to shape the ADG code, from other sources than the ADR. Revised principles 1-3 ADR has good ideas, can adopt most of chapter 1 - 7 but not sure what the ADR gives for chapter 7 - 13. Must reject ADR where we don't like it. The principles are so narrowly cast that it doesn't allow exploration of anything other than the ADR.	The review principles do not preclude the consideration of best practice from other countries. The aim is to ensure inclusion of any such practices do not compromise the cohesiveness of the Code. For instance, incorporating separation and segregation of rail wagons from Canada or New Zealand would not impact on any of the core principles or clauses in the Code. However, this does not mean there will be open slather to pick and choose bits form all over. Such an approach would end up with another bucket of bits that don't work together and can't be maintained into the future. Industry have been very supportive of the review principles. The review principles have been rewritten to remove the perception that the intent is to rewrite the ADG Code to replicate the ADR.
	Reduced risk protections comment - as a regulator, any reductions in protections have to be justified. There are pushes to reduce what we have available to us to reduce risk. We need to assess it to see there is a change in risk. Its my principle thinking about changing what is in place rather than losing things because of deregulation perspective.	Law makers and policy makers also have a duty not to impose unnecessary or unjustified controls. Risk protection should be proportionate to the risk. Some of the current risk controls in the ADG Code may be considered to provide better protection but there is no evidence to support that the higher level of protection has lead to safer outcomes or that the cost burden on industry is warranted. As an example, the blanket requirement for air fed respirators when transporting DG of Div 2.3 or 6.1 has no evidence base. The ADR takes a more risk based approach, requiring air fed respirators only for certain UN numbers and allowing other 2.3 or 6.1 to have a rebreather. Additionally, our investigations have identified that Australia is the only country in the world that has a blanket requirement to carry respiratory protection when transporting Class 8.
	It's a high level principle approach so if we do want to remove an Australian provision as its worded, under the current principles this allows the changes to be made because its not aligned with the ADR, it allows the decision makers to say that because its not aligned with the ADR, it will be up to industry to provide evidence for it to stay, even though its been there for 20 years for no instances. Being able to delete this because there is something similar in the ADR - we cannot accept this. Current wording of principles puts the onus back on the regulator or industry to provide data and evidence to keep the Australianism. We need to strive for the best ADG possible. By just adopting what's in the ADR when its similar to an Australian principle is a mistake.	The review principles have been revised to allow for greater recognition of current Australian provisions. There is no intention to simply delete the Australian provisions and discard them. If there is an ADR equivalent, then the ADR requirement will be chosen over the ADG Code provision. This is to ensure the requirement is properly integrated into the overall and that the Code remains cohesive. Additionally, if the ADG Code requirement goes beyond the requirement of the ADR and there is no evidence that the risk in Australia is greater, then there is no justification for retaining the more onerous control. This is in keeping with the guiding principles of the UN MR and the Australian Government undertaking that if an equivalent internationally accepted standard exists then Australia should not introduce additional burdens. Retaining the Australian wording would not be adding a better protection, it would simply be adding a complexity to the construct of the Code.
	Appreciate that it is impossible from both side of the equation for keeping or kicking provisions out, there is no evidence. A lot of Australian provisions exclude things (e.g. diesel), and because they are excluded from the Code regulators are not keeping tabs or data on it. We need to move away from the respirator example and look at the broader principle 3, the way its currently written does not allow for the other inputs. Variations and deviations taken from RID to be considered only when the variation does not impact key overall requirements or only when benefits outweigh impacts as supported by data and evidence. Its saying that you are going to exclude those requirements if its different to the ADR. With the respirator example it could be worse in some ways and puts a higher burden on industry to have other safety equipment which is not necessary in an Australian environment. It might have a worse impact on Aust. industry and we might need to measure that. Its' a matter of principle and if you are changing things you need a good justification for changing them, not just adopting them because the ADR or RID think its a good idea for Europe. Whilst the African and Asian countries adopt them, they are not part of the voting process to change them. This is the other part we are talking about - voting and not voting. Its all well and good to be a part of the conversation and influence but voting members are the ones that count at the end of the day.	Agree that the draft review principles could be read as absolute. This was not the intent. They have now been revised to remove this perception. It's imperative that we have principles to guide the process for the review. Otherwise we will end up in the same situation as last time (ADG 6 -7), which saw the review spiral out of control, leading to a deliberately compromised and sub-optimal result. It was deliberately compromised just to enable something to be delivered. Establishing a set of review principles is trying to set the review up for success.
	Principle 2 should be that Aust provisions should be reincorporated into the code as currently worded unless there is some justification for amendment or removal supported by data or evidence. The opposite of what Debra wants to do.	See previous responses
	WA circulated proposed changes to principles. Heard from NSW. What do the other jurisdictions and NTC think of WA's proposed amendments?	See previous responses

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	I didn't meant to be blunt or suggest that there is a predetermined outcome, its just that the rules are written so tightly such that they could only be met by adopting the ADR in large part. That may or may not turn out to be the best option. Positive that there is value in the ADR for us to draw on but I think those principles need to be more open and allow for other possibilities. They should be cautious and considered about removing controls that we already have. That's the sentiment that others are saying here as well. As currently written it removes what we have and adopts ADR and we have to justify putting things back in. As a broad principles, in regulation we should produce evidence before making a significant change. e.g. here is a provision of the ADR, it looks great and is objectively better than what we have in Aust, there is consensus or good support for adopting it - that's the system working. The default position of getting rid of what we have and have to justify putting it back in is not balanced or cautious. I take on board what Deb said about being cohesive and integrated in a framework. That illustrates my feelings about things being predetermined because they seem like objectives that can only be met by adopting the ADR. Having a cohesive document means that we have to minimise how many Australianisms are e.g. another way of setting out the rules so that the only outcome is adopting the ADR.	Agree that the draft principles as written appear absolute and need to be reworded. This has now been done. There has to be some rules or the review won't achieve a good outcome. Starting with the Australian requirements, means starting with something that is already broken and not cohesive. This would set the review up to fail. Starting with ADR provisions for the land mode components of the ADG Code means starting with something that is cohesive. It provides a starting point that has a better chance of delivering a good outcome.
	I still don't understand why the decisions should not sit with MAG. I don't understand why when you have the working groups, regulators, policy officers and everyone involved that you can clearly sit there with knowledge and expertise and adopt all this out and then send it to the Ministers etc. Instead of sending it to them and it coming back and we have last minute stuff and people saying they don't want to deal with it. This has happened previously and it doesn't work well at all.	The MAG are absolutely engaged at every step of the process. The governance structure doesn't allow for the MAG to be the decision maker, ITMM is the decision maker. If it's clear that what the NTC planned to put forward to Ministers isn't going to be supported then as a general principal, it would not be put forward. On the other hand, sometimes the NTC is charged with delivering a specified outcome and we need to do our absolute best to deliver it. I'm not aware of the NTC putting anything to the Ministers and not being supported at ITMM. This should be seen as evidence of MAG involvement and consultation.
	Supportive of Wayne's comments about involving MAG in the process. In WA we read in the paper about what was happening with the fatigue review with the HVNL and worried that there is a risk to us that we don't want to see that happen here with the DG review. WA was not part of the HVNL laws but its not a good look reading in the papers about what was happening there and the disagreement between industry, regulators and NTC. After years and years of review, the way the media presented it. We don't want the same thing to happen here and the media get hold of it and rip us apart. Back to what Wayne said, it takes the risk out of it from the NTC if they look to MAG, looks good when the NTC have regulators and industry on board to agree with proposal then its a no brainer for Minister.	Not sure if what's being reported in the media is accurate or not. Have demonstrated time and time again that the maintenance program operates with full consultation and transparency. Yes, there was some contention around the LQ changes in the last amendment but if we hadn't pushed for this, we would still have a disjointed and incomprehensible set of requirements. Compromises were made to the initial proposal to address the concerns of WA and NSW. At the end of the day, Ministers from all jurisdictions, including WA supported the amendment.
	Elements of the review include the incorporation of class 1 and division 6.2. Class 1 is fine but division 6.2 is already in there. There may be misunderstanding, div 6.2 should already by in the code and msi. Worried to find out that there is something not in the code that 6.2 hasn't been brought over from the past. Something for NTC to look at more closely or find out if there is a misunderstanding... if substantial change in that area then it will be important to some juros.	This will be more of a sense check to ensure everything relating to Division 6.2 has been incorporated into the Code
	Putting aside Class 7, which is out of scope. Would it be worthwhile putting together a separate WG to look at 6.2 and engage with the health depts that look after 6.2.	This is an excellent suggestion. The WG would need to be Chaired by someone from a jurisdiction that does regulate 6.2 in accordance with the ADG Code.
	The issue of drafting and ongoing consultation, the principles are going to be refined. They will be guide the chair of the WGs. Do I assume that the net will be cast wide re what they can and cant do in relation to looking at the ADR and other regs? E.g. Canadian and American. They look at the best possible outcome?	The WG can look at other countries but need to remember the overall outcome. If a comparison between the wording in another country and that in the ADR shows they are similar, then preference is to stay with the ADR. If the provision in the ADR delivers the intended outcome, we shouldn't go looking for something to fix something that isn't broken.
	Where do last mile deliveries for online retail sit? We hear from members that they standards that apply upstream in their supply chain are hard to manage and implement as you get closer to the customers. Particularly with changing vehicles and skill levels of drivers.	This will be an outcome of the review. Not sure it's in the ADR, think it's from the USA DOT and UK derogations. It will be looked at as part of the review of 'exceptions to the ADG Code application', (currently 1.1.1.2 of the ADG Code). The NTC recognises the contradiction that exists under the current exceptions. By way of example, home delivery from the supermarket is exempt if transported by a direct employee but not exempt if transported by courier or captured sub-contractor.

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	If we get rid of Aus. provisions by default, don't we lose potentially useful material such as the packing instruction for dry clinical waste which was mentioned?	Review principle 4 is designed to prevent this. As an example, the application of principle 4 would see P62A retained, as there is no ADR equivalent and recent conversations at the UN level have demonstrated that it is needed. What we should be aiming for is to put this forward to the UN SC for incorporation into the UN MR.
	Similarly for existing exemptions - maybe the state of origin reviews these for continued relevance...e.g. BK1 / BK2 for mineral concentrated in UN 2077. Random example historically where the Code aligned with UN and the rule book required a solid sheet cover on a truck, whereas we were using tarps. No particular advantage to going to solid, in fact there were issues with it. Where those ones were in place they may be still. Just to process... where the exemption is required asking the State who brought them to CAP in the first place to see if still relevant and need to be revised. If this is still out of whack with what would be aligned with the ADR, if we are going down this track.	Existing exemptions only apply to those who know they exist and where to find them. Exemptions outside the Code should only be considered for a specific organisation or a one off task, or as a short term solution. If we believe a variation is warranted, we should be taking this back to the UN or WP.15 to have the UN MR or ADR amended as relevant. We should already be doing this with the UNMR. The NTC anticipates that many exemptions will be made redundant by the incorporation of ADR provisions.
	who were the group of stakeholders asked in regards to the survey	All invitees to the consultation meetings. This included all competent authorities and all industry associations on the NTC stakeholder list.
	There are many examples of the technical details, policy oversight and the big picture goals not working together. Dangerous goods requirements are complicated with lots of expertise. This can result in getting lost in the details and losing sight of the big picture goal of trying to have a safe overall system to allow us the most efficient and effective system to allow us to transport goods. Focus on the goals, even when the debates are technical it is a way to move forward.	Focus will definitely be on achieving the overall outcome. The key aim of the review is to prevent the result being want a bucket of requirements. .
	It is key to also identify and consider extrinsic legislative instruments for transport which apply in Europe in parallel with ADR. e.g. limits on vehicle combination sizes allowed in different European countries on roads, which also apply to DG vehicles there. We tend to run larger combinations in Aus. (e.g. 3,4 and more trailers in WA) - so consequence may be higher than in European regulatory risk assessments. There would be other examples where the different context / environment should be considered and addressed in concert with the ADR requirements	The difference in vehicle size and combinations is recognised. However, this is unlikely to have any significant impact. The quantity related requirements in both the ADR and the ADG Code are calculated for the cargo transport unit. This has an accumulating effect, i.e. at a single trailer level and at an aggregated vehicle level for combination vehicles. All vehicles operated in Australia are required to meet the Australian Design Rules. These rules are designed to ensure vehicles are appropriate for Australian roads and environments. The provisions of the ADG Code, as with the ADR, deal only with the freight being transported.
	We need to identify other rules in Europe that work in concert that we see the whole picture and not myopic on the DG part. Need to see that the other rules that are influencing that are in some cases part of the controls but we are not seeing a control in the ADR because its already in some other limitation supplied at the transport that we cannot see.	See above response.
	This is similar to the DG in tunnels being regulated by legislation, not the ADG Code, does common Euro legislation influence risk assessment?	As a general rule, papers put to the UN include the risk assessment basis for the proposal. This is different to the tunnels risk assessment methodology but DG through tunnels is completely out of scope for this review.
	Q about cost benefit analysis. RIS. You mentioned training as a component that should come in, agree. In terms of cost benefit that should be considered as part of the RIS because at the moment, road and rail is specific mode of transport but if you are a consignor packaging goods you need to understand all modes of transport. we have very siloed systems: air, sea and road and rail transport and each separate. At the moment, we have training, need to certify training under air, accepted training under sea and no likely to have separate training for road and rail. What we are required to do is send people off to three separate training and they have to try understand and try pull together their understanding for packaging one packet and how to ship in a way that is acceptable for all modes of transport. That's a big ask for someone doing that sort of work, even for me who reads regulation for a living. Supportive of what you have put together but would like to see consideration of working with other parts of govt like amsa and casa and see if we can have something more cohesive that is more focussed on the people that have to do the work, rather than the strings of regulation that are in silos.	There is no intention to introduce 'accredited' training. The intent is to define a set of competencies. If shipping by more than one mode, the duty holder needs to understand how to identify and comply with the requirements of each relevant Code. Perhaps we could approach IMDG and AMSA trainers about adding modules to their training for the ADG Code.

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	I know it's a big ask and doesn't sit with NTC. When I look at US and DOT regs its very much for someone to read it and do it. Its much easier to follow than Aust requirement, I have sat through multiple trainings. When someone asks me what I have to do when something can go on sea and air, and road and rail I have to write instructions. If we can increase efficiency at doing point, that would be a good outcome.	Shipping by air or by sea is based on international rules and regulated within Australia at a Commonwealth level. Unfortunately, land transport is regulated at the state/territory level. Whilst all jurisdictions have agreed to harmonise their laws with the model laws, there is no way to compel them to do so.
	At the end of the day I would like consistent interpretation of the code across jurisdictions	With the UN papers, we can go back and see the conversation and thinking behind the requirements. Similarly for the ADR. This doesn't exist for the Australian provisions in the ADG Code. The UN is also looking at developing a database of agreed interpretations.
	How big of a time commitment is it to Chair one of these working groups?	Won't be given a blank sheet of paper. We will try to prepare as much pre information as possible. The work will also need to be done within the guidelines provided.
	In regards to the Australian-ism with emergency panels on IBC, which working group would look after that? How is that being addressed going forward?	This will most likely sit with in the working group chaired by the NTC. We need to look at not only the risk this aims to control but also any risks created by the controls, whether inside the ADG Code or outside.
	I assume that the change that goes through will take place in 2025. Is there anyway of passing these provisions earlier. We have a lot of supply chain disruption going on in Australia and we are trying to import more goods into the country and trying to get source of supply where you can. You are sometimes not going into the container ship, you are importing smaller IBC and that is causing issues. If we can get some of that resolved or we are going to have to wait until 2025 until that is implemented.	This is on the NTC's radar but given that it would represent a policy change, it would require a RIS. Undertaking a RIS for the removal of EIPs on IBCs is unlikely to be completed earlier than the review
	Work in Aust battery research initiative. Sent in a submission for a separate process for the current meeting in the UN there was a whole lot of DG goods stuff. We are particularly interested in the lithium space as its becoming more and more relevant to us. How will this process to change within the Code and intertwine with everything else that is going on?	Changes to the UN MR are generally also implemented at the modal level (ADR). Will interact the same as it currently does as we will continue to update UN derived provisions every 2 years. Recent changes to introduce a new UN number for Sodium-ion batteries led to 9 pages of consequential amendments. We don't have this process for ADG Code changes
	I am new to this topic. I suggest that when these conventions were first imagined, it was for a different type of supply chain. The supply chain for DG goes all the way to the customers front door, from batteries, detergents, soda stream cannisters. Not withstanding the exemptions, how does this process cater for the new channels which are typically at smaller volumes than might have been initially conceived when these frameworks developed.	The focus of the UN SC is not supply chains, it's about the hazards associated with DG and ensuring international consistency with classification, packaging, etc. The logistics provisions come down to the working groups for specific modal Codes.
	Does the risk profile change if you are transporting one soda cannister to one customer as opposed to a lot on the pallet? It's really the last mile/ online delivery that my members are interested in (retail).	Yes, based on several components. Generally based on quantity, combined quantity, inherent hazards, container side.
	It is key to also identify and consider extrinsic legislative instruments for transport which apply in Europe in parallel with ADR. e.g. limits on vehicle combination sizes allowed in different European countries on roads, which also apply to DG vehicles there. We tend to run larger combinations in Aus (e.g. 3,4 and more trailers in WA) - so consequence may be higher than in European regulatory risk assessments. There would be other examples where the different context / environment should be considered and addressed in concert with the ADR requirements.	
	The last two questions were along the lines of my favourite topic, which is the lower end risk of dangerous goods, we represent consumer products such as cosmetics, as well as more traditional commodities/ industrial chemicals. What I find interesting, working for an organisation in the DG space that represents the breadth of chemicals, the only people that ask the DG questions are the low risk people (cosmetic products etc) because it is so complicated navigating how to send products. We are talking about people sending thousands of products on a daily basis, as opposed to the commodity chemical which may have one truck going out a day. the work that needs to go in, the compliance is not commensurate with the risk. I would like that discussion to continue. The other part is looking at how do small businesses interact with this process, not just the final product, so their concerns can be taken into account as we develop the new process. What I hear from our small business is that they do not know where to start. We know that you have road rail and air and that there are thousands of pages of documentation and regulation. They don't know where to start. Given the low knowledge base, we are not asking them to become DG expert because they have to send perfumes as a part of the retail business, or having household products that need to be delivered now we have door to door delivery. Without doing that, how do we communicate to people that are not DG experts, what we are doing? Is there a comms strategy to get them involved? I know you have reached out to industry which is great, but I want to know what is a comms strategy, is there a WG, to reach to those people to say these are the relevant areas. Want to make sure people who have to comply with the rules know what they are doing, for when the rules come in.	Representatives from small business will be invited to participate in the working groups. The NTC will also provide regular updates and draft requirements to all interested stakeholder for their comment. We are very aware that we need to hear industry's voice but not just through industry associations. We will make best use of social media streams to reach as many people as we can. We will also involve our comms and engagement team to assist with communications.

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	As consultants, we find a very poor understanding of LQ transport among both consumer product and industrial clients	The NTC's suggestion of introducing a Dangerous Goods Safety Advisor (DGSA) into the legislation was not support but there was support for the concept and competency. The NTC will be looking to make it a competency under AIDGC. The DGSA is a legislated component of the ADR. No training is required but the applicant must sit an invigilated exam. Such a position in Australia would provide confidence to persons engaging a consultant.
	I don't disagree that there is poor understanding of LQs. Its not helped by multiple siloed complex rules. Creating siloed systems is the last thing you want to do to instil understanding. How do we at least remove the appearance of silos for the end user so they can interact in a simpler way? Want to start talking about the end user of the regulations. The whole idea that regulation is only as good as the compliance. If people don't understand it, they cant comply with it. The regulation can be perfect but the outcome won't be great. Thinking about the hand sanitiser transport information, where we had to pull the information together quickly. A company could use a consultant to come in and do an audit and get a one pager for what we have to do for road, rail and air. So they know what to do without having to navigate the whole system. Hoping that this will come out of an improved system. At the moment its complicated because people are getting different interpretations from transport providers, competent authorities and for different modes of transport. Its a dog breakfast, if we fix that then the understanding will improve.	Many of the current issues relating LQ are coming from transport companies, not the legislation.
	I think better understanding would fix it (companies giving different interpretations to people). If people could push back with confidence with the claims… recognise that LQ come a long way and what is in place now is better than before. There was a lot of churn in the last 10 years to get to that point. At the moment, there is a lot of confusion. that comes down to training and I want people to be on the same thing. If you don't have the expertise to judge what is correct when people tell you different things, it puts you in a very difficult situation. I think this is where small business getting involved and hearing what regulators are doing and why would help a lot.	Many of the transport companies causing the confusion were involved in the development of the LQ amendments and in writing the guidance. The NTC agrees that the knowledge base, across all parties, is very low. The introduction of training competencies and a higher level competency for consultants should go a long way to addressing this.