



Victoria Government Gazette

No. S 119 Wednesday 23 August 2000
By Authority. Victorian Government Printer

SPECIAL

VICTORIAN WORKCOVER AUTHORITY Dangerous Goods (Storage and Handling) Regulations 2000

Notice is given in accordance with section 11 of the **Subordinate Legislation Act 1994** that a regulatory impact statement (RIS) and a draft code of practice have been prepared in relation to the proposed Dangerous Goods (Storage and Handling) Regulations 2000.

The principal objective of the proposed Regulations is to provide for the safety of persons and property in relation to the storage, handling, transfer, use, manufacture and sale of dangerous goods at premises.

The proposed Regulations will replace the Dangerous Goods (Storage and Handling) Regulations 1989 which are due to expire on 8 December 2000. The proposed Regulations move away significantly from the largely prescriptive technical requirements of the existing 1989 Regulations. The proposed Regulations prescribe processes and specific risk control outcomes and establish performance objectives. The proposed Regulations recognise that "one size does not fit all" and allow duty holders some flexibility in determining the means for ensuring that dangerous goods are stored and handled safely. The proposed Regulations also assign duties that empower duty holders to achieve the best possible safety outcomes for the storage and handling of dangerous goods subject to practicability. However, some specific risk control duties have been retained.

The licensing regime, a central feature of the existing 1989 Regulations, is not a part of the proposed Regulations. However, WorkCover recognises that there are some circumstances where a licensing regime is clearly warranted. For example, the Occupational Health and Safety (Major Hazard facilities) Regulations 2000 and the Dangerous Goods (Explosives) Regulations 2000 both make use of licensing to some degree. WorkCover invites comment on the proposal to discontinue licensing in respect of the storage and handling of dangerous goods.

The costs and benefits of the proposed Regulations are outlined in the RIS. The RIS concludes that the costs of the proposed Regulations are sufficiently low that they could readily be justified by the benefits.

Two alternatives to the proposed Regulations are considered in the RIS: a code of practice to support the general duties in the **Dangerous Goods Act 1985**; and a change in the scope of regulation or range of duties. Because of the particular risks presented by the storage and handling of dangerous goods, neither option was considered to be consistent with the community's expectation that risks to public safety be effectively managed. The code of practice is considered inappropriate, because control of the highly specific risks that the storage and handling of dangerous goods pose raises matters for regulation rather than guidance. It is considered that a reduction in regulatory scope or range of duties could leave activities of potentially high risk unregulated and compromise a level of safety assurance that is expected by the community.

A code of practice providing comprehensive practical guidance on how manufacturers, importers, suppliers and occupiers can comply with their duties under the proposed Regulations is also being released for public comment.

Public comments are invited on the RIS and accompanying draft Regulations and Code of Practice. Copies may be obtained by contacting WorkCover publications (tel: (03) 9641 1333; fax: (03) 9641 1330).

Written submissions on the proposed Regulations, the draft Code of Practice and the RIS should be directed to the following address by no later than close of business on 20 September 2000. All submissions received will be treated as public documents.

Dangerous Goods (Storage and Handling) Regulatory Package; Chairperson, Dangerous Goods (Storage and Handling) Policy Group; Strategic Policy and Research Branch; Victorian WorkCover Authority, GPO Box 4306, Melbourne, Vic. 3001

Any enquiries about the draft Regulations should be directed to the Licensing and Technology Branch (tel: 9641 1559) while enquiries about the RIS should be directed to the Regulatory Assessment and Support Section (tel: 9641 1328).

BOB CAMERON
Minister for WorkCover

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VGG is available by three subscription services:

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General and Special — \$170.00 each year
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Periodical — \$113.00 each year.

Subscriptions are payable in advance and accepted for a period of one year. All subscriptions are on a firm basis and refunds will not be given.

All payments should be made payable to
The Craftsman Press Pty. Ltd.

Subscription enquiries:

The Craftsman Press Pty. Ltd.
125 Highbury Road, Burwood Vic 3125
Telephone: (03) 9926 1233
Fax (03) 9926 1292

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The Craftsman Press Pty. Ltd. with the authority of the
Government Printer for the State of Victoria

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ISSN 0819-5471

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Address all inquiries to the Government Printer for the
State of Victoria

Government Information and Communications Branch

Department of Premier and Cabinet

Level 3, 356 Collins Street

Melbourne 3000

Victoria Australia

Subscriptions

The Craftsman Press Pty. Ltd.

125 Highbury Road, Burwood

Victoria, Australia 3125

Telephone enquiries: (03) 9926 1233

Facsimile (03) 9926 1292

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Information Victoria Bookshop

356 Collins Street Melbourne 3000.

Telephone enquiries 1300 366 356

City Graphics

Level 1, 520 Bourke Street

Melbourne 3000

Telephone enquiries (03) 9600 0977

Price Code A