



VOLUNTEER FIRE BRIGADES VICTORIA

News Note

02 November 2018

NEW PLUMBING REGULATIONS COME INTO EFFECT ON 18 NOVEMBER 2018

The Victorian Government has recently completed its sunset review of the Plumbing Regulations. The Minister for Planning Mr Richard Wynne has announced the new Regulations which are to come into effect on 18 November 2018. The new regulations will have an impact on any CFA brigade that is currently providing FEM (Fire Equipment Maintenance) services to their communities and currently service fire hose reels.

Under the new Regulations, 'routine servicing' has been explicitly inserted into the regulations which will have the effect of regulating the twice-yearly routine servicing of all fire hose reels that has previously been done by CFA Brigades, and now requires this work to be done by a licensed plumber.

There are currently over 300 CFA Brigades and more than 1,500 CFA members currently performing routine inspection and service on fire equipment to over 30,000 premises across Victoria.

VFBV Position

VFBV recognises and respects the important public value provided to Victorian Communities by CFA volunteers undertaking FEM work in their local communities. Not only does FEM servicing provide funding for important brigade owned equipment and infrastructure for the benefit of the community, but CFA FEM services play a critical role in building community safety, linking local brigades with local premises facilitating incident planning and response and ensures the front line equipment to be used for fire suppression is operational and maintained at an appropriate standard.

The reality is in many locations located away from major provincial towns or centres, without CFA brigades delivering what could be described as an 'essential fire prevention service' there would be few if any other service providers that would consider the financial returns worthy of long travel distances based on the small numbers of potential clients.

It is VFBV's position:

- CFA volunteers should be protected from excessive bureaucratic regulation and red tape
- CFA FEM services provides a critical public safety service that contributes significant public value
- New policy or legislation should always be assessed for any negative CFA volunteer impact **before** it is enacted or legislated
- There is a statutory obligation for the State of Victoria to consult with CFA volunteers and their representatives on all matters that may impact upon them before decisions are made

Current Status

The new regulations have been enacted and come into effect on the 18th November. From this date, only licensed plumbers are permitted to provide routine servicing on hose reels, fire hydrants and fire sprinklers.

As a result of significant public controversy and comment concerning the impact the new regulations are likely to have on the fire protection services industry as a whole, the Victorian Building Authority has urgently established a stakeholder working group to explore the possibility of establishing “restricted classes of registration and licensing” that would permit routine servicing of fire equipment to continue as it does now.

CFA and VFBV representatives have been invited to be a part of this working group, which will meet again next week.

Lack of Consultation has meant CFA Volunteer impacts were not properly identified or understood

The regulations sunset review was conducted by the Department of Environment, Land, Water and Planning. Despite VFBV raising its concerns directly during the review period – both DELWP and CFA have failed to engage with VFBV or volunteers on the significant impacts that the new regulations will have on CFA volunteers.

Country Fire Authority Act – Section 6G

(c) requires that the Government of Victoria and the Authority commit to consulting with Volunteer Fire brigades Victoria Incorporated on behalf of volunteer officers and members on any matter that might reasonably be expected to affect them.

VFBV was not informed of the review by either DELWP or CFA, and only became aware of the work being done very late in the process. Since July, VFBV has consistently raised its concerns with the failure to consult on this subject many times over the past three months.

Disappointingly, DELWP ignored VFBV’s requests for engagement and consultation during the review, eventually responding to VFBV correspondence advising that the “public consultation period is now closed.” Most alarmingly, over a month after the regulatory review was finalised, CFA formally advised VFBV that it had not completed work on potential impacts of the new regulations, and would advise VFBV “in due course.” CFA further advised that it was CFA’s view that the most appropriate approach is to wait for the legislation to be drafted and passed by government prior to formal engagement with brigades or VFBV.

As at today, CFA is yet to provide VFBV with any of the requested analysis or information requested, including estimates of workload and the cost of CFA members having to be registered/licensed.

As a result – the full impact of this legislative change was most likely little understood during the Regulatory Impact process, which explains the following excerpt from the Governments Regulatory Impact Statement:

“The department considers that this specific change will have no or negligible cost impacts on the sector or involve any behaviour changes...” (Plumbing Regulations 2018 Regulatory Impact Statement p 65.)

Community Impacts

Current CFA recommended pricing of the six-monthly Level 1 hose reel servicing for example is \$6.50 with the annual Level 2 service provided for \$15.50

Concerns about the lack of licensed plumbers willing to conduct this rudimentary work, especially in remote rural areas has led many to fear market economics of supply and demand may drive large scale noncompliance and put upward pressure on costs that will inevitably be passed on to the public.

The reduction of FEM income to CFA Brigades that rely on this funding for equipment and infrastructure is also likely to create significant flow-on effects as Brigades suffer from a retraction of customers looking to consolidate their servicing if CFA is unable to offer this service.

VFBV understands that during the review, these and other concerns were consistently raised by the Fire Protection Association of Australia, Metropolitan Fire Brigade and the Country Fire Authority.

Next Steps

The new regulations take effect in just two weeks, on November 18. Brigades should make best endeavour to arrange any outstanding routine servicing on hose reels prior to this date whilst discussions continue.

VFBV acknowledges the feedback received from volunteers on this subject to date - seeking policy reversal and will continue to pursue why mandatory consultation obligations to VFBV and volunteers is consistently not being met. Members are requested to discuss this issue with your local District Council and State Councillor's to help inform future VFBV advocacy.

In the interim, and concurrently with that advocacy, the Victorian Building Authority has convened a cross sector working group to try and reach agreement on ways to minimise the regulatory impact of the changes and implement 'transition' arrangements.

VFBV has been invited to be part of those discussions and will work collaboratively with other stakeholders to try and identify arrangements that limit or prevent the negative regulatory impacts arising from the new legislation. We will keep members apprised as this work progresses.

Members should continue voicing their concerns to members of Parliament about why legislation has again been drafted on matters that directly affect CFA volunteers – drafted without volunteer consultation and results in intentional or unintended blockers to volunteers contributing to public value and performing work important to their local communities. Work they are more than capable and best placed to perform.