

1 August 2022

Department of Environment, Land, Water and Planning  
PO Box 500  
East Melbourne VIC 8002

Via online portal

**Submission to: *Victorian Energy Upgrades - Space heating and cooling activities consultation***

The Australian Institute of Health and Safety (AIHS) welcomes the opportunity to provide a submission to the *Victorian Energy Upgrades - Space heating and cooling activities* consultation at the Department of Environment, Land, Water and Planning (DELWP).

### **About us**

The AIHS is the peak body for work health and safety (WHS) professionals and practitioners across Australia. We have more than 4,000 individual members, more than 1,000 of which are based in Victoria. Formerly the Safety Institute of Australia, since 1947 we have represented the WHS profession with courage on policy matters.

### **Why are we making a submission?**

When Government programs stimulate or incentivise the market, they can put pressure on industry to safely deliver quality outcomes. Sadly, there is a history of government programs related to home energy efficiency initiatives involving injuries and deaths, such as the Federal Home Insulation Program in 2009-10<sup>1</sup>, and health and safety issues associated with solar installation programs<sup>2</sup>.

Our concern is that these incentives can create 'scramble to deliver' situations, in which industry is potentially ill-equipped or lacking capabilities to safely perform the works in the required timeframes. This includes the internal capabilities within the scheme participants' businesses established to deliver the works, as well as sub-contractors engaged by these businesses to perform the works.

The proposed changes represent an increase in the volume of space heating and cooling system installation and decommissioning works performed by industry. Greater volumes of work mean greater exposure to injury/disease and fatality risks.

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<https://webarchive.nla.gov.au/awa/20140911011255/http://www.homeinsulationroyalcommission.gov.au/Pages/default.aspx>

<sup>2</sup> <https://www.worksafe.vic.gov.au/safety-alerts/fatal-fall-while-installing-solar-panels>

Our position is that Government is responsible for not just providing incentives to the market, but to also design and implement appropriately resourced assurance processes over the works performed, as well as the products installed. These assurance frameworks require informed and considered planning. Victorian solar grants programs have learnt this the hard way and are now making focused efforts in addressing the skills and capability gaps<sup>3</sup>.

## **Our submission**

In terms of space heating and cooling activities, our response focuses on section six of the Discussion Paper, *'Skills and Installation Requirements'*.

### ***Q15. Is there any information you can provide to support the development of appropriate, safe and practical installation and decommissioning requirements for this activity?***

Whilst the Essential Services Commission (ESV) provides quality and legislative compliance functions<sup>4</sup>, we are concerned that significant injuries or incidents may impact 1) the worker/s and other parties involved in the incident, including household occupants and/or members of the public, 2) the reputational risk and potential viability of the scheme itself, and broader reputational risk to Government.

The nature of the activities proposed means they are likely considered 'high risk construction works' as per definitions in the Victorian OHS Regulations (2017)<sup>5</sup>. We would consider best industry practice to mean the development and provision of risk information for scheme participants, preferably using plain English and visual means.

We believe that developing risk information for scheme participants about the range of hazards likely encountered in these works would be beneficial. As health and safety professionals, we do not want to see the program impacted by an influx of relatively inexperienced and potentially unskilled people into high-risk work activities.

### ***Q15a. What is considered best industry practice for decommissioning and disposal of space heating and cooling appliances?***

At the detailed level we defer to those with the technical expertise in decommissioning and disposing of space heating and cooling appliances. From a generalist OHS perspective, we consider "best industry practice" on the part of DELWP/Government representatives to mean well-designed and adequately resourced OHS assurance frameworks that stress test a statistically meaningful proportion of the works for OHS risk control effectiveness.

Further, there are common 'critical risks' related to the proposed works that scheme participants are more likely to encounter. These include:

- Working at heights
- Confined space work and/or works within cavities such as roof spaces

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<sup>3</sup> <https://www.solar.vic.gov.au/working-safely-solar>

<sup>4</sup> <https://www.esc.vic.gov.au/victorian-energy-upgrades-program/how-we-regulate-veu-program/our-veu-audit-and-compliance-functions>

<sup>5</sup> <https://www.legislation.vic.gov.au/in-force/statutory-rules/occupational-health-and-safety-regulations-2017/013>

- Asbestos
- Site coordination risks where multiple contractors/workers are performing activities either simultaneously or sequentially on a site.

The Government can play its part and protect reputational risk to both itself and the scheme more broadly, by providing scheme participants with plain English information focusing on these critical risks, including effective, typical controls that should be used to reduce or eliminate these risks.

Where feasible and appropriate, we encourage the Government to consider either mandating or recommending the use of these controls where these critical risks occur. We also urge any assurance framework and activities to focus on these controls, in terms of both their presence, resilience, and effectiveness.

## Conclusion

1. AIHS supports the emissions reduction and energy efficiency objectives of the Victorian Energy Upgrades Program. Reducing carbon emissions is imperative for the health of the environment, workers, businesses, and the broader public.
2. The proposed changes to the program represent an increase in works occurring across Victorian households. These works are likely 'high risk construction works' as per the Victorian OHS Regulations (2017).
3. The Government must be aware of the potential flow-on impacts of such policies like the proposed, as industry comes under pressure to deliver the works safely and of appropriate quality and product safety standards.
4. Well designed and resourced assurance frameworks can detect OHS non-compliances and other red flags to facilitate interventions before serious incidents occur.
5. Serious incidents have the capacity to impact injured workers and associated people (e.g. householders, members of the public), the scheme and its participants, and the Government's reputational risk more broadly.
6. Providing scheme participants with plain English information focusing on critical risks, such as working at heights, asbestos, confined space work or work in cavities, and multi-party site coordination, can support workers and duty holders to mitigate health and safety risks to themselves and other parties.

For more information about this submission please contact me at [policy@aihs.org.au](mailto:policy@aihs.org.au).

Yours sincerely,



Andrew Heinrichs

**AIHS Policy Committee Chair**