

22 March 2018

Mr Neil Jenkins
Energy Safe Victoria
PO Box 262
Collins Street West
VIC 8007

By email: infoeregulations@energysafe.vic.gov.au

Dear Mr Jenkins,

Gas Safety (Safety Case) Regulations 2008 & Gas Safety (Gas installation) Regulations 2008

Simply Energy welcomes the opportunity to comment on the proposed changes to the Gas Safety Regulations, and more importantly the Gas Safety (Safety Case) Regulations 2008.

Simply Energy, proposes the following in relation to the topics raised for discussion in the consultation paper:

Need for Flexibility

In principle the management of any emergency management plan has to consider key principles of scale, efficiency, and flexibility to respond to a variety of situations including the unknown. As a result, Simply Energy's view is that flexibility is key to the management of Gas Safety Cases.

For example, the principles of the Australasian Inter-service Incident Management System (AIIMS), which has been adopted by Victorian Emergency Services, adopts five key principles for the management of emergency situations across multiple agencies that should be adopted by the regulations to assist with the management of gas emergencies in-line with what the anticipated response from emergency services would be.

The key principles:

- Flexibility to scale emergency response up and down including resources
- Management by objectives to ensure that command is delegated by the chosen objectives
- Functional management of the emergency based on the scale and task at hand
- Span of control for the management structure to ensure resources and effort is applied where needed; and
- Unity of command to ensure that the response is agreed and managed for the objective rather than the individual gain.

These principles are designed to ensure that emergency management is fluid and can adapt to incidents of any scale with a single point of control and function based command and objective management. The AIIMS management approach is similar in many respects to the existing program, including levels of incident and the management and scaling of media relations and principles of command and control. However, AIIMS provides additional resources and incorporates intelligence gathering roles that are not currently present in the safety case requirements.

Simply Energy recommends that Energy Safe Victoria aligns the gas safety regulations to the same set of principles as other emergency services to ensure interoperability and a more coordinated approach.

Administration of Safety Case

Simply Energy supports the view that there should be testing of outputs as a means of continuous improvement, however we caution against using those outputs as a test for compliance.

Where the objective is flexibility to respond to emergencies of various types and degrees of complexity, using the safety case as a test for compliance would require a more rigid approach with detailed parameters that can be effectively tested and measured for success or failure.

Simply Energy considers that compliance should continue to be assessed through periodic audits of documentation against the regulations, as is currently done.

Identification of person responsible for Safety Case

Simply Energy views this as a formality as the person responsible for the organisation may have limited knowledge of the installation or facility. To deal with this difference in roles and knowledge, Simply Energy recommends that the regulations should be amended to ensure that the person responsible for the organisation has the endorsement from the part of the organisation responsible for the facility’s safety case prior to their own approval.

This way the head of the organisation is provided with comfort that those responsible for the facility have understood the safety case and can manage an emergency incident accordingly.

Fees

Simply Energy has no direct concerns related to the administration or recovery of fees, however there may be cause for concern where ESV’s costs not recovered in full during a given period, and questions arise about how those costs are recovered in later periods.

Gas quality regulations, fees and second hand appliances

Simply Energy support the remaining recommendations in full, regarding appliance standards use and the operation of second hand appliances.

If you have any questions about this submission, please feel free to contact [redacted].

Yours sincerely

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