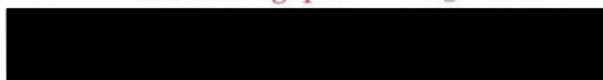




WONGA PARK FIRE BRIGADE

Old Yarra Road Wonga Park Vic 3115

www.wongaparkcfa.org



**Assistant Clerk Committees
Department of the Legislative Council
Fire Services Bill Select Committee
Parliament House,
Spring Street
EAST MELBOURNE
Victoria. 3002**

28th June 2017

Also by email: <LCSC@parliament.vic.gov.au>

Dear Sir/Madam,

**Re: Firefighters' Presumptive Rights Compensation and Fire
Services Legislation Amendment (Reform) Bill 2017**

I am writing to you on behalf of the Volunteers from the Wonga Park Fire Brigade following a special meeting held 28 May 2017.

We note that our brigade, and from what we believe, other brigades, have serious concerns for the safety of Victorians, the communities they live in and our volunteers.

From the outset, we wish to note on record that our fully volunteer brigade works extremely harmoniously with paid staff firefighters from both MFB and CFA being neighbouring brigades from Station 26 (Croydon), Station 22 (Ringwood) and South Warrandyte (CFA Integrated Station). This harmony extends both on a social level, during training, occasional meals as well as professional fire calls.

We further note that our brigade membership comprises of a wide diversity of professionals, from a variety of trades, as well as administrative roles. We also note that our brigade has a Lawyer, who has spent extra time on reading and interpreting the Bill as it has been tabled in Parliament.

The most serious of these concerns are as follows:

Presumptive Rights Compensation

Staff & Volunteer disparity

As drafted the Bill specifies a different requirement for paid staff and volunteers.

Under Section 20, there is an additional requirement for volunteers that is not required for the paid staff, specifically an Advisory Committee.

In essence, the additional requirement of an Advisory Committee reverses the onus of proof and places an additional burden on Volunteers.

The Advisory Committee will make a decision but will in practice need to obtain information from the Volunteer, reversing the onus of proof and essentially removing the presumption.

Types of cancer

Schedule 1 summarises the types of diseases covered by the presumption and we express concern over the limited types of diseases covered. We note for example testicular cancer and breast cancer is covered but lung cancer and other respiratory diseases are not covered which, in our opinion, are more likely to be contracted from our Volunteer duties. Asbestosis is also not covered by Schedule 1 and we note we currently receive training and clean up kits to assist with dealing with this common issue. If we wish to cover the most common diseases firefighters may contract, Asbestosis should be added.

Qualifying Period

The qualifying period listed is from five to twenty-five years. We note that in this modern environment it is well documented that individuals will change career a number of times during their life.

Volunteers may not spend a “substantial portion” of their time firefighting due to the training and community safety aspects of their role and this therefore, will limit their qualification to receive compensation.

Further, the average time for a Volunteer in CFA is between five and seven years and over this time they can be exposed to the same hazards as paid firefighters. This will limit their qualification to receive compensation for certain types of diseases.

Fire Services Legislation Amendment

No effective consultation

Our brigade, and from our understanding, the CFA, MFB, VFBV & UFU, were not effectively consulted as to the implementation of any part of the Bill. This does not allow for the effective and harmonious introduction of any legislation.

Boundary realignment and response into areas

Our concern for the community is the possibility that as part of the boundary realignment, the closest brigades will be removed from the turnout tables. The community must, regardless of any opinion, receive the closest brigades, whether volunteer or paid staff.

CFA have expertise, vehicles and equipment in all areas of fire management including, but not limited to, wildfire management and in urban/rural interface areas such as ours. This is vital in being able to protect the community from the spread of wildfire.

If there is a fire in Warrandyte/North Warrandyte (one of the most dangerous areas in Australia for bushfire as outlined by the 2009 Bushfire Royal Commission) there is a very real risk the surge capacity and local knowledge will be diminished by any removal of Volunteer roles such as removing their involvement in day to day emergencies.

Ministerial Authority

The Bill extends a large amount of authority to the Minister.

We note, with respect to how this change and creation of Fire Rescue Victoria will be implemented, is not contained in the Bill and, therefore, is left for individuals to decide.

Separate the Bill

We believe it would be more beneficial to all stakeholders to separate the Bill into three separate Bills rather than packaging all components of very different issues into the one, which is not effective, and will direct the scrutiny to the wrong areas and some aspects may be overlooked.

We kindly request your consideration of the above matters and confirm that **we do not support the Bill in its current form.**

Further, until such time as the public and stakeholders are provided assurances as to how this will financially affect them, and how the Bill will be applied in practice, our brigade cannot support:

- The Bill;
- The Presumptive Cancer Legislation as an integral part of the Bill;
- Fire Rescue Victoria; or
- The boundary re-alignment project.

Yours faithfully

Wonga Park Fire Brigade.



Peter Dick.

Captain

File. < secretary@wongaparkcfa.org >