

8. DEPARTMENT OF INTERNAL AFFAIRS DISCUSSION DOCUMENT ON NEW FIRE LEGISLATION



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**PURPOSE OF REPORT**

1. The purpose of this report is to present a draft submission on the Department of Internal Affairs (DIA) discussion document on the proposal for new Fire legislation (following up from the Council and Community Board seminar held on 13 June 2007)

**EXECUTIVE SUMMARY**

2. The DIA has published a discussion document on its proposals for new legislation (the Fire and Rescue Act) to replace the Forest and Rural Fires Act 1977 and the Fire Service Act 1975. The proposals relate to a new framework for fire and rescue services, with all “rural” and “urban” services coming under one principal body – the Fire and Rescue Service - and a new funding system to pay for a large proportion of those services. There is provision for Rural Fire Authorities (of which the Council is one) to remain but there is concern over many of the proposals relating to the retention of Fire Authorities, which the Council should address in its own submission on the discussion document. The closing date for submissions is 30 June 2007.
3. At the seminar on 13 June 2007 a briefing paper was distributed (see Attachment 1) providing detail on the current structures, the proposed changes as described in the discussion document, the implications for Council and the suggested submissions that Council should make, in addition to supporting the Local Government New Zealand submission.
4. From the discussion at the seminar Council staff have now finalised the form of the proposed submission, and it is attached to this report (see Attachment 2). Council’s approval of this submission is now sought.

**FINANCIAL IMPLICATIONS**

5. None

**Do the Recommendations of this Report Align with 2006-16 LTCCP budgets?**

6. Not applicable

**LEGAL CONSIDERATIONS**

7. As in next paragraph

**Have you considered the legal implications of the issue under consideration?**

8. No legal implications at this stage as it is only submissions on a discussion document. This will lead to a Government Bill being enacted and the Council will have the ability to make formal submissions at that time.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

9. Yes

**Do the recommendations of this report support a level of service or project in the 2006-16 LTCCP?**

10. No

**ALIGNMENT WITH STRATEGIES**

11. See below.

**Do the recommendations align with the Council's strategies?**

12. There are no particular strategies the submission aligns with, other than the fact the submission, and the LGNZ draft submission, stress that communities need to be able to "have their say" on what fire services they need to have provided by their Council/Fire Authority, which potentially aligns with the Stronger Communities and Healthy Environment strategic directions and the "Safe City" community outcome.

**CONSULTATION FULFILMENT**

13. Seminar on discussion document and implications for Council held with Community Board members and Councillors on 13 June 2007.

**STAFF RECOMMENDATION**

It is recommended that the Council approve the draft submission to the DIA attached to this report.