

Submission Form

Proposed regulations for Fire and Emergency New Zealand 2016

To help you organise your submission, here is a list of questions in this document. You do not have to answer all the questions. Please answer the ones you want.

Submissions can be submitted via email or post

- Email: FireServicesTransition@dia.govt.nz
- Post: Fire Services Review
Department of Internal Affairs
PO Box 805
Wellington 6140

The closing date for submissions is
Thursday 18 August 2016

All submissions will be kept by the Department. The Department may publish the submissions it receives and provide a summary of them on its website www.dia.govt.nz. This would include your name or the name of your group, but not your contact details.

Submissions may be subject to a request to the Department under the Official Information Act 1982. Personal details can be withheld under this Act, including names and addresses. If you or your group do not want any information contained in your submission to be released, you need to make this clear in the submission and explain why. For example, you might want some information to remain confidential because it is commercially sensitive or personal. The Department will take your request into account.

The Privacy Act 1993 governs how the Department collects, holds, uses and discloses personal information about submitters and their applications. Submitters have the right to access and correct personal information.

Assessing the options in this discussion document

1. Do you have any other objectives or critical success factors that you think should be included for assessing the different options?
2. Which of the objectives or critical success factors are the most important to you when helping you decide the best option?

Levy exemptions

3. Do you agree with the suggested levy exemptions?

We think 3-9 should remain exempt. The stated reason for removing the exemptions is spurious. FENZ cannot prevent damage to public infrastructure from natural disasters, weather events and accidents, and nor will FENZ carry out the repairs when damage occurs. Local Councils will continue to fund any necessary repair work using specialist contractors, and ensure roads are maintained for users, including FENZ vehicles. Local Councils will also continue to use specialist contractors to manage emergencies such as major storm events. Removing the exempt status for public infrastructure is unjustified, particularly when it comes to roads. Ashburton District is the fourth largest in New Zealand for roading with approximately 2,500kms of roads. Auckland is the largest with around 7,500kms, however that burden is shared by the largest population in the country. Ashburton has a population of only 31,000. If a levy is calculated on a kilometre basis, rural districts like Ashburton will be unfairly disadvantaged. Whilst it is acknowledged that the funding for FENZ needs to come from somewhere, a levy on public infrastructure seems inequitable.

Retaining the exemption for water reticulation pipes (10) is supported.

With regard to removing any standing bush or forest (2), would this include bush or forest on Department of Conservation land and if so would this be affordable for DOC?

4. Are there any other property types that should be exempt from the levy?
5. Do you think there are owners of certain types of properties who should be exempt?

Insurance information requirements

6. Do you agree with the preferred option (Option 4)? If no, why not?
7. What would the costs be to provide the information set out in Option 4? Are there means of potentially limiting these costs for insurers and property owners?
8. Do you have any concerns about commercially confidential information or privacy related to the provision of this information to FENZ (keeping in mind the modernised levy secrecy provisions in the new legislation)?

9. Is there any other information needed to support FENZ's management of funding streams?

10. Are there any other options for ensuring that FENZ has the information it needs to ensure sufficient funding, and to allow it to effectively forecast future levy revenue trends?

Committee Terms of Office

11. Do the provisions of the Crown Entities Act provide an adequate foundation for local committees?

Yes

12. Or, are there additional provisions of the Crown Entities Act that should be included?

Establishment and appointment of Committees

13. Are regulations needed for the nomination and appointment process for local committees?

Yes

14. If yes, are there particular aspects of the nomination and appointment process you would like contained in regulations, rather than in operational policy?

A requirement to advertise vacancies. The size of committees, including minimum and maximum numbers of members.

Committee functions

15. Are regulations needed to provide for the functions of local committees?

Yes

16. If yes, what aspects should be covered?

The power to remove committee members (or replace whole committees) if they fail to carry out the required functions. There needs to be a mechanism to allow FENZ to deal with non-compliance.

Committee boundaries

17. Do you think there should be regulations relating to boundaries?

No, this shouldn't be necessary provided communities of interest are taken into account as a matter of policy. This should include consideration of geographical features.

18. Should there be a minimum and maximum time between reviews of boundaries? What do you think would be a good timeframe for this?

No.

19. Who so you think should initiate a review of committee boundaries, if anyone?

The local community, or the local committee, or FENZ. Any review should take account of the views of the local community.

20. Are there other matters relating to boundaries that need to be regulated?

No.

Fire plan content

21. Which of the three options do you prefer?

Option 2 – regulation of main fire plan content, but not in detail.

22. Do you think that regulating the main content of the fire plan (Option 2) would provide sufficient guidance to stakeholders on the use of fire control measures?

23. What should the main content of the fire plan contain, i.e. what core details would you expect each fire plan to cover?

Establishing the consultation requirements for the use of fire control measures

24. Which of the three options do you prefer?

Option 2 – regulate for targeted consultation on the fire plan.

25. Does current engagement with stakeholders on the fire plan enable sufficient input to how fire control measures are used?