

Our ref: R24/0035

9 October 2024

Inquiry into assets, premises and funding of the NSW Rural Fire Service Public Accounts Committee

By email: pac@parliament.nsw.gov.au

Dear Chair

Thank you for the opportunity to respond to the below supplementary question from members of the Committee to Local Government NSW.

Supplementary Question

1. In addition to the vesting of red fleet assets in the NSW Rural Fire Service, (for example by removing section 119 of the Rural Fires Act 1997) what additional amendments to this Act are required to bring it up to date with current practice/conditions and to optimise bushfire preparedness and response?

LGNSW Response

Additional Legislative Amendments

LGNSW recognises that Rural Fires Act 1997 requires further amendments than simply the removal of s119 to bring up to date with the current reality. To this end, the LGNSW submission recommends that:

- the Rural Fires Act 1997 be subject to a comprehensive review
- the review of the Act should investigate and redefine the respective roles, responsibilities and functional arrangements of the RFS and local government
- lead responsibility for bushfires be transferred from local government to the RFS to reflect current practice.

LGNSW is not in the position to specify all necessary amendments - only a review could do this - however examples include the review of s7 and 12A which confer responsibility for bushfire fighting on local authorities/councils even though lead responsibility and authority clearly sits with the Commissioner:

7 Responsible local authorities in rural fire districts

(1) A function conferred or imposed by or under this Act on a local authority for and in respect of a rural fire district is to be exercised—

(a) by the local authority for the area for which the district is constituted under section 6, or

12A Entry into rural fire district service agreements

*(1) Without limiting section 12, the Commissioner may enter into a rural fire district service agreement (a **service agreement**) with any local authority or authorities responsible for a rural fire district or districts.*

(2) Without limitation, a service agreement—

(a) may specify functions imposed on the local authority by or under this Act that are to be exercised by the Commissioner during a period (if any) specified in the agreement, and

(b) may specify any obligations to be imposed on the local authority as a consequence of the Commissioner agreeing to exercise those functions, and ...

Legislation to introduce a new funding model for Emergency Services

LGNSW supports reform of the funding model for NSW emergency services. LGNSW has long advocated that the Emergency Services Levy (ESL) on both insurance and councils (more recently referred to as council contributions) should be removed and replaced with a broad-based property levy. This is the model already adopted by most other states and is supported by LGNSW on the grounds that it provides greater transparency, accountability and equity.

LGNSW will support legislation to introduce a new levy, as is being considered by the Government subject to the following conditions:

- that the ESL/council contribution is removed
- that the levy is collected by Revenue NSW.

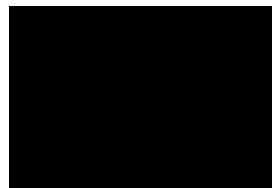
Thank you again for the opportunity to provide evidence to this inquiry.

For further information, the Committee secretariat is welcome to contact LGNSW A/ Director Advocacy Jane Partridge at [REDACTED] or on [REDACTED].

Yours sincerely



Cr Darriea Turley AM
President



Mr David Reynolds
Chief Executive