



Queensland

*Fire and Rescue Service Act 1990*

# **Fire and Rescue Service Regulation 2001**

**Reprinted as in force on 1 July 2007**

**Reprint No. 2D**

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This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

**Also see endnotes for information about—**

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

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# Fire and Rescue Service Regulation 2001

[as amended by all amendments that commenced on or before 1 July 2007]

## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *Fire and Rescue Service Regulation 2001*.

### 2 Commencement

This regulation commences on 1 July 2001.

### 3 Dictionary

The dictionary in schedule 5 defines particular words used in this regulation.

## Part 2 Control and prevention of fires

### 3A Requirements for a request for issue of a prohibition notice—Act, s 64(2)

- (1) For section 64(2)<sup>1</sup> of the Act, a request made by an occupier of land that a notice be issued prohibiting the lighting of fires on adjoining land must be given to the commissioner in writing and include the following—
  - (a) the name and address of the person making the request;
  - (b) the address or location of the adjoining land;

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<sup>1</sup> Section 64 (Prohibition by commissioner against lighting of fires) of the Act

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*Example of including the location of the adjoining land—*

Attaching a map or plan showing the location of the adjoining land.

- (c) the reasons for the request.
- (2) The person making the request must give a copy of the request to the occupier<sup>2</sup> of adjoining land.

**3B Requirements for an application for a permit to light a fire—Act, s 65(1)**

For section 65(1)<sup>3</sup> of the Act, a person applying to the commissioner for a permit to light a fire must include the following details with the application—

- (a) the applicant's name and address;
- (b) the real property description of the land on which the fire is to be lit (the *subject land*);
- (c) the address or location of the subject land;
- (d) the location of the part of the subject land on which the fire is to be lit;

*Example of including the location of the relevant part of the subject land—*

Providing a map or plan showing the relevant part of the subject land.

- (e) the name and address of any occupier of adjoining land if known by the applicant;
- (f) any steps taken by the applicant to notify any occupier of adjoining land about the application and when the steps were taken;
- (g) if the applicant knows any occupier of adjoining land objects to the lighting of the fire—
  - (i) a statement that the occupier objects; and

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<sup>2</sup> See schedule 6 (Dictionary) of the Act—

*occupier*, used with reference to any premises, means the person in actual occupation or, if there is no such person, the owner.

<sup>3</sup> Section 65 (Granting of permits) of the Act

- (ii) any reasons for the objection given to the applicant by the occupier.

## Part 3 Funding for urban fire brigades

### 4 Administration fee—Act, s 117

- (1) The administration fee to which a component local government is entitled for a financial year must be calculated as follows—

- (a) if  $N$  is not more than 40000—the amount worked out using the following formula—

$$N \times \$3.25$$

- (b) if  $N$  is more than 40000—the amount worked out using the following formula—

$$\$130000 + (N - 40000) \times \$2.75$$

- (2) In this section—

$N$  means the number of prescribed properties for which the component local government gives fire levy notices for the financial year.

### 5 Constitution and naming of urban districts

- (1) A portion of the State shown on an urban district map<sup>4</sup> is—

- (a) constituted an urban district; and  
 (b) assigned the name stated on the map.

- (2) In this section—

***urban district map*** means a map held by the commissioner immediately before 1 July 2007—

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<sup>4</sup> A copy of the map is available for inspection, without charge, at the head office or a relevant regional office of the department during normal business hours.

- (a) showing a portion of the State as an urban district for the purpose of part 10 of the Act; and
- (b) stating a name for the portion.

## **6 Fire levy classes of urban districts**

- (1) The fire levy class of an urban district for a financial year is class A if, immediately before the financial year, there was in the district a fire station with at least 16 full-time fire officers.
- (2) The fire levy class of an urban district for a financial year is class B if, immediately before the financial year, there was in the district—
  - (a) a fire station with at least 6 full-time fire officers; and
  - (b) no fire station with more than 15 full-time fire officers.
- (3) The fire levy class of an urban district for a financial year is class C if, immediately before the financial year, there was in the district—
  - (a) a fire station with at least 1 full-time fire officer; and
  - (b) no fire station with more than 5 full-time fire officers.
- (4) The fire levy class of an urban district for a financial year is class D if, immediately before the financial year, there was in the district—
  - (a) a fire station with at least 1 part-time fire officer; and
  - (b) no fire station with a full-time fire officer.
- (5) To help users of this regulation, the fire levy class of an urban district mentioned in schedule 1 is stated opposite the urban district in the schedule.
- (6) If there is an inconsistency between subsection (1) to (4) and schedule 1, the subsection prevails to the extent of the inconsistency.
- (7) In this section—

***full-time fire officer*** means a fire officer employed in the service on a full-time basis.

***part-time fire officer*** means a fire officer employed in the service on a part-time basis.

## **7 Categories of prescribed properties assigned to fire levy groups**

- (1) Schedule 2 states the categories that apply to prescribed properties according to the purposes for which the properties are used.
- (2) Each category in schedule 2 is assigned to the fire levy group under which it appears.

## **8 Annual contributions of owners of prescribed properties—1 category**

- (1) This section applies to a prescribed property if only 1 category applies to the entire property.
- (2) The amount of the contribution payable, for a financial year, by the owner of the property is the amount stated in schedule 2, column 2, according to—
  - (a) the fire levy group for the category; and
  - (b) the fire levy class for the property.

## **9 Annual contributions of owners of prescribed properties—multiple categories**

- (1) This section applies to a prescribed property if there is more than 1 relevant category for the property.
- (2) The amount of the contribution payable, for a financial year, by the owner of the property is the amount stated in schedule 2, column 2, according to—
  - (a) the fire levy group that would apply to the property if the determining category applied to the entire property; and
  - (b) the fire levy class for the property.
- (3) The *determining category* for a property is—
  - (a) if 1 of the relevant categories is higher than all the others—that category; or
  - (b) otherwise—the highest of the categories that would apply to the property if the entire property were used for

each of the purposes to which the relevant categories relate.

(4) For this section, a category is *higher* than another category if the first category is in a higher fire levy group than the other category.

(5) In this section—

*relevant category*, for a property, means a category applying to the property or part of the property.

## **10 References to types of industry**

A category described as ‘industry’ followed by the word ‘light’, ‘service’, ‘offensive’ or ‘heavy’ applies to a prescribed property if the property is used for an industry of a type ordinarily described, by the local government in whose area the property is situated, by that word.

## **12 Annual returns by component local governments**

For section 109(1) of the Act, the particulars prescribed are the number of the properties within each fire levy group mentioned in schedule 2, column 1.

## **13 Discount for pensioners**

- (1) A pension payable under a law of the Commonwealth is declared to be a pension for section 110 of the Act.
- (2) For section 110(2) of the Act, it is declared that a pensioner, who is the owner of a prescribed property that is the pensioner’s principal place of residence, is granted a discount of 20% on the contributions payable under part 10 of the Act for the property.

## **14 Payments by component local governments to department**

For section 118(5) of the Act, the following periods are declared periods—

- (a) for a component local government for a local government area mentioned in schedule 3—
- 1 July to 31 October
  - 1 November to 31 December
  - 1 January to 31 March
  - 1 April to 31 May
  - 1 June to 30 June;
- (b) for a component local government for a local government area mentioned in schedule 4—
- 1 July to 31 October
  - 1 November to 31 March
  - 1 April to 30 June.

## **Part 4                      Repeal**

### **15      Repeal**

The *Fire and Rescue Authority Regulation 1990* is repealed.

## **Schedule 1      Fire levy classes of urban districts**

section 6(5)

<b>Urban district</b>	<b>Fire levy class</b>	<b>Urban district</b>	<b>Fire levy class</b>
Airlie Beach	C	Biloela	D
Allora	D	Blackall	D
Alpha	D	Blackbutt	D
Amity Point	D	Blackwater	D
Aramac	D	Bollon	D
Arana Hills	A	Boonah	D
Aratula	D	Boulia	D
Atherton	B	Bowen	C
Augathella	D	Boyne/Tannum	D
Ayr	B	Bramston Beach	D
Babinda	D	Bribie Island	C
Baralaba	D	Brisbane	A
Barcaldine	D	Bundaberg	A
Bargara	A	Burnett Heads	D
Beaudesert	D	Caboolture	A
Beenleigh	A	Cairns	A
Beerwah	D	Cairns South	A
Biggenden	D	Calliope	D

## Schedule 1 (continued)

<b>Urban district</b>	<b>Fire levy class</b>	<b>Urban district</b>	<b>Fire levy class</b>
Caloundra	A	Dalby	D
Canungra	D	Dayboro	D
Capella	D	Deception Bay	C
Cardwell	D	Dimbulah	D
Cecil Plains	D	Dirranbandi	D
Charleville	D	Dulacca	D
Charters Towers	C	Dunwich	D
Childers	D	Dysart	D
Chinchilla	D	Eatons Hill	A
Clermont	D	Eidsvold	D
Cleveland	A	El Arish	D
Clifton	D	Emerald	D
Cloncurry	D	Emu Park	C
Collinsville	D	Esk	D
Coochie Mudlo	D	Forest Hill	D
Cooktown	D	Forrest Beach	D
Coolum	D	Gatton	D
Cooran	D	Gayndah	D
Cooroy	D	Gin Gin	D
Crows Nest	D	Giru	D
Cunnamulla	D	Gladstone	A

## Schedule 1 (continued)

<b>Urban district</b>	<b>Fire levy class</b>	<b>Urban district</b>	<b>Fire levy class</b>
Glenden	D	Jandowae	D
Goombungee	D	Jimboomba	D
Goomeri	D	Julia Creek	D
Goondiwindi	D	Kalbar	D
Gordonvale	C	Kawana	A
Gracemere	A	Kenilworth	D
Gympie	A	Kilcoy	D
Halifax	D	Kilkivan	D
Harrisville	D	Killarney	D
Helidon	D	Kingaroy	C
Herberton	D	Kooralbyn	D
Hervey Bay	A	Kumbia	D
Highfields	A	Kuranda	D
Home Hill	C	Kurrimine Beach	D
Hughenden	D	Laidley	D
Imbil	D	Longreach	D
Ingham	B	Lowood	D
Inglewood	D	Mackay	A
Injune	D	Magnetic Island	D
Innisfail	B	Malanda	D
Ipswich	A	Maleny	D

## Schedule 1 (continued)

<b>Urban district</b>	<b>Fire levy class</b>	<b>Urban district</b>	<b>Fire levy class</b>
Marburg	D	Mundubbera	D
Mareeba	B	Mungallala	D
Maroochydore	A	Murgon	D
Maryborough	A	Nambour	A
Meandarra	D	Nanango	D
Middlemount	D	Noosa Heads	A
Miles	D	Oakey	D
Millaa Millaa	D	Petrie	A
Millmerran	D	Pittsworth	D
Miriam Vale	D	Point Lookout	D
Mission Beach	D	Pomona	D
Mitchell	D	Port Douglas	C
Monto	D	Proserpine	D
Mooloolah	D	Proston	D
Moranbah	D	Quilpie	D
Morven	D	Rainbow Beach	D
Mossman	D	Rathdowney	D
Mount Isa	A	Ravenshoe	D
Mount Morgan	C	Redcliffe	A
Mount Tamborine	D	Richmond	D
Moura	D	Rockhampton	A

## Schedule 1 (continued)

<b>Urban district</b>	<b>Fire levy class</b>	<b>Urban district</b>	<b>Fire levy class</b>
Roma	D	Wallangarra	D
Rosewood	D	Wallaville	D
Sarina	D	Wallumbilla	D
Southport	A	Wandoan	D
Springsure	D	Warwick	B
Stanthorpe	D	Winton	D
St George	D	Wondai	D
Surat	D	Woodford	D
Tara	D	Wooroolin	D
Taroom	D	Yarraman	D
Texas	D	Yelarbon	D
Thangool	D	Yeppoon	C
Theodore	D	Yungaburra	D
Thursday Island	C		
Tieri	D		
Tin Can Bay	D		
Toogoolawah	D		
Toowoomba	A		
Townsville	A		
Tully	C		
Walkerston	A		

## **Schedule 2      Annual contributions of owners of prescribed properties**

sections 7, 8 and 9

<b>Column 1 Category</b>	<b>Column 2 Annual contribution</b>
	<b>\$</b>
<b>Fire levy group 1</b>	
1.01 Advertising hoarding	class A ..... 38.80
1.02 Jetty	class B..... 29.60
1.03 Park or garden with no improvements other than fences or gardens	class C..... 22.80
	class D ..... 18.00
1.04 Vacant land, including vacant land with a fence	
<b>Fire levy group 2</b>	
2.01 Car park (1 level)	class A ..... 140.00
2.02 Cemetery	class B..... 111.20
2.03 Club that is not licensed premises	class C..... 82.40
2.04 Farm, or area used for grazing, with a dwelling house	class D ..... 69.20
2.05 Industry—light, service or offensive (gross floor area less than 51m <sup>2</sup> )	
2.06 Mini storage unit (gross floor area not more than 85m <sup>2</sup> )	
2.07 Office, shop, commercial premises, other than drive-in shopping centre (not more than 2 levels, gross floor area less than 51m <sup>2</sup> )	
2.08 Outbuilding	

## Schedule 2 (continued)

<b>Column 1 Category</b>	<b>Column 2 Annual contribution</b>
	<b>\$</b>
2.09 Park or garden, with building	
2.10 Plant nursery	
2.11 Residential flats or units that are not lots (not more than 2 flats or units)	
2.12 Residential unit that is a lot	
2.13 Single unit residence	
2.14 Walkway—suspended or underground	
2.15 Transformer, substation, television or radio transmission tower	
<b>Fire levy group 3</b>	
3.01 Caravan park (not more than 50 sites)	class A ..... 339.20
3.02 Car park (2 levels)	class B ..... 270.40
3.03 Child care centre	class C ..... 202.00
3.04 Church, church hall or community hall	class D ..... 168.40
3.05 Club that is licensed premises (not more than 2 levels)	
3.06 Community protection centre	
3.07 Construction site	
3.08 Day care centre for aged, disabled or handicapped persons	
3.09 Forest used for commercial growing or harvesting of timber (less than 10ha)	
3.10 Funeral parlour	
3.11 Guest house or hostel, with shared bathroom facilities (not more than 2 levels)	

## Schedule 2 (continued)

<b>Column 1</b>	<b>Column 2</b>
<b>Category</b>	<b>Annual contribution</b>
	<b>\$</b>
3.12 Industry—light, service or offensive (gross floor area 51–500m <sup>2</sup> )	
3.13 Library, museum, art gallery or zoo	
3.14 Marina, non-residential	
3.15 Mini storage unit (gross floor area more than 85m <sup>2</sup> )	
3.16 Office, shop, commercial premises, other than drive-in shopping centre (not more than 2 levels, gross floor area 51–250m <sup>2</sup> )	
3.17 Outdoor storage area (less than 2025m <sup>2</sup> )	
3.18 Residential flats or units that are not lots (more than 2 units or flats, not more than 2 levels)	
3.19 Restaurant, including floating restaurant, that is not licensed premises	
3.20 Sales area—outdoor (less than 2025m <sup>2</sup> )	
3.21 Service station	
 <b>Fire levy group 4</b>	
4.01 Caravan park (51–100 sites)	class A ..... 680.40
4.02 Car park (3–4 levels)	class B ..... 543.60
4.03 Drive-in shopping centre (area devoted to buildings, roadways, parking and landscaping less than 4050m <sup>2</sup> )	class C ..... 406.80
	class D ..... 339.20
4.04 Drive-in theatre	
4.05 Guest house or hostel, with shared bathroom facilities (3–4 levels)	
4.06 Hotel or motel (not more than 2 levels)	

## Schedule 2 (continued)

<b>Column 1 Category</b>	<b>Column 2 Annual contribution</b>
	<b>\$</b>
4.07 Industry—light, service or offensive (gross floor area 501–1125m <sup>2</sup> )	
4.08 Office, shop, commercial premises, other than drive-in shopping centre (not more than 2 levels, gross floor area 251–500m <sup>2</sup> )	
4.09 Outdoor storage area (2025–4050m <sup>2</sup> )	
4.10 Residential flats or units that are not lots (more than 2 units or flats, 3–4 levels)	
4.11 Restaurant, including floating restaurant, that is licensed premises	
4.12 Sales area, outdoor (2025–4050m <sup>2</sup> )	
4.13 School, non-boarding (not more than 100 pupils)	
4.14 Theatre or cinema, 1 auditorium, not part of a drive-in shopping centre	
4.15 Tourist attraction (less than 4050m <sup>2</sup> )	
<b>Fire levy group 5</b>	
5.01 Airfield	class A ..... 1 120.00
5.02 Caravan park (more than 100 sites)	class B..... 892.80
5.03 Deagon Training Complex	class C..... 669.20
5.04 Drive-in shopping centre (area devoted to buildings, roadways, parking and landscaping 4050–7500m <sup>2</sup> )	class D ..... 557.20
5.05 Forest used for commercial growing or harvesting of timber (10–40ha)	
5.06 Industry—extractive (less than 10001m <sup>2</sup> )	
5.07 Industry—light, service or offensive (gross floor area 1126–2000m <sup>2</sup> )	

## Schedule 2 (continued)

<b>Column 1 Category</b>	<b>Column 2 Annual contribution</b>
	<b>\$</b>
5.08 Office, shop, commercial premises, (not more than 2 levels, gross floor area 501–1012m <sup>2</sup> )	
5.09 Office, shop, commercial premises, other than drive-in shopping centre (3–4 levels, gross floor area less than 601m <sup>2</sup> )	
5.10 Oil or fuel depot, including refinery (licensed capacity less than 1000000L)	
5.11 School, non-boarding (101–500 pupils)	
5.12 Showground or racecourse, other than a major Brisbane venue	
5.13 Tourist attraction (4050–10000m <sup>2</sup> )	
<b>Fire levy group 6</b>	
6.01 Car park (more than 4 levels)	class A .....2 007.60
6.02 Club that is licensed premises (3–4 levels)	class B ..... 1 605.60
6.03 Drive-in shopping centre (area devoted to buildings, roadways, parking and landscaping 7501–10000m <sup>2</sup> )	class C ..... 1 202.00
	class D ..... 1 002.80
6.04 Guest house or hostel, with shared bathroom facilities (5–6 levels)	
6.05 Hotel or motel (3 levels)	
6.06 Industry—light, service or offensive (gross floor area 2001–3000m <sup>2</sup> )	
6.07 Office, shop, commercial premises, (not more than 2 levels, gross floor area 1013–3500m <sup>2</sup> )	
6.08 Office, shop, commercial premises, other than drive-in shopping centre (3–4 levels, gross floor area 601–1012m <sup>2</sup> )	

## Schedule 2 (continued)

<b>Column 1</b>	<b>Column 2</b>
<b>Category</b>	<b>Annual contribution</b>
	<b>\$</b>
6.09 Outdoor storage area (more than 4050m <sup>2</sup> )	
6.10 Residential flats or units that are not lots (more than 2 units or flats, 5–6 levels)	
6.11 Sales area—outdoor (more than 4050m <sup>2</sup> )	
6.12 School, boarding (not more than 100 boarders)	
6.13 School, non-boarding (more than 500 pupils)	
6.14 Tertiary residential quarters	
6.15 Theatre or cinema complex, not part of a drive-in shopping centre (2–3 auditoriums)	
6.16 Welfare residence (not more than 50 beds)	
<b>Fire levy group 7</b>	
7.01 Forest used for commercial growing or harvesting of timber (more than 40ha)	class A .....3 278.40
	class B.....2 620.40
7.02 Guest house or hostel, with shared bathroom facilities (more than 6 levels)	class C.....1 966.00
7.03 Hospital (not more than 50 beds)	class D .....1 637.60
7.04 Industry—light, service or offensive (gross floor area 3001–4000m <sup>2</sup> )	
7.05 Office, shop, commercial premises, (not more than 2 levels, gross floor area 3501–5500m <sup>2</sup> )	
7.06 Office, shop, commercial premises, other than drive-in shopping centre (3–4 levels, gross floor area 1013–3500m <sup>2</sup> )	

## Schedule 2 (continued)

<b>Column 1 Category</b>	<b>Column 2 Annual contribution</b>
	<b>\$</b>
7.07 Residential flats or units that are not lots (more than 2 units or flats, 7–10 levels)	
7.08 Tavern	
7.09 Theatre or cinema complex, not part of a drive-in shopping centre (4–6 auditoriums)	
<b>Fire levy group 8</b>	
8.01 Drive-in shopping centre (area devoted to buildings, roadways, parking and landscaping 10001–15000m <sup>2</sup> )	class A .....5 014.40 class B.....3 945.20 class C.....3 006.80
8.02 Hotel or motel (4 levels)	class D .....2 506.40
8.03 Industry—extractive (10001–20000m <sup>2</sup> )	
8.04 Industry—light, service or offensive (gross floor area 4001–5500m <sup>2</sup> )	
8.05 Office, shop, commercial premises, other than drive-in shopping centre (not more than 2 levels, gross floor area more than 5500m <sup>2</sup> )	
8.06 Office, shop, commercial premises, other than drive-in shopping centre (3–4 levels, gross floor area 3501–5500m <sup>2</sup> )	
8.07 Oil or fuel depot, including refinery (licensed capacity 1000000–25000000L)	
8.08 Residential flats or units that are not lots (more than 2 units or flats, 11–15 levels)	
8.09 Tertiary education institution (not more than 500 students)	

## Schedule 2 (continued)

<b>Column 1 Category</b>	<b>Column 2 Annual contribution</b>
	<b>\$</b>
8.10 Theatre or cinema complex, not part of a drive-in shopping centre (more than 6 auditoriums)	
8.11 Tourist attraction (more than 10000m <sup>2</sup> )	
8.12 Welfare residence (51–100 beds)	
<b>Fire levy group 9</b>	
9.01 Albion Park Raceway	class A ..... 8 900.00
9.02 Club that is licensed premises (more than 4 levels)	class B ..... 7 117.60 class C ..... 5 337.60
9.03 Doomben Racecourse	class D ..... 4 448.00
9.04 Drive-in shopping centre (area devoted to buildings, roadways, parking and landscaping 15001–20000m <sup>2</sup> )	
9.05 Eagle Farm Racecourse	
9.06 Hospital (51–100 beds)	
9.07 Hotel or motel (5–6 levels)	
9.08 Industry—heavy (gross floor area less than 3001m <sup>2</sup> )	
9.09 Industry—light, service or offensive (gross floor area 5501–7500m <sup>2</sup> )	
9.10 Office, shop, commercial premises, other than drive-in shopping centre (3–4 levels, gross floor area more than 5500m <sup>2</sup> )	
9.11 Office, shop, commercial premises, (5–6 levels)	
9.12 Residential flats or units that are not lots (more than 2 units or flats, more than 15 levels)	

## Schedule 2 (continued)

<b>Column 1 Category</b>	<b>Column 2 Annual contribution</b>
	<b>\$</b>
9.13 Royal National Agricultural and Industrial Association of Queensland showgrounds	
9.14 School, boarding (more than 100 boarders)	
9.15 Tertiary education institution (501–1000 students)	
9.16 Welfare residence (101–200 beds)	
<b>Fire levy group 10</b>	
10.01 Drive-in shopping centre (area devoted to buildings, roadways, parking and landscaping 20001–30000m <sup>2</sup> )	class A ..... 18 274.00 class B..... 14 617.60
10.02 Hospital (101–200 beds)	class C..... 10 960.40
10.03 Industry—extractive (more than 20000m <sup>2</sup> )	class D ..... 9 136.00
10.04 Industry—heavy (gross floor area 3001–7500m <sup>2</sup> )	
10.05 Industry—light, service or offensive (gross floor area more than 7500m <sup>2</sup> )	
10.06 Office, shop, commercial premises, other than drive-in shopping centre (7–10 levels)	
10.07 Welfare residence (201–500 beds)	
<b>Fire levy group 11</b>	
11.01 Drive-in shopping centre (area devoted to buildings, roadways, parking and landscaping 30001–40000m <sup>2</sup> )	class A ..... 30 936.00 class B..... 24 748.40
11.02 Hospital (201–500 beds)	class C..... 18 562.00
11.03 Hotel, motel (7–10 levels)	class D ..... 15 466.00

## Schedule 2 (continued)

<b>Column 1 Category</b>	<b>Column 2 Annual contribution</b>
	<b>\$</b>
11.04 Industry—heavy (gross floor area 7501–15000m <sup>2</sup> )	
11.05 Office, shop, commercial premises, other than drive-in shopping centre (11–20 levels)	
11.06 Oil or fuel depot, including refinery (licensed capacity 25000001–50000000L)	
11.07 Tertiary education institution (1001–5000 students)	
11.08 Welfare residence (more than 500 beds)	
 <b>Fire levy group 12</b>	
12.01 Brewery, other than a brewery for which most of the brewed product is served on the premises on which it is brewed	class A .....57 192.00 class B.....45 751.20
12.02 Bulk sugar terminal	class C.....34 314.40
12.03 Distillery	class D .....28 594.80
12.04 Drive-in shopping centre (area devoted to buildings, roadways, parking and landscaping 40001–60000m <sup>2</sup> )	
12.05 Hospital (more than 500 beds)	
12.06 Hotel or motel (11–16 levels)	
12.07 Industry—heavy (gross floor area more than 15000m <sup>2</sup> )	
12.08 Office, shop, commercial premises, other than drive-in shopping centre (21–29 levels)	

## Schedule 2 (continued)

<b>Column 1 Category</b>	<b>Column 2 Annual contribution</b>
	<b>\$</b>
12.09 Oil or fuel depot, including refinery (licensed capacity 50000001– 100000000L)	
12.10 Resort complex (gross floor area less than 18000m <sup>2</sup> )	
12.11 Sugar mill, sugar factory or sugar refinery	
<b>Fire levy group 13</b>	
13.01 Bulk coal terminal	class A .....65 560.80
13.02 Drive-in shopping centre (1 shopping level, area devoted to buildings, roadways, parking and landscaping more than 60000m <sup>2</sup> )	class B.....52 447.20 class C.....39 334.40 class D .....32 778.40
13.03 Hotel or motel (17–25 levels)	
13.04 Office, shop, commercial premises, other than drive-in shopping centre (30–40 levels)	
13.05 Oil or fuel depot, including refinery (licensed capacity 100000001– 150000000L)	
13.06 Power station	
13.07 Resort complex (gross floor area 18000–35000m <sup>2</sup> )	
13.08 Tertiary education institution (5001–10000 students)	

## Schedule 2 (continued)

<b>Column 1 Category</b>	<b>Column 2 Annual contribution</b>
	<b>\$</b>
<b>Fire levy group 14</b>	
14.01 Casino, including accommodation, entertainment, restaurant facilities (not more than 20 levels)	class A .....98 344.00 class B.....78 675.20
14.02 Drive-in shopping centre (more than 1 shopping level, area devoted to buildings, roadways, parking and landscaping 60001–100000m <sup>2</sup> )	class C.....59 004.40 class D .....49 169.60
14.03 Hotel or motel (more than 25 levels)	
14.04 Integrated office, shop and commercial complex (more than 5 levels, underground parking facilities for more than 1000 vehicles and underground bus interchange)	
14.05 Metal refinery or smelter	
14.06 Office, shop, commercial premises, other than drive-in shopping centre (more than 40 levels)	
14.07 Oil or fuel depot, including refinery (licensed capacity 150000001–200000000L)	
14.08 Resort complex (gross floor area more than 35000m <sup>2</sup> )	

## Schedule 2 (continued)

<b>Column 1 Category</b>	<b>Column 2 Annual contribution</b>
	<b>\$</b>
<b>Fire levy group 15</b>	
15.01 Drive-in shopping centre (more than 1 shopping level, area devoted to buildings, roadways, parking and landscaping more than 100000m <sup>2</sup> )	class A ... 163 905.60 class B.... 131 124.00 class C..... 98 342.40
15.02 Oil or fuel depot, including refinery (licensed capacity 200000001–250000000L)	class D ..... 81 951.20
15.03 Tertiary education institution (more than 10000 students)	
<b>Fire levy group 16</b>	
16.01 Casino, including accommodation, entertainment, restaurant facilities (more than 20 levels)	class A ... 273 180.80 class B.... 218 544.80 class C.... 163 905.60
16.02 Oil or fuel depot, including refinery (licensed capacity more than 250000000L)	class D ... 136 589.20

**Notes to schedule 2**

- 1 Unless otherwise stated, area in square metres refers to the part of a prescribed property used for the purpose stated in the category in column 1.
- 2 For deciding the fire levy group that applies to a prescribed property, if the area of the property, or part of the property, (expressed in square metres) or the licensed capacity of an oil or fuel depot or refinery (expressed in litres) includes a fraction, the number must be rounded to the nearest whole number (rounding one-half upwards).

**Schedule 3      Local government areas for  
component local governments  
to which 5 declared periods  
apply**

section 14(a)

Brisbane	Toowoomba
Bundaberg	Townsville
Caboolture	
Cairns	
Caloundra	
Gladstone	
Gold Coast	
Hervey Bay	
Ipswich	
Logan	
Mackay	
Maroochy	
Maryborough	
Noosa	
Pine Rivers	
Redcliffe	
Redland	
Rockhampton	
Thuringowa	

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**Schedule 4      Local government areas for  
component local governments  
to which 3 declared periods  
apply**

section 14(b)

Aramac	Cardwell	Goondiwindi
Atherton	Charters Towers	Herberton
Balonne	Chinchilla	Hinchinbrook
Banana	Clifton	Inglewood
Barcaldine	Cloncurry	Isis
Bauhinia	Cook	Jericho
Beaudesert	Cooloola	Johnstone
Belyando	Crows Nest	Jondaryan
Bendemere	Dalby	Kilcoy
Biggenden	Dalrymple	Kilkivan
Blackall	Douglas	Kingaroy
Boonah	Duaringa	Kolan
Booringa	Eacham	Laidley
Boulia	Eidsvold	Livingstone
Bowen	Emerald	Longreach
Broadsound	Esk	Mareeba
Bungil	Fitzroy	McKinlay
Burdekin	Flinders	Millmerran
Burnett	Gatton	Miriam Vale
Calliope	Gayndah	Monto

## Schedule 4 (continued)

Mount Isa	Winton
Mount Morgan	Wondai
Mundubbera	Woocoo
Murgon	
Murilla	
Murweh	
Nanango	
Nebo	
Paroo	
Peak Downs	
Pittsworth	
Quilpie	
Richmond	
Roma	
Rosalie	
Sarina	
Stanthorpe	
Tara	
Taroom	
Torres	
Waggamba	
Wambo	
Warroo	
Warwick	
Whitsunday	

## Schedule 5 Dictionary

### section 3

**category** means a category of property use mentioned in schedule 2, column 1.

**child care centre** means premises, other than a home, for providing child care.

**club** means premises for a body or association of persons established for a community service, cultural, literary, recreational, social or sporting purpose, or a similar lawful purpose.

**community protection centre** means premises used—

- (a) as an ambulance station, fire station or State Emergency Service headquarters; or
- (b) for the activities of the following—
  - (i) Australian Volunteer Coastguard Association Incorporated;
  - (ii) a squadron of the Volunteer Marine Rescue Association Queensland Inc.

**construction site** means premises on which, when construction is complete, will be a building to which a category (other than ‘construction site’) in fire levy groups 3 to 16 applies.

**drive-in shopping centre** means a prescribed property that includes—

- (a) 2 or more shops, whether or not in the same building; and
- (b) car parking for customers.

**fire levy class**, of a property, means the fire levy class of the urban district in which the property is situated.

**gross floor area**, of a prescribed property, a part of a prescribed property, or a level of a building on a prescribed property, means the total of the floor areas (including all

**Schedule 5 (continued)**

walls, columns and balconies), having a ceiling or roof, of the property, the part of the property, or the level.

**landscaping** means an area of land treated, to enhance or protect the amenities of the land or its locality, by—

- (a) screening with fences, walls or in another way; or
- (b) planting trees, hedges, shrubs or grass; or
- (c) forming banks, terraces or other earthworks; or
- (d) laying out gardens or courts; or
- (e) constructing walkways or tracks.

**level**, of a building, includes a basement or mezzanine level of the building.

**licensed premises**, in relation to a club or restaurant, means premises for which a licence is in force, under the *Liquor Act 1992*, to sell liquor.

**lot** means a lot included in a community titles scheme under the *Body Corporate and Community Management Act 1997*.

**major Brisbane venue** means the following premises—

- (a) Albion Park Raceway;
- (b) Doomben Racecourse;
- (c) Eagle Farm Racecourse;
- (d) the Royal National Agricultural and Industrial Association of Queensland showground.

**marina, non-residential** means a marina with no buildings other than an ablution block, bridge, fence, jetty, pontoon, pylon or wall.

**mini storage unit** means a lot that, under a lease of the lot, can not be used for a purpose other than storage.

**occupier of adjoining land** see section 64(3)<sup>5</sup> of the Act.

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5 Section 64 (Prohibition by commissioner against lighting of fires) of the Act

## Schedule 5 (continued)

**outbuilding** means a non-habitable building, for example, a carport, garage or shed.

**outdoor storage area** includes the following—

- (a) an area used as a builder's, or contractor's, yard;
- (b) an area used for storing garden materials;
- (c) a fenced area for parking or storing heavy equipment, materials, motor vehicles or boats, other than for retail sale.

**racecourse** includes a facility for harness racing, horse racing or greyhound racing.

**resort complex** means premises that include—

- (a) accommodation, most of which is used for holiday or tourist purposes; and
- (b) recreational or amusement facilities; and
- (c) restaurants; and
- (d) shops or commercial premises; and
- (e) car parking facilities.

**single unit residence** means prescribed property, that is not a lot, consisting of self contained accommodation for the exclusive use of persons residing on the property and any other incidental building.

**student**, of a tertiary education institution, does not include a person undertaking study at the institution on an external basis.

**substation** means a subsidiary station for a service, including, for example, a service for supplying electricity, gas or water, a telecommunications service, or a service for removing sewage.

**tavern** means premises—

- (a) for which a general licence has been issued under the *Liquor Act 1992*; and

**Schedule 5 (continued)**

- (b) that does not have facilities for providing accommodation.

***tertiary residential quarters*** means a residential facility for students of a tertiary education institution, but does not include a single unit residence used for accommodation by students.

***urban district map*** see section 5.

***welfare residence*** means premises that—

- (a) are used to provide accommodation, and nursing or personal care, to persons who because of age, disability, disease, illness, incapacity or infirmity have a need for nursing or personal care; and
- (b) are not a hospital or part of a hospital; and
- (c) are not a single unit residence.

*Examples of a welfare residence—*

Children's home, hostel for disabled persons, nursing home.

## Endnotes

### 1 Index to endnotes

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4 Table of reprints . . . . .	36
5 List of legislation . . . . .	36
6 List of annotations . . . . .	37

### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 July 2007. Future amendments of the Fire and Rescue Service Regulation 2001 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

### 3 Key

#### Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

## 4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments to	Effective	Reprint date
1	none	1 July 2001	6 July 2001
1A	2001 Act No. 76	13 November 2001	23 November 2001

Reprint No.	Amendments included	Effective	Notes
1B	2002 SL No. 123	1 July 2002	
1C	2002 SL No. 231	30 August 2002	
1D	2003 SL No. 110	1 July 2003	
1E	2003 SL No. 333	1 January 2004	R1E withdrawn, see R2
2	—	1 January 2004	
2A	2004 SL No. 76	1 July 2004	
2B rv	2005 SL No. 105	1 July 2005	
2C	2006 SL No. 119	1 July 2006	
2D	2007 SL No. 121	1 July 2007	

## 5 List of legislation

### **Fire and Rescue Service Regulation 2001 (prev Fire and Rescue Authority Regulation 2001) SL No. 75**

made by the Governor in Council on 14 June 2001

notfd gaz 15 June 2001 pp 633–4

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2001 (see s 2)

exp 1 September 2011 (see SIA s 54)

Note— (1) The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

(2) A regulatory impact statement and explanatory note were prepared.

amending legislation—

### **Emergency Services Legislation Amendment Act 2001 No. 76 ss 1, 25 sch 3**

date of assent 13 November 2001

commenced on date of assent

### **Fire and Rescue Service Amendment Regulation (No. 1) 2002 SL No. 123**

notfd gaz 31 May 2002 pp 482–7

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2002 (see s 2)

**Fire and Rescue Service Legislation Amendment and Repeal Regulation (No. 1) 2002  
SL No. 231 pts 1–2**

notfd gaz 30 August 2002 pp 1557–61  
commenced on date of notification

**Fire Legislation Amendment Regulation (No. 1) 2003 SL No. 110 pts 1, 3**

notfd gaz 13 June 2003 pp 543–4  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2003 (see s 2)

**Housing Regulation 2003 SL No. 333 ss 1–2(1), 59 sch 4**

notfd gaz 12 December 2003 pp 1203–7  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 January 2004 (see s 2(1))

**Fire Legislation Amendment Regulation (No. 1) 2004 SL No. 76 pts 1, 3**

notfd gaz 11 June 2004 pp 445–6  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2004 (see s 2)

**Emergency Services Legislation Amendment Regulation (No. 1) 2005 SL No. 105 pts  
1, 4**

notfd gaz 3 June 2005 pp 415–9  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2005 (see s 2)

**Emergency Services Legislation Amendment Regulation (No. 1) 2006 SL No. 119 pts  
1, 3**

notfd gaz 2 June 2006 pp 572–6  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2006 (see s 2)

**Emergency Services Legislation Amendment Regulation (No. 1) 2007 SL No. 121 pts  
1, 3**

notfd gaz 15 June 2007 pp 892–5  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2007 (see s 2)

## **6 List of annotations**

**PART 1—PRELIMINARY**

**pt hdg** ins 2002 SL No. 231 s 3

**Short title**

**s 1** amd 2001 No. 76 s 25 sch 3

**PART 2—CONTROL AND PREVENTION OF FIRES**

**pt 2 (ss 3A–3B)** ins 2002 SL No. 231 s 4

**PART 3—FUNDING FOR URBAN FIRE BRIGADES**

**pt hdg** ins 2002 SL No. 231 s 4

**Administration fee—Act, s 117**

**s 4** amd 2003 SL No. 110 s 11; 2005 SL No. 105 s 14; 2007 SL No. 121 s 11

**Constitution and naming of urban districts**

**s 5** amd 2001 No. 76 s 25 sch 3; 2002 SL No. 123 s 4; 2003 SL No. 110 s 12; 2004 SL No. 76 s 11; 2005 SL No. 105 s 15; 2006 SL No. 119 s 11; 2007 SL No. 121 s 12

**Fire levy classes of urban districts**

**s 6** sub 2004 SL No. 76 s 12

**Property that is not prescribed property**

**s 11** om 2003 SL No. 333 s 59 sch 4

**Payments by component local governments to department**

**s 14 prov hdg** amd 2001 No. 76 s 25 sch 3

**PART 4—REPEAL**

**pt hdg** ins 2002 SL No. 231 s 5

**SCHEDULE 1—FIRE LEVY CLASSES OF URBAN DISTRICTS**

**sch hdg** amd 2004 SL No. 76 s 13(1)

**sch 1** amd 2002 SL No. 123 s 5; 2003 SL No. 110 s 13; 2004 SL No. 76 s 13(2); 2005 SL No. 105 s 16; 2006 SL No. 119 s 12; 2007 SL No. 121 s 13

**SCHEDULE 2—ANNUAL CONTRIBUTIONS OF OWNERS OF PRESCRIBED PROPERTIES**

sub 2002 SL No. 123 s 6; 2003 SL No. 110 s 14; 2004 SL No. 76 s 14; 2005 SL No. 105 s 17; 2006 SL No. 119 s 13; 2007 SL No. 121 s 14

**SCHEDULE 4—LOCAL GOVERNMENT AREAS FOR COMPONENT LOCAL GOVERNMENTS TO WHICH 3 DECLARED PERIODS APPLY**

amd 2003 SL No. 110 s 15

**SCHEDULE 5—DICTIONARY**

def “occupier of adjoining land” ins 2002 SL No. 231 s 6