

Fire and Emergency Services Legislation (Fees) Amendment Regulation 2021

Explanatory notes for SL 2021 No. 80

made under the

Building Act 1975

Fire and Emergency Services Act 1990

General Outline

Short title

Fire and Emergency Services Legislation (Fees) Amendment Regulation 2021

Authorising law

Section 261 of the *Building Act 1975*

Sections 108 and 154E of the *Fire and Emergency Services Act 1990*

Policy objectives and the reasons for them

In accordance with Queensland Government policy, regulated fees and charges are reviewed annually. Indexation of fees and charges seeks to maintain their value over time, relative to the anticipated increase in associated costs. The current Government Indexation Policy is that fees and charges are to increase by 1.7 per cent from 1 July 2021.

The objective of the *Fire and Emergency Services Legislation (Fees) Amendment Regulation 2021* (the Amendment Regulation) is to amend the following regulations to apply annual indexation of fees and charges in accordance with the Government Indexation Policy:

- *Building Fire Safety Regulation 2008*; and
- *Fire and Emergency Services Regulation 2011*.

The Amendment Regulation also amends the date of the levy district map in section 7 of the *Fire and Emergency Services Regulation 2011* (the Regulation) to reflect the levy districts and geographical boundaries for the current year. Queensland Fire and Emergency Services (QFES) reviews levy district boundaries

by evaluating service models and proximity in accordance with the Regulation. From 1 July 2021, the levy district map will reflect the following changes:

- in the levy district name and boundaries for Southport, changing to the Gold Coast levy district
- to boundaries for the Toowoomba levy district
- minor adjustments to the Caboolture, Bribie Island, Arana Hills, Burpengary and Eatons Hill district boundaries to include small residential sub-divisions adjoining the existing boundaries and within the Fire and Rescue station response areas.

In addition, changes are being made to the levy district classes for levy districts Airlie Beach, Capricorn Coast, Coolum, Dalby, and Warwick.

Achievement of policy objectives

The Amendment Regulation achieves its objectives by applying the Government Indexation Policy to fees, charges and levies and making other minor amendments that are machinery in nature to the following regulations:

- *Building Fire Safety Regulation 2008*; and
- *Fire and Emergency Services Regulation 2011*.

Consistency with policy objectives of authorising law

The Amendment Regulation meets the objectives of the authorising Acts. Each of those Acts provides for fees to be prescribed by regulation. The *Fire and Emergency Services Act 1990* allows for prescribing differing amounts of levy contributions to be paid by owners of prescribed properties by categorising prescribed properties.

Inconsistency with policy objectives of other legislation

The Amendment Regulation is not inconsistent with the policy objectives of other legislation.

Benefits and costs of implementation

The Amendment Regulation will not impose any additional cost on the Queensland Government. Implementation costs are limited to adjusting communication materials and forms. These costs are negligible and will be met through existing budgets. Implementation of updated levies by local governments is an annual administrative process.

Updating the levy district map to reflect changes in boundaries will affect levies for certain properties. These changes seek to align with the levy system as described in section 108 of the *Fire and Emergency Services Act 1990*, which underpins the funding of fire and emergency services in Queensland. QFES has adjusted staffing profiles in recent years in response to population changes and building development. The funds collected through levies contribute to QFES resources allocated to support operations across the state. The deployment of these resources is

highlighted during protracted and large-scale fire, flood and natural disaster events requiring regional or state coordination and resource deployment.

Consistency with fundamental legislative principles

The Amendment Regulation is consistent with the fundamental legislative principles as defined in section 4 of the *Legislative Standards Act 1992*.

Consultation

QFES undertook consultation with community representatives in Airlie Beach, Warwick, Capricorn Coast, Dalby, Pimpama, Moreton Bay, Coolumb and Toowoomba on the changes to boundaries on the levy district map and changes in the levy district classes. Owners of prescribed properties (householders and business owners) impacted by the changes were sent information via direct mail and were advised of available information on the QFES website. Meetings were also held with local governments, the United Firefighters Union Queensland, Rural Fire Brigades, and the Rural Fire Brigades Association of Queensland. QFES maintains regular consultation with local governments as required to support application of the Emergency Management Levy.

In accordance with *The Queensland Government Guide to Better Regulation*, QFES applied a self-assessable exclusion from undertaking further regulatory impact analysis as per category (h) regulatory proposals that put forward standard annual fee variations in line with or below a government endorsed indexation factor. With respect to other amendments, QFES also applied a self-assessable exclusion from undertaking further regulatory impact analysis as per category (g) regulatory proposals that are of a machinery nature.