

Fire and Emergency Services (Annual Contributions) Amendment Regulation 2022

Explanatory notes for SL 2022 No. 82

made under the

Fire and Emergency Services Act 1990

General Outline

Short title

Fire and Emergency Services (Annual Contributions) Amendment Regulation 2022

Authorising law

Sections 106, 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 2.5 per cent from 1 July 2022.

The objective of the *Fire and Emergency Services (Annual Contributions) Amendment Regulation 2022* (the Amendment Regulation) is to amend the *Fire and Emergency Services Regulation 2011* (the FES Regulation) to apply annual indexation to the emergency management levy consistent with the Government Indexation Policy. The emergency management levy is not in scope for the fee unit model set out in Queensland Treasury's *Principles for Fees and Charges*.

The Amendment Regulation also amends the date of the levy district map in section 7 of the FES Regulation to reflect the levy districts and geographical boundaries for the current year.

Queensland Fire and Emergency Services (QFES) reviews levy district boundaries and classes in accordance with the FES Regulation. From 1 July 2022, the levy district map will reflect the following changes:

- removes the levy district name of Wallaville
- levy district class change for the Charters Towers levy district

- levy district class change for the Tully levy district.

The Amendment Regulation also amends schedule 2, category 3.08 to remove obsolete terminology.

Achievement of policy objectives

The Amendment Regulation achieves its objectives by applying the Government Indexation Policy to the emergency management levy and making other minor amendments that are machinery in nature to the FES Regulation.

Consistency with policy objectives of authorising law

The Amendment Regulation meets the objectives of the *Fire and Emergency Services Act 1990* (the FES Act). The FES Act provides for fees to be prescribed by regulation. The FES Act 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 will be met through existing budgets. Implementation of updated levies by local governments is an annual administrative process. Local governments are entitled to administration fees as provided under section 117(4) of the FES Act and described under section 6 of the Regulation.

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 FES Act, 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 fires, floods, natural disasters and severe weather 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 has undertaken consultation with community representatives in Charters Towers, Tully and Wallaville and associated surrounding or affected areas, 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 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.

Stakeholders consulted, including affected local governments, did not raise concerns regarding the proposed regulation, noting that there would be increases in levy values under the Charters Towers and Tully levy district changes.

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.