

Queensland



Subordinate Legislation 2000 No. 186

*Building Act 1975*

*Fire and Rescue Authority Act 1990*

**BUILDING FIRE SAFETY AMENDMENT  
REGULATION (No. 1) 2000**

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**Short title**

1. This regulation may be cited as the *Building Fire Safety Amendment Regulation (No. 1) 2000*.

**Commencement**

2. This regulation commences on 1 July 2000.

**Regulation amended**

3. This regulation amends the *Building Fire Safety Regulation 1991*.

**Amendment of s 4 (Definitions)**

4. Section 4, definition “approved form”, ‘commissioner’—  
*omit, insert—*  
‘chief commissioner’<sup>1</sup>.

**Amendment of s 7 (Commissioner to approve forms)**

5.(1) Section 7, heading, ‘Commissioner’—  
*omit, insert—*  
‘Chief commissioner’.  
(2) Section 7, ‘commissioner’—  
*omit, insert—*  
‘chief commissioner’.

**Amendment of s 15 (Testing of special fire services)**

6. Section 15(2)(b), ‘commissioner’—  
*omit, insert—*  
‘chief commissioner’.

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<sup>1</sup> The term ‘chief commissioner’ is defined in section 6 of the Fire Service Act.

**Amendment of s 21 (Search as to whether notice to comply has been given)**

7. Section 21(1)(a), from ‘inquire of the’ to ‘has’—

*omit, insert—*

‘inquire of the authority whether the chief commissioner has’.

**Replacement of pt 4 (Fees under the Building Act for inspection of special fire services)**

8. Part 4—

*omit, insert—*

**‘PART 4—FEES FOR ASSESSMENT OR INSPECTION OF SPECIAL FIRE SERVICES FOR BUILDING WORK UNDER BUILDING ACT****‘Definitions for pt 4**

‘22. In this part—

“**applicant**”, for stated building work, means a person who has made application to the authority for its approval for the applicant to carry out the stated building work.

“**authority**” means the Queensland Fire and Rescue Authority.

“**base fee**”, relating to stated building work, means—

- (a) if the building work is to have a floor area of not more than 700 m<sup>2</sup>—\$285.00; or
- (b) if the building work is to have a floor area of more than 700 m<sup>2</sup> but not more than 1 100 m<sup>2</sup>—\$515.00; or
- (c) if the building work is to have a floor area of more than 1 100 m<sup>2</sup> but not more than 1 500 m<sup>2</sup>—\$630.00; or
- (d) if the building work is to have a floor area of more than 1 500 m<sup>2</sup> but not more than 2 000 m<sup>2</sup>—\$690.00; or

- (e) if the building work is to have a floor area of more than 2 000 m<sup>2</sup>—\$720.00 plus \$5.50 for each 100 m<sup>2</sup>, or part of 100 m<sup>2</sup>, over 2 000 m<sup>2</sup>.

**“floor area”** has the meaning given by clause A1.1 of the Building Code of Australia.

**“required special fire service”**, for stated building work, means a special fire service required, under the *Standard Building Regulation 1993*, to be installed as part of the building work.

**“special fire service fee”**, for a required special fire service stated in schedule 2, column 1 for stated building work, means the fee calculated by multiplying the base fee relating to the stated building work by the percentage stated in schedule 2, column 2 shown opposite the required special fire service.

**“stated building work”** means building work required, under the *Standard Building Regulation 1993*, to be provided with a special fire service.

#### **‘Assessment and inspection fee**

**‘23.(1)** An applicant for stated building work must, at the time of making the application, pay the authority the total of the following fees for the assessment and inspection of the required special fire services for the stated building work—

- (a) the base fee relating to the stated building work;
- (b) the special fire service fee for each required special fire service for the stated building work.

**‘(2)** Subsection (1) does not apply if—

- (a) the stated building work involves the fitting out of a building; or
- (b) the applicant applies for an approval under section 28.<sup>2</sup>

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<sup>2</sup> Section 28 (Fire engineering design briefs)

**‘Reassessment fee**

‘**24.(1)** This section applies if—

- (a) a fee under section 23 has been paid in relation to stated building work; and
- (b) the applicant for the stated building work submits amended plans and specifications, relating to the stated building work, for approval.

‘**(2)** The applicant must pay a reassessment fee to the authority for the reassessment of the required special fire services for the stated building work.

‘**(3)** The fee must be paid within 14 days after the authority gives the applicant written notice of the fee.

‘**(4)** If the amount of the fee is not paid by the applicant within the 14 day period, the authority may recover the amount from the applicant as a debt.

‘**(5)** In this section—

**“fee under section 23”** includes a fee paid under section 23, as in force immediately before the commencement of this section, for building work.

**“reassessment fee”** means an amount of \$110.00 for each hour, or part of an hour, during which the authority carried out a reassessment of the special fire services identified in the amended plans and specifications.

**‘Fee for further inspections**

‘**25.(1)** Subsection (3) applies if—

- (a) an applicant for stated building work has been unsuccessful in obtaining the authority’s approval in relation to special fire services installed as part of the stated building work; and
- (b) at the applicant’s request, the authority again inspects the special fire services.

‘**(2)** Also, subsection (3) applies if an applicant for stated building work

to which the *Standard Building Regulation 1993*, section 98 applies<sup>3</sup>—

- (a) has completed a stage of construction of the stated building work;  
and
- (b) at the applicant's request, the authority inspects the special fire services installed as part of the stage of construction.

'(3) The applicant must pay a reinspection fee, for the inspection, to the authority within 14 days after the authority gives the applicant written notice of the fee.

'(4) If the amount of the fee is not paid by the applicant within the 14 day period, the authority may recover the amount from the applicant as a debt.

'(5) In this section—

**"reinspection fee"**, for the inspection, means the total of—

- (a) for the first 1 hour or part of 1 hour of the inspection—\$220.00;  
and
- (b) for each additional hour, or part of an hour, of the inspection—\$110.00.

### **'Fitting out of building**

'**26.(1)** This section applies if stated building work involves the fitting out of a building that has special fire services installed.

'(2) If the fitting out does not require the replacement or alteration of the special fire services, an applicant for the stated building work must, at the time of making the application, pay the authority the base fee relating to the stated building work for the assessment and inspection of the required special fire services for it.

'(3) Subsection (4) applies if the fitting out—

- (a) requires the replacement or alteration of a special fire service; or
- (b) will result in a change in classification of the building under the *Standard Building Regulation 1993*, part 10.

'(4) An applicant for the stated building work must, at the time of

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<sup>3</sup> Section 98 (Preparation of certificate of classification)

making the application, pay the authority the total of the following fees for the assessment and inspection of the required special fire services for the stated building work—

- (a) the base fee relating to the stated building work;
- (b) the special fire service fee for each required special fire service for the stated building work.

### **‘Alternative solution meetings**

‘27.(1) This section applies if—

- (a) stated building work is in the course of construction; and
- (b) a meeting is held between a building certifier and an authorised representative of the authority to consider, and decide on, a proposed alternative solution for the stated building work.

‘(2) The applicant for the stated building work must pay the authority a fee of \$285.00 for considering, and deciding on, the proposed alternative solution.

‘(3) The fee must be paid within 14 days after the authority gives the applicant written notice of the fee.

‘(4) If the amount of the fee is not paid by the applicant within the 14 day period, the authority may recover the amount from the applicant as a debt.

‘(5) In this section—

**“alternative solution”** has the meaning given by clause A1.1 of the Building Code of Australia.

**“building certifier”** see *Standard Building Regulation 1993*, section 5.

### **‘Fire engineering design briefs**

‘28.(1) This section applies if a person applies to the authority for the approval of a proposed fire engineering design brief, for stated building work, prepared in accordance with the fire engineering guidelines.

‘(2) The applicant must, at the time of making the application, pay the authority the total of the following fees—

- (a) the research fee for the relevant level of fire engineering analysis,



for the stated building work, as stated in the fire engineering guidelines;

- (b) the assessment fee relating to the stated building work;
- (c) a fee of \$880.00 for the consultation between the authority and the applicant or applicant's nominee.

‘(3) If an authorised representative of the authority is required by the applicant to travel a distance of more than 200 km to consult with the applicant or applicant's nominee, the applicant must pay the authority the reasonable travelling and accommodation costs incurred by the representative.

‘(4) The costs must be paid within 14 days after the authority gives the applicant written notice of the costs.

‘(5) If the amount of the costs is not paid by the applicant within the 14 day period, the authority may recover the amount from the applicant as a debt.

‘(6) In this section—

“**assessment fee**”, relating to stated building work, means the amount worked out using the following formula—

$$2 \times (\mathbf{BF} + \mathbf{SFSF})$$

where—

“**BF**” means the base fee relating to the stated building work.

“**SFSF**” means the total of the special fire service fees for the required special fire services for the stated building work.

“**fire engineering guidelines**” means the document entitled ‘Fire Engineering Guidelines’ prepared by Fire Code Reform Centre Limited ACN 064 354 061.<sup>4</sup>

“**research fee**” means—

- (a) for a level 1 fire engineering analysis—\$280.00; or

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<sup>4</sup> A copy of the document may be purchased from Standards Australia, 232 St Pauls Terrace, Fortitude Valley, Brisbane.

- (b) for a level 2 fire engineering analysis—\$460.00; or
- (c) for a level 3 fire engineering analysis—\$920.00.’.

**Replacement of sch 2 (Fees for assessment or inspection of special fire services)**

9. Schedule 2—

*omit, insert—*

**‘SCHEDULE 2**

**‘PERCENTAGES FOR CALCULATING SPECIAL FIRE SERVICE FEES**

section 22, definition “special fire service fee”

<b>Column 1</b>	<b>Column 2</b>
<b>Special fire services</b>	<b>Percentage</b>
1. Large isolated buildings . . . . .	15%
2. Fire fighting equipment that—	
(a) includes booster connections or fixed pumps sets;	25%
or	
(b) includes additional hydrant services . . . . .	10%
3. Sprinklers . . . . .	15%
4. Wall-wetting sprinklers . . . . .	10%
5. Special automatic fire suppression systems . . . . .	10%
6. Fire detection and alarm systems, other than stand-alone smoke alarms not required to be interconnected or connected to a fire indicator panel . . . . .	40%
7. Interconnected smoke alarms . . . . .	20%
8. Fire control centres or rooms . . . . .	10%
9. Provisions for special hazards . . . . .	20%
10. Smoke exhaust systems . . . . .	40%
11. Air-handling systems used for smoke control . . . . .	10%
12. Smoke and heat venting systems . . . . .	10%

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<b>13.</b> Emergency lifts . . . . .	10%
<b>14.</b> Emergency warning and intercommunication systems	20%
<b>15.</b> Prescribed buildings . . . . .	15%
<b>16.</b> Stairwell pressurisation systems . . . . .	40%’.

### **Amendment of sch 3 (Miscellaneous fees)**

**10.** Schedule 3, item 1, ‘24.70’—

*omit, insert—*

‘27.75’.

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#### ENDNOTES

1. Made by the Governor in Council on 29 June 2000.
2. Notified in the gazette on 30 June 2000.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Emergency Services.