

Queensland



Subordinate Legislation 2004 No. 76

Building Act 1975 *Fire and Rescue Service Act 1990*

FIRE LEGISLATION AMENDMENT REGULATION (No. 1) 2004

TABLE OF PROVISIONS

Section		Page
PART 1—PRELIMINARY		
1	Short title	3
2	Commencement	3
PART 2—AMENDMENT OF BUILDING FIRE SAFETY REGULATION 1991		
3	Regulation amended in pt 2	3
4	Amendment of s 22 (Definitions for pt 4)	3
5	Amendment of s 24 (Reassessment fee)	4
6	Amendment of s 25 (Fee for further inspections)	4
7	Amendment of s 27 (Alternative solution meetings)	4
8	Amendment of s 28 (Fire engineering design briefs)	4
9	Amendment of sch 3 (Miscellaneous fees)	5
PART 3—AMENDMENT OF FIRE AND RESCUE SERVICE REGULATION 2001		
10	Regulation amended in pt 3	5
11	Amendment of s 5 (Constitution and naming of urban districts)	5
12	Replacement of s 6 (Urban districts assigned to fire levy classes)	5
6	Fire levy classes of urban districts	5
13	Amendment of sch 1 (Classes of urban districts)	6
14	Replacement of sch 2 (Annual contributions of owners of prescribed properties)	7

SCHEDULE 2

ANNUAL CONTRIBUTIONS OF OWNERS OF PRESCRIBED
PROPERTIES

PART 1—PRELIMINARY

1 Short title

This regulation may be cited as the *Fire Legislation Amendment Regulation (No. 1) 2004*.

2 Commencement

This regulation commences on 1 July 2004.

PART 2—AMENDMENT OF BUILDING FIRE SAFETY REGULATION 1991

3 Regulation amended in pt 2

This part amends the *Building Fire Safety Regulation 1991*.

4 Amendment of s 22 (Definitions for pt 4)

Section 22, definition “base fee”—

omit, insert—

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

- (a) if the building work is to have a floor area of not more than 700 m²—\$312.15; or
- (b) if the building work is to have a floor area of more than 700 m² but not more than 1 100 m²—\$562.15; or
- (c) if the building work is to have a floor area of more than 1 100 m² but not more than 1 500 m²—\$687.70; or
- (d) if the building work is to have a floor area of more than 1 500 m² but not more than 2 000 m²—\$753.20; or
- (e) if the building work is to have a floor area of more than 2 000 m²—\$786 plus \$6 for each 100 m², or part of 100 m², over 2 000 m².’

5 Amendment of s 24 (Reassessment fee)

Section 24(5), definition “reassessment fee”, ‘\$117.15’—

omit, insert—

‘\$120.10’.

6 Amendment of s 25 (Fee for further inspections)

(1) Section 25(5), definition “reinspection fee”, paragraph (a), ‘\$234.30’—

omit, insert—

‘\$240.15’.

(2) Section 25(5), definition “reinspection fee”, paragraph (b), ‘\$117.15’—

omit, insert—

‘\$120.10’.

7 Amendment of s 27 (Alternative solution meetings)

Section 27(2), ‘\$304.55’—

omit, insert—

‘\$312.15’.

8 Amendment of s 28 (Fire engineering design briefs)

(1) Section 28(2)(c), ‘\$937.20’—

omit, insert—

‘\$960.65’.

(2) Section 28(6), definition “research fee”, paragraph (a), ‘\$298.20’—

omit, insert—

‘\$305.65’.

(3) Section 28(6), definition “research fee”, paragraph (b), ‘\$489.90’—

omit, insert—

‘\$502.15’.

(4) Section 28(6), definition “research fee”, paragraph (c), ‘\$979.80’—
omit, insert—
‘\$1 004.30’.

9 Amendment of sch 3 (Miscellaneous fees)

Schedule 3, item 1, ‘29.50’—
omit, insert—
‘30.25’.

PART 3—AMENDMENT OF FIRE AND RESCUE SERVICE REGULATION 2001

10 Regulation amended in pt 3

This part amends the *Fire and Rescue Service Regulation 2001*.

11 Amendment of s 5 (Constitution and naming of urban districts)

Section 5(2), definition “urban district map”, ‘1 July 2003’—
omit, insert—
‘1 July 2004’.

12 Replacement of s 6 (Urban districts assigned to fire levy classes)

Section 6—
omit, insert—

‘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.’.

13 Amendment of sch 1 (Classes of urban districts)

(1) Schedule 1, subheading—

omit, insert—

‘FIRE LEVY CLASSES OF URBAN DISTRICTS’.

(2) Schedule 1, section reference, ‘section 6’—

omit, insert—

‘section 6(5)’.

14 Replacement of sch 2 (Annual contributions of owners of prescribed properties)

Schedule 2—

omit, insert—

‘SCHEDULE 2

‘ANNUAL CONTRIBUTIONS OF OWNERS OF PRESCRIBED PROPERTIES

sections 7, 8 and 9

Column 1 Category	Column 2 Annual contribution
	\$
Fire levy group 1	
1.01 Advertising hoarding	class A.....35.60
1.02 Jetty	class B.....27.20
1.03 Park or garden with no improvements other than fences or gardens	class C.....20.80 class D.....16.80
1.04 Vacant land, including vacant land with a fence	
Fire levy group 2	
2.01 Car park (1 level)	class A.....128.80
2.02 Cemetery	class B.....102.00
2.03 Club that is not licensed premises	class C.....75.60
2.04 Farm, or area used for grazing, with a dwelling house	class D.....63.60
2.05 Industry—light, service or offensive (gross floor area less than 51 m ²)	

Column 1 Category	Column 2 Annual contribution
	\$
2.06 Mini storage unit (gross floor area not more than 85 m ²)	
2.07 Office, shop, commercial premises, other than drive-in shopping centre (not more than 2 levels, gross floor area less than 51 m ²)	
2.08 Outbuilding	
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	
Fire levy group 3	
3.01 Caravan park (not more than 50 sites)	class A.....312.40
3.02 Car park (2 levels)	class B.....248.80
3.03 Child care centre	class C.....186.00
3.04 Church, church hall or community hall	class D.....154.80
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	

Column 1 Category	Column 2 Annual contribution
	\$
3.09 Forest used for commercial growing or harvesting of timber (less than 10 ha)	
3.10 Funeral parlour	
3.11 Guest house or hostel, with shared bathroom facilities (not more than 2 levels)	
3.12 Industry—light, service or offensive (gross floor area 51–500 m ²)	
3.13 Library, museum, art gallery or zoo	
3.14 Marina, non-residential	
3.15 Mini storage unit (gross floor area more than 85 m ²)	
3.16 Office, shop, commercial premises, other than drive-in shopping centre (not more than 2 levels, gross floor area 51–250 m ²)	
3.17 Outdoor storage area (less than 2 025 m ²)	
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 2 025 m ²)	
3.21 Service station	
Fire levy group 4	
4.01 Caravan park (51–100 sites)	class A.....626.00
4.02 Car park (3–4 levels)	class B.....500.40
4.03 Drive-in shopping centre (area devoted to buildings, roadways, parking and landscaping less than 4 050 m ²)	class C.....374.40
	class D.....312.40

Column 1 Category	Column 2 Annual contribution
	\$
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)	
4.07 Industry—light, service or offensive (gross floor area 501–1 125 m ²)	
4.08 Office, shop, commercial premises, other than drive-in shopping centre (not more than 2 levels, gross floor area 251–500 m ²)	
4.09 Outdoor storage area (2 025–4 050 m ²)	
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 (2 025–4 050 m ²)	
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 4 050 m ²)	
Fire levy group 5	
5.01 Airfield	class A.....1 030.80
5.02 Caravan park (more than 100 sites)	class B.....822.00
5.03 Deagon Training Complex	class C.....616.00
5.04 Drive-in shopping centre (area devoted to buildings, roadways, parking and landscaping 4 050–7 500 m ²)	class D.....513.20

Column 1 Category	Column 2 Annual contribution
	\$
5.05 Forest used for commercial growing or harvesting of timber (10–40 ha)	
5.06 Industry—extractive (less than 10 001 m ²)	
5.07 Industry—light, service or offensive (gross floor area 1 126–2 000 m ²)	
5.08 Office, shop, commercial premises, (not more than 2 levels, gross floor area 501–1 012 m ²)	
5.09 Office, shop, commercial premises, other than drive-in shopping centre (3–4 levels, gross floor area less than 601 m ²)	
5.10 Oil or fuel depot, including refinery (licensed capacity less than 1 000 000 L)	
5.11 School, non-boarding (101–500 pupils)	
5.12 Showground or racecourse, other than a major Brisbane venue	
5.13 Tourist attraction (4 050–10 000 m ²)	
Fire levy group 6	
6.01 Car park (more than 4 levels)	class A..... 1 848.40
6.02 Club that is licensed premises (3–4 levels)	class B..... 1 478.00
6.03 Drive-in shopping centre (area devoted to buildings, roadways, parking and landscaping 7 501–10 000 m ²)	class C..... 1 106.40 class D..... 922.80
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 2 001–3 000 m ²)	

Column 1 Category	Column 2 Annual contribution
	\$
6.07 Office, shop, commercial premises, (not more than 2 levels, gross floor area 1 013–3 500 m ²)	
6.08 Office, shop, commercial premises, other than drive-in shopping centre (3–4 levels, gross floor area 601–1 012 m ²)	
6.09 Outdoor storage area (more than 4 050 m ²)	
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 4 050 m ²)	
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)	
Fire levy group 7	
7.01 Forest used for commercial growing or harvesting of timber (more than 40 ha)	class A.....3018.00
	class B.....2 412.00
7.02 Guest house or hostel, with shared bathroom facilities (more than 6 levels)	class C.....1 809.20
7.03 Hospital (not more than 50 beds)	class D.....1 507.60
7.04 Industry—light, service or offensive (gross floor area 3 001–4 000 m ²)	
7.05 Office, shop, commercial premises, (not more than 2 levels, gross floor area 3 501–5 500 m ²)	

Column 1 Category	Column 2 Annual contribution
	\$
7.06 Office, shop, commercial premises, other than drive-in shopping centre (3–4 levels, gross floor area 1 013–3 500 m ²)	
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)	
Fire levy group 8	
8.01 Drive-in shopping centre (area devoted to buildings, roadways, parking and landscaping 10 001–15 000 m ²)	class A.....4 616.00 class B.....3 631.60 class C.....2 767.60 class D.....2 306.80
8.02 Hotel or motel (4 levels)	
8.03 Industry—extractive (10 001–20 000 m ²)	
8.04 Industry—light, service or offensive (gross floor area 4 001–5 500 m ²)	
8.05 Office, shop, commercial premises, other than drive-in shopping centre (not more than 2 levels, gross floor area more than 5 500 m ²)	
8.06 Office, shop, commercial premises, other than drive-in shopping centre (3–4 levels, gross floor area 3 501–5 500 m ²)	
8.07 Oil or fuel depot, including refinery (licensed capacity 1 000 000–25 000 000 L)	
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)	

Column 1 Category	Column 2 Annual contribution
	\$
8.10 Theatre or cinema complex, not part of a drive-in shopping centre (more than 6 auditoriums)	
8.11 Tourist attraction (more than 10 000 m ²)	
8.12 Welfare residence (51–100 beds)	
Fire levy group 9	
9.01 Albion Park Raceway	class A.....8 192.40
9.02 Club that is licensed premises (more than 4 levels)	class B.....6 552.00 class C.....4 913.60
9.03 Doomben Racecourse	class D.....4 094.40
9.04 Drive-in shopping centre (area devoted to buildings, roadways, parking and landscaping 15 001–20 000 m ²)	
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 3 001 m ²)	
9.09 Industry—light, service or offensive (gross floor area 5 501–7 500 m ²)	
9.10 Office, shop, commercial premises, other than drive-in shopping centre (3–4 levels, gross floor area more than 5 500 m ²)	
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)	
9.13 Royal National Agricultural and Industrial Association of Queensland showgrounds	

Column 1 Category	Column 2 Annual contribution
	\$
9.14 School, boarding (more than 100 boarders)	
9.15 Tertiary education institution (501–1 000 students)	
9.16 Welfare residence (101–200 beds)	
Fire levy group 10	
10.01 Drive-in shopping centre (area devoted to buildings, roadways, parking and landscaping 20 001–30 000 m ²)	class A..... 16 821.20 class B..... 13 455.20
10.02 Hospital (101–200 beds)	class C..... 10 089.20
10.03 Industry—extractive (more than 20 000 m ²)	class D..... 8 409.20
10.04 Industry—heavy (gross floor area 3 001– 7 500 m ²)	
10.05 Industry—light, service or offensive (gross floor area more than 7 500 m ²)	
10.06 Office, shop, commercial premises, other than drive-in shopping centre (7–10 levels)	
10.07 Welfare residence (201–500 beds)	
Fire levy group 11	
11.01 Drive-in shopping centre (area devoted to buildings, roadways, parking and landscaping 30 001–40 000 m ²)	class A..... 28 476.40 class B..... 22 780.40
11.02 Hospital (201–500 beds)	class C..... 17 086.00
11.03 Hotel, motel (7–10 levels)	class D..... 14 236.40
11.04 Industry—heavy (gross floor area 7 501–15 000 m ²)	

Column 1 Category	Column 2 Annual contribution
	\$
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 25 000 001–50 000 000 L)	
11.07 Tertiary education institution (1 001–5 000 students)	
11.08 Welfare residence (more than 500 beds)	
Fire levy group 12	
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.....52 644.80 class B.....42 114.00 class C.....31 586.00
12.02 Bulk sugar terminal	class D.....26 321.20
12.03 Distillery	
12.04 Drive-in shopping centre (area devoted to buildings, roadways, parking and landscaping 40 001–60 000 m ²)	
12.05 Hospital (more than 500 beds)	
12.06 Hotel or motel (11–16 levels)	
12.07 Industry—heavy (gross floor area more than 15 000 m ²)	
12.08 Office, shop, commercial premises, other than drive-in shopping centre (21–29 levels)	
12.09 Oil or fuel depot, including refinery (licensed capacity 50 000 001–100 000 000 L)	
12.10 Resort complex (gross floor area less than 18 000 m ²)	

Column 1 Category	Column 2 Annual contribution
	\$
12.11 Sugar mill, sugar factory or sugar refinery	
Fire levy group 13	
13.01 Bulk coal terminal	class A.....60 348.40
13.02 Drive-in shopping centre (1 shopping level, area devoted to buildings, roadways, parking and landscaping more than 60 000 m ²)	class B.....48 277.60
	class C.....36 207.60
	class D.....30 172.80
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 100 000 001–150 000 000 L)	
13.06 Power station	
13.07 Resort complex (gross floor area 18 000–35 000 m ²)	
13.08 Tertiary education institution (5 001–10 000 students)	
Fire levy group 14	
14.01 Casino, including accommodation, entertainment, restaurant facilities (not more than 20 levels)	class A.....90 525.20
	class B.....72 420.40
	class C.....54 313.60
14.02 Drive-in shopping centre (more than 1 shopping level, area devoted to buildings, roadways, parking and landscaping 60 001–100 000 m ²)	class D.....45 260.40
14.03 Hotel or motel (more than 25 levels)	

Column 1 Category	Column 2 Annual contribution
	\$
14.04 Integrated office, shop and commercial complex (more than 5 levels, underground parking facilities for more than 1 000 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 150 000 001–200 000 000 L)	
14.08 Resort complex (gross floor area more than 35 000 m ²)	
Fire levy group 15	
15.01 Drive-in shopping centre (more than 1 shopping level, area devoted to buildings, roadways, parking and landscaping more than 100 000 m ²)	class A....150 874.40 class B....120 699.20 class C.....90 523.60
15.02 Oil or fuel depot, including refinery (licensed capacity 200 000 001–250 000 000 L)	class D.....75 436.00
15.03 Tertiary education institution (more than 10 000 students)	

Column 1 Category	Column 2 Annual contribution
	\$
Fire levy group 16	
16.01 Casino, including accommodation, entertainment, restaurant facilities (more than 20 levels)	class A....251 462.00 class B....201 169.60
16.02 Oil or fuel depot, including refinery (licensed capacity more than 250 000 000 L)	class C....150 874.40 class D....125 730.00

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).¹

ENDNOTES

1. Made by the Governor in Council on 10 June 2004.
2. Notified in the gazette on 11 June 2004.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Emergency Services.