



Queensland

Community Safety (Fees) Amendment Regulation (No. 1) 2010

Explanatory Notes for SL 2010 No. 117

made under the

Ambulance Service Act 1991

Building Act 1975

Fire and Rescue Service Act 1990

Short Title

The short title of the regulation is the *Community Safety (Fees) Amendment Regulation (No. 1) 2010*.

Objectives of the Regulation

To provide an appropriate level of funding for emergency services through increase in the fees charges and levies related to fire and ambulance services and by ensuring that the levies applicable to certain areas of the State are consistent with the service delivery provided in that area.

Achievement of the Objectives

The objectives are achieved by increasing fees, charges and levies for 2010-11 under the *Ambulance Service Regulation 2003* and the *Fire and Rescue Service Regulation 2001* by the percentage amount of the consumer price index, in accordance with Government policy.

Fire levy classes for urban districts are also amended for six areas of the State and the date of the urban district map is updated to 2010.

Additionally, prior to the remake of the *Building Fire Safety Regulation 2008* (SL No. 160 of 2008), a Regulatory Impact Statement was prepared and consultation was undertaken regarding fees and charges to be applied for building fire safety over the subsequent four years. Fees to apply for each year were specified in the RIS and subsequently approved by Government. The final round of these approved fees is applied in this Regulation.

Growth in demand for building fire safety services has significantly increased and is expected to continue to increase over the next ten years. Additional resources are required to fully satisfy the current demand for services and to address forecast growth in demand.

In 2008, only 28% of the costs of providing building fire safety services were recovered through the fees charged for these services. The RIS included a proposal to increase the proportion of costs recovered through increasing building fire safety fees.

Prior to 2008, building fire safety services provided by the Queensland Fire and Rescue Service (QFRS) to private certifiers and to the building and construction industries were highly cross-subsidised by own-sourced revenues generated to provide urban fire and rescue emergency response and non-building fire safety related prevention, education and information services. It was considered that the direct customers of building fire safety services, private building certifiers and the building and construction industries, should contribute more fully to the costs of the services provided.

To this end, it was considered that building fire safety fees should be incrementally increased from 28% of 2006-07 costs recovered, to provide for 33.5% of 2007-08 costs to be recovered with progressive annual increases such that by 2010-11, 50% of costs would be recovered through fees. The additional fees would amount to slightly more than three and a half times the 2006-07 fees by 2010-11. However, with the proposed incremental increases this would start at a 49% increase in year one, apply a 41% increase in the second year, a 23% increase in the third year and a 41% increase in the fourth year.

Estimated Cost for Government Implementation

The cost of implementation for Government is limited to minor administrative changes to apply the new fee amounts.

Consistency with Fundamental Legislative Principles

The Regulation has been drafted with regard to fundamental legislative principles as defined in section 4 of the *Legislative Standards Act 1992*.

Increases in fees such as that reflected in the proposed amendments to the *Building Fire Safety Regulation 2008* may affect the rights and liberties of individuals. Building fire safety fees are charged for services provided primarily to the building and construction industry. Affected stakeholders were given the opportunity to respond regarding these fees through the RIS process as outlined above.

Consultation

In regard to the amendment of the fire levy classes of urban districts, consultation has been undertaken with the affected communities (Aratula, Mungallala, Beaudesert, Bowen, Gatton and Tully) regarding the proposed changes to their levy class through public notices and meetings. Individual notification to ratepayers will be provided to confirm their new levy when it comes into effect.

In regard to the amendment of building fire safety fees and charges, during 2007 the former Department of Emergency Services (DES) held 11 consultation workshops with QFRS staff members and nine public workshops around the State. Public notices were placed in 13 newspapers around Queensland and in the Government Gazette advising of the availability of the RIS, calling for submissions and advising details of the public workshops to explain the proposals.

The RIS included a consultation draft of a proposed regulation in accordance with the preferred option identified in the RIS. The consultation draft of the regulation and the RIS were published on the DES and QFRS websites, together with a facility to provide feedback via email submissions.

Regular updates were provided to stakeholders via email and on the QFRS website and numerous discussions were undertaken with individual stakeholders on particular points of interest and concern.

The consultation draft and the RIS were sent to all government departments and 41 peak stakeholder organisations.

The proposed Regulation was amended to take account of stakeholder feedback.

Notes on Provisions

Part 1 Preliminary

Clause 1 states that the regulation may be cited at the *Community Safety (Fees) Amendment Regulation (No. 1) 2010*.

Clause 2 states that the regulation commences on 1 July 2010.

Part 2 Amendment of Ambulance Service Regulation 2003

Clause 3 identifies the regulation to be amended.

Clause 4 inserts the increased fee amounts for ambulance services.

Part 3 Amendment of Building Fire Safety Regulation 2008

Clause 5 identifies the regulation to be amended.

Clauses 6 to 8 insert the increased fee amounts for building fire safety services.

Part 4 Amendment of Fire and Rescue Service Regulation 2001

Clause 9 identifies the regulation to be amended.

Clause 10 amends the definition of the urban district map so that the relevant map is the one in effect immediately before 1 July 2010.

Clause 11 amends the fire levy classes of urban districts for Aratula, Mungallala, Beaudesert, Bowen, Gatton and Tully to ensure their class reflects the level of service delivery provided in that area.

Clause 12 replaces schedule 2 with updated amounts for the annual contributions of owners of prescribed properties.

ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Community Safety.

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