

Fire and Emergency Services Legislation (Fees) Amendment Regulation 2019

Explanatory notes for SL 2019 No. 110

made under the

Building Act 1975

Fire and Emergency Services Act 1990

General Outline

Short title

Fire and Emergency Services Legislation (Fees) Amendment Regulation 2019

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 Government policy, regulatory 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 to increase by 2.25 per cent from 1 July 2019.

The objective of the Fire and Emergency Services Legislation (Fees) Amendment Regulation 2019 (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. Levy district boundaries are reviewed by Queensland Fire and Emergency Services, including

evaluation of proximity to service delivery in accordance with the Regulation, with the levy district map updated as required. From 1 July 2019, the levy district map will reflect changes in the Ipswich boundary, including the entire Marburg class D levy district. The Amendment Regulation removes Marburg class D levy district from schedule 1 of the Regulation, in accordance with the changes in the levy district map.

Achievement of policy objectives

The Amendment Regulation achieves its objectives by applying the Government Indexation Policy to fees and charges 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 is consistent with 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 contributions to be paid by owners of prescribed properties by categorising prescribed properties.

Inconsistency with policy objectives of other legislation

The Amendment Regulation is consistent with the policy objectives of other legislation.

Benefits and costs of implementation

The Amendment Regulation will not impose any additional cost on Government. Implementation costs are limited to adjusting communication materials and forms. These costs are negligible and will be met through existing budgets.

Updating the levy district map to move levy district boundaries results in associated increases to levy amounts for some prescribed properties in the affected areas. These changes are consistent 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.

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 in the Toowoomba and Ipswich communities (including Marburg) on the changes to boundaries on the levy district map. Owners of prescribed properties (householders and business owners) impacted by the boundary changes

were sent information via direct mail and were advised of available information on the Queensland Fire and Emergency Services (QFES) website. Owners were also provided the opportunity to submit feedback on the proposed boundary changes for a specified period. Meetings were also held with: Local Governments; the United Firefighters Union Queensland; Rural Fire Brigades; and the Rural Fire Brigades Association of Queensland. Adjustments were made to levy boundaries as a result of further information gathered during the consultation process.

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 minor 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.