



Queensland

*Fire and Emergency Services Act 1990*

# **Fire and Emergency Services Regulation 2011**

**Current as at 1 July 2015**





Queensland

# Fire and Emergency Services Regulation 2011

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# Fire and Emergency Services Regulation 2011

## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *Fire and Emergency Services Regulation 2011*.

### 2 Commencement

This regulation commences on 1 September 2011.

### 3 Definitions

The dictionary in schedule 5 defines particular words used in this regulation.

## Part 2 Control and prevention of fires

### 4 Requirements for a request for issue of a prohibition notice—Act, s 64(2)

(1) A request under the Act, section 64(2), must be made to the commissioner in writing and include the following—

- (a) the name and address of the person making the request;
- (b) the address or location of the adjoining land;

*Example of paragraph (b)—*

attaching a map or plan showing the location of the adjoining land

- (c) the reasons for the request.

- (2) The person making the request must give a copy of the request to the occupier of adjoining land.

## **5 Requirements for an application for a permit to light a fire—Act, s 65(1)**

An application under the Act, section 65(1), to the commissioner for a permit to light a fire on any land must include the following—

- (a) the applicant's name and address;
- (b) the real property description of the land on which the fire is to be lit (the *subject land*);
- (c) the address or location of the subject land;
- (d) the location of the part of the subject land on which the fire is to be lit;

*Example of paragraph (d)—*

giving a map or plan showing the part of the subject land concerned

- (e) the name and address of every occupier of adjoining land known by the applicant;
- (f) the steps taken by the applicant to notify every occupier of adjoining land about the application and when the steps were taken;
- (g) if the applicant knows an occupier of adjoining land objects to the lighting of the fire—
  - (i) a statement that the occupier objects; and
  - (ii) any reasons for the objection given to the applicant by the occupier.

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## Part 3 Funding

### 6 Administration fee—Act, s 117(4)

- (1) For the Act, section 117(4), the administration fee to which a local government is entitled for a financial year must be calculated in the following way—
  - (a) if  $N$  is not more than 40,000—the amount worked out using the following formula—
$$N \times \$3.46$$
  - (b) if  $N$  is more than 40,000—the amount worked out using the following formula—
$$\$138,400 + (N - 40,000) \times \$2.89$$
- (2) In this section—

$N$  means the number of prescribed properties for which the local government gives levy notices for the financial year.

### 7 Constitution and naming of levy districts—Act, s 106(1)

- (1) For the Act, section 106(1), a portion of the State shown on a levy district map is—
  - (a) constituted a levy district; and
  - (b) assigned the name stated on the map.
- (2) In this section—

*levy district map* means a map held by the commissioner immediately before 1 July 2013—

  - (a) showing a portion of the State as a levy district for the purpose of the Act, part 10; and
  - (b) stating a name for the portion.

*Note—*

A copy of the map is available for inspection, without charge, at the head office or a relevant regional office of the department during normal business hours.

**7A Property that is not prescribed property—Act, s 105, definition *prescribed property*, paragraph (e)**

- (1) For section 105 of the Act, definition *prescribed property*, paragraph (e), the following are prescribed—
- (a) indigenous land;
  - (b) property to which any of the following categories apply, if the levy class for the property is class E—
    - (i) cemetery;
    - (ii) club that is not licensed premises;
    - (iii) church, church hall or community hall;
    - (iv) community protection centre;
    - (v) library, museum, art gallery or zoo;
    - (vi) tourist attraction (less than 4050m<sup>2</sup>);
    - (vii) airfield;
    - (viii) showground or racecourse, other than a major Brisbane venue.

- (2) In this section—

***indigenous land*** means land held under a following Act by, or on behalf of or for the benefit of, Aboriginal or Torres Strait Islander inhabitants or purposes—

- (a) *Aboriginal and Torres Strait Islander Land Holding Act 2013*;
- (b) *Aboriginal Land Act 1991*;
- (c) *Land Act 1994*;
- (d) *Torres Strait Islander Land Act 1991*.

**8 Levy classes for levy districts—Act, s 108**

- (1) The levy class of a levy 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 levy class of a levy 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 levy class of a levy 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 levy class of a levy 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) The levy class of a levy district for a financial year is class E if the district is not part of a levy class under subsection (1), (2), (3) or (4).
- (6) To help users of this regulation, for a levy district mentioned in subsections (1) to (4), the levy class of the district is stated in schedule 1 opposite the district.
- (7) If there is an inconsistency between subsections (1) to (4) and schedule 1, the subsection prevails to the extent of the inconsistency.
- (8) 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.

**9 Categories of prescribed properties assigned to levy groups—Act, s 108(3)**

- (1) Schedule 2 states the categories that apply to prescribed properties according to the purposes for which the properties are used.
- (2) Each category in schedule 2 is assigned to the levy group under which it appears.

**10 Annual contributions of owners of prescribed properties—1 category—Act, s 108**

- (1) This section applies to a prescribed property if only 1 category applies to the entire property.
- (2) The amount of the contribution payable by the owner of the property for a financial year is the amount stated in schedule 2, column 2, according to—
  - (a) the levy group for the category applying to the property; and
  - (b) the levy class for the property.

**11 Annual contributions of owners of prescribed properties—multiple categories—Act, s 108**

- (1) This section applies to a prescribed property if there is more than 1 relevant category for the property.
- (2) The amount of the contribution payable by the owner of the property for a financial year is the amount stated in schedule 2, column 2, according to—
  - (a) the levy group that would apply to the property if the deciding category applied to the entire property; and
  - (b) the levy class for the property.
- (3) In this section—

*deciding category*, for a property, means—

  - (a) if 1 of the relevant categories is in a higher levy group than the other relevant categories—that category; or

- (b) otherwise—the category in the highest levy group that would apply to the property if the entire property were used for each of the purposes to which the relevant categories relate.

**relevant category**, for a property, means a category applying to the property or part of the property.

## 12 References to types of industry

- (1) A category in schedule 2 described as ‘industry’ followed by the word ‘light’, ‘service’, ‘offensive’ or ‘heavy’ applies to a prescribed property if the property is used for an industry of a type ordinarily described, by the local government in whose area the property is situated, by that word.
- (2) A category in schedule 2 described as ‘industry’ followed by the word ‘extractive’ applies to a prescribed property if the property is used to mine mineral or other material.
- (3) In this section—

**disposing** includes the disposal of tailings and waste rock.

**extracting** includes—

- (a) crushing, grinding, concentrating, screening, washing, jigging, tabling, electrowinning, solvent extraction electrowinning, heap leaching, flotation, fluidised bedding, carbon-in-leach, carbon-in-pulp processing; and
- (b) the physical, chemical, electrical, magnetic or other way of separation of a mineral or other material.

**material** includes clay, gravel, loam, rock, sand, soil and other substances found in the earth.

**mine** means to carry on an operation with a view to, or for the purpose of—

- (a) winning mineral or other material from a place where it occurs; or

[s 13]

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- (b) extracting mineral or other material from its natural state; or
- (c) disposing of mineral or other material in connection with, or waste substances resulting from, the winning or extraction.

*mineral* see the *Mineral Resources Act 1989*, *section 6*.

**13 Annual returns by local governments—Act, s 109(1)**

For the Act, section 109(1), the particulars prescribed for a return are the number of properties within each levy group mentioned in schedule 2, column 1.

**14 Discount for pensioners—Act, s 110**

- (1) A pension payable under a law of the Commonwealth is declared to be a pension for the Act, section 110.
- (2) For the Act, section 110(2), it is declared that a pensioner, who is the owner of a prescribed property that is the pensioner's principal place of residence, is granted a discount of 20% on the contributions payable under the Act, part 10, for the property.

**15 Prescribed provisions for general rates applying to amount in levy notice—Act, s 115(2)**

For the Act, section 115(2), definition *relevant provisions*, the following are prescribed provisions—

- (a) the *Local Government Act 2009*, section 94(1)(a);
- (b) the *Local Government Regulation 2012*, chapter 4, other than the following—
  - (i) sections 107(1), 109, 110, 111 and 114;
  - (ii) part 10;
  - (iii) sections 130 and 131;
  - (iv) part 12, division 3, subdivision 3;

- (c) the *City of Brisbane Act 2010*, section 96(1)(a);
- (d) the *City of Brisbane Regulation 2012*, chapter 4, other than the following—
  - (i) sections 99(1), 101, 102, 103 and 106;
  - (ii) part 10;
  - (iii) sections 122 and 123;
  - (iv) part 12, division 3, subdivision 3.

**16 Payments by local governments to department—Act, s 118(5)**

For the Act, section 118(5), definition *declared period*, the following periods are declared periods—

- (a) for a local government for a local government area mentioned in schedule 3—
  - 1 July to 30 September
  - 1 October to 31 December
  - 1 January to 31 March
  - 1 April to 31 May
  - 1 June to 30 June;
- (b) for a local government for a local government area mentioned in schedule 4—
  - 1 July to 30 September
  - 1 October to 31 March
  - 1 April to 30 June.

## **Part 4                      Repeal**

### **17        Repeal**

The Fire and Rescue Service Regulation 2001, SL No. 75 is repealed.

## **Part 5                      Transitional provisions**

### **Division 1                      Transitional provision for Fire and Rescue Service Amendment Regulation (No. 1) 2014**

#### **18        Application of amended s 7A from 1 January 2014**

Section 7A, as amended by the *Fire and Rescue Service Amendment Regulation (No. 1) 2014*, is taken to have applied from 1 January 2014.

### **Division 2                      Transitional provision for Public Safety Legislation Amendment Regulation (No. 1) 2015**

#### **19        References to Fire and Rescue Service Regulation 2011**

A reference in a document to the *Fire and Rescue Service Regulation 2011* may be taken, if the context permits, to be a reference to the *Fire and Emergency Services Regulation 2011*.

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**Schedule 1      Levy classes of particular levy districts**

section 8(6)

<b>Levy district</b>	<b>Levy class</b>
Agnes Water	D
Airlie Beach	C
Allora	D
Alpha	D
Amity Point	D
Aramac	D
Arana Hills	A
Atherton	B
Augathella	D
Ayr	B
Babinda	D
Baralaba	D
Barcaldine	D
Beaudesert	C
Beenleigh	A
Beerwah	D
Biggenden	D
Biloela	D
Blackall	D

Schedule 1

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<b>Levy district</b>	<b>Levy class</b>
Blackbutt	D
Blackwater	D
Bollon	D
Boonah	D
Boulia	D
Bowen	B
Boyne/Tannum	D
Bramston Beach	D
Bribie Island	C
Brisbane	A
Bundaberg	A
Burnett Heads	D
Burpengary	A
Caboolture	A
Cairns	A
Cairns South	A
Calliope	D
Caloundra	A
Canungra	D
Capella	D
Capricorn Coast	C
Cardwell	D
Cecil Plains	D
Charleville	D



<b>Levy district</b>	<b>Levy class</b>
Charters Towers	C
Childers	D
Chinchilla	D
Clermont	D
Cleveland	A
Clifton	D
Cloncurry	D
Collinsville	D
Coochie Mudlo	D
Cooktown	D
Coolum	D
Cooran	D
Cooroy	D
Crows Nest	D
Cunnamulla	D
Dalby	D
Dayboro	D
Dimbulah	D
Dirranbandi	D
Dunwich	D
Dysart	D
Eatons Hill	A
Eidsvold	D
El Arish	D

Schedule 1

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<b>Levy district</b>	<b>Levy class</b>
Elliott Heads	D
Emerald	C
Esk	D
Forest Hill	D
Forrest Beach	D
Gatton	C
Gayndah	D
Gin Gin	D
Giru	D
Gladstone	A
Glenden	D
Goombungee	D
Goomeri	D
Goondiwindi	D
Gordonvale	C
Gympie	A
Halifax	D
Harrisville	D
Helidon	D
Herberton	D
Hervey Bay	A
Home Hill	D
Hughenden	D
Imbil	D

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<b>Levy district</b>	<b>Levy class</b>
Ingham	B
Inglewood	D
Injune	D
Innisfail	B
Ipswich	A
Jandowae	D
Jimboomba	D
Julia Creek	D
Kalbar	D
Kawana	A
Kenilworth	D
Kilcoy	D
Kilkivan	D
Killarney	D
Kingaroy	C
Kooralbyn	D
Kumbia	D
Kuranda	D
Kurrimine Beach	D
Laidley	D
Longreach	D
Lowood	D
Mackay	A
Magnetic Island	D

Schedule 1

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<b>Levy district</b>	<b>Levy class</b>
Malanda	D
Maleny	D
Marburg	D
Mareeba	B
Maroochydore	A
Maryborough	A
Meandarra	D
Middlemount	D
Miles	D
Millaa Millaa	D
Millmerran	D
Miriam Vale	D
Mission Beach	D
Mitchell	D
Monto	D
Mooloolah	D
Moranbah	D
Morven	D
Mossman	D
Mount Isa	A
Mount Morgan	C
Mount Tamborine	D
Moura	D
Mundubbera	D

<b>Levy district</b>	<b>Levy class</b>
Murgon	D
Nambour	A
Nanango	D
Noosa Heads	A
Oakey	D
Petrie	A
Pittsworth	D
Point Lookout	D
Pomona	D
Port Douglas	C
Proserpine	D
Proston	D
Quilpie	D
Rainbow Beach	D
Rathdowney	D
Ravenshoe	D
Redcliffe	A
Richmond	D
Rockhampton	A
Roma	C
Rosewood	D
Sarina	D
Southport	A
Springsure	D

Schedule 1

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<b>Levy district</b>	<b>Levy class</b>
Stanthorpe	D
St George	D
Surat	D
Tara	D
Taroom	D
Texas	D
Thangool	D
Theodore	D
Thursday Island	C
Tieri	D
Tin Can Bay	D
Toogoolawah	D
Toowoomba	A
Townsville	A
Tully	D
Wallangarra	D
Wallaville	D
Wallumbilla	D
Wandoan	D
Warwick	B
Winton	D
Wondai	D
Woodford	D
Wooroolin	D

<b>Levy district</b>	<b>Levy class</b>
Yarraman	D
Yelarbon	D
Yungaburra	D

## Schedule 2 Annual contributions of owners of prescribed properties

sections 9, 10 and 11

<b>Column 1 Category</b>	<b>Column 2 Annual contribution</b>	<b>\$</b>
<b>Levy group 1</b>		
1.01 Advertising hoarding	class A	54.00
1.02 Jetty	class B	40.60
1.03 Park or garden with no improvements other than fences or gardens	class C	31.40
	class D	24.20
1.04 Vacant land, including vacant land with a fence	class E	24.20
<b>Levy group 2</b>		
2.01 Car park (1 level)	class A	196.40
2.02 Cemetery	class B	155.80
2.03 Club that is not licensed premises	class C	115.20
2.04 Farm, or area used for grazing, with a dwelling house	class D	96.40
	class E	96.40
2.05 Industry—light, service or offensive (gross floor area of less than 51m <sup>2</sup> )		
2.06 Mini storage unit (gross floor area of not more than 85m <sup>2</sup> )		
2.07 Office, shop or commercial premises, other than drive-in shopping centre (not more than 2 levels, gross floor area of less than 51m <sup>2</sup> )		



<b>Column 1 Category</b>	<b>Column 2 Annual contribution</b>	<b>\$</b>
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	
 <b>Levy group 3</b>		
3.01	Caravan park (not more than 50 sites)	class A 476.20
3.02	Car park (2 levels)	class B 379.20
3.03	QEC service premises or education and care service premises	class C 283.00
		class D 235.80
3.04	Church, church hall or community hall	class E 235.80
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	
3.09	Forest used for commercial growing or harvesting of timber (less than 10ha)	

Schedule 2

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<b>Column 1 Category</b>	<b>Column 2 Annual contribution</b>
	<b>\$</b>
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 of 51–500m <sup>2</sup> )	
3.13 Library, museum, art gallery or zoo	
3.14 Marina, non-residential	
3.15 Mini storage unit (gross floor area of more than 85m <sup>2</sup> )	
3.16 Office, shop or commercial premises, other than drive-in shopping centre (not more than 2 levels, gross floor area of 51–250m <sup>2</sup> )	
3.17 Outdoor storage area (less than 2025m <sup>2</sup> )	
3.18 Residential flats or units that are not lots (more than 2 flats or units, not more than 2 levels)	
3.19 Restaurant, including floating restaurant, that is not licensed premises	
3.20 Sales area—outdoor (less than 2025m <sup>2</sup> )	
3.21 Service station	

**Levy group 4**

<b>Column 1 Category</b>	<b>Column 2 Annual contribution</b>	<b>\$</b>
4.01 Caravan park (51–100 sites)	class A	956.20
4.02 Car park (3–4 levels)	class B	763.60
4.03 Drive-in shopping centre (area devoted to buildings, roadways, parking and landscaping of less than 4050m <sup>2</sup> )	class C	571.40
	class D	476.20
	class E	476.20
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 of 501–1125m <sup>2</sup> )		
4.08 Office, shop or commercial premises, other than drive-in shopping centre (not more than 2 levels, gross floor area of 251–500m <sup>2</sup> )		
4.09 Outdoor storage area (2025–4050m <sup>2</sup> )		
4.10 Residential flats or units that are not lots (more than 2 flats or units, 3–4 levels)		
4.11 Restaurant, including floating restaurant, that is licensed premises		
4.12 Sales area, outdoor (2025–4050m <sup>2</sup> )		
4.13 School, non-boarding (not more than 100 pupils)		
4.14 Theatre or cinema, 1 auditorium, not part of drive-in shopping centre		
4.15 Tourist attraction (less than 4050m <sup>2</sup> )		

## Schedule 2

<b>Column 1 Category</b>	<b>Column 2 Annual contribution</b>	<b>\$</b>
<b>Levy group 5</b>		
5.01 Airfield	class A	1573.80
5.02 Caravan park (more than 100 sites)	class B	1254.60
5.03 Deagon Training Complex	class C	939.60
5.04 Drive-in shopping centre (area devoted to buildings, roadways, parking and landscaping of 4050–7500m <sup>2</sup> )	class D	782.80
	class E	782.80
5.05 Forest used for commercial growing or harvesting of timber (10–40ha)		
5.06 Industry—extractive (less than 10,001m <sup>2</sup> )		
5.07 Industry—light, service or offensive (gross floor area of 1126–2000m <sup>2</sup> )		
5.08 Office, shop or commercial premises, other than drive-in shopping centre (not more than 2 levels, gross floor area of 501–1012m <sup>2</sup> )		
5.09 Office, shop or commercial premises, other than drive-in shopping centre (3–4 levels, gross floor area of less than 601m <sup>2</sup> )		
5.10 Oil or fuel depot, including refinery (licensed capacity of less than 1,000,000L)		
5.11 School, non-boarding (101–500 pupils)		
5.12 Showground or racecourse, other than a major Brisbane venue		
5.13 Tourist attraction (4050–10,000m <sup>2</sup> )		
<b>Levy group 6</b>		

<b>Column 1 Category</b>	<b>Column 2 Annual contribution</b>	<b>\$</b>
6.01 Car park (more than 4 levels)	class A	2822.60
6.02 Club that is licensed premises (3–4 levels)	class B	2256.80
6.03 Drive-in shopping centre (area devoted to buildings, roadways, parking and landscaping of 7501–10,000m <sup>2</sup> )	class C	1689.00
	class D	1409.20
	class E	1409.20
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 of 2001–3000m <sup>2</sup> )		
6.07 Office, shop or commercial premises, other than drive-in shopping centre (not more than 2 levels, gross floor area of 1013–3500m <sup>2</sup> )		
6.08 Office, shop or commercial premises, other than drive-in shopping centre (3–4 levels, gross floor area of 601–1012m <sup>2</sup> )		
6.09 Outdoor storage area (more than 4050m <sup>2</sup> )		
6.10 Residential flats or units that are not lots (more than 2 flats or units, 5–6 levels)		
6.11 Sales area—outdoor (more than 4050m <sup>2</sup> )		
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 drive-in shopping centre (2–3 auditoriums)		

## Schedule 2

<b>Column 1 Category</b>	<b>Column 2 Annual contribution</b>	<b>\$</b>
6.16 Welfare residence (not more than 50 beds)		
<b>Levy group 7</b>		
7.01 Forest used for commercial growing or harvesting of timber (more than 40ha)	class A	4608.80
	class B	3683.40
7.02 Guest house or hostel, with shared bathroom facilities (more than 6 levels)	class C	2763.60
	class D	2302.60
7.03 Hospital (not more than 50 beds)	class E	1409.20
7.04 Industry—light, service or offensive (gross floor area of 3001–4000m <sup>2</sup> )		
7.05 Office, shop or commercial premises, other than drive-in shopping centre (not more than 2 levels, gross floor area of 3501–5500m <sup>2</sup> )		
7.06 Office, shop or commercial premises, other than drive-in shopping centre (3–4 levels, gross floor area of 1013–3500m <sup>2</sup> )		
7.07 Residential flats or units that are not lots (more than 2 flats or units, 7–10 levels)		
7.08 Tavern		
7.09 Theatre or cinema complex, not part of drive-in shopping centre (4–6 auditoriums)		

**Levy group 8**

<b>Column 1 Category</b>	<b>Column 2 Annual contribution</b>	<b>\$</b>
8.01 Drive-in shopping centre (area devoted to buildings, roadways, parking and landscaping of 10,001–15,000m <sup>2</sup> )	class A	7050.20
	class B	5546.40
	class C	4227.20
8.02 Hotel or motel (4 levels)	class D	3523.80
8.03 Industry—extractive (10,001–20,000m <sup>2</sup> )	class E	1409.20
8.04 Industry—light, service or offensive (gross floor area of 4001–5500m <sup>2</sup> )		
8.05 Office, shop or commercial premises, other than drive-in shopping centre (not more than 2 levels, gross floor area of more than 5500m <sup>2</sup> )		
8.06 Office, shop or commercial premises, other than drive-in shopping centre (3–4 levels, gross floor area of 3501–5500m <sup>2</sup> )		
8.07 Oil or fuel depot, including refinery (licensed capacity of 1,000,000–25,000,000L)		
8.08 Residential flats or units that are not lots (more than 2 flats or units, 11–15 levels)		
8.09 Tertiary education institution (not more than 500 students)		
8.10 Theatre or cinema complex, not part of drive-in shopping centre (more than 6 auditoriums)		
8.11 Tourist attraction (more than 10,000m <sup>2</sup> )		
8.12 Welfare residence (51–100 beds)		

### **Levy group 9**

## Schedule 2

<b>Column 1 Category</b>		<b>Column 2 Annual contribution</b>	
		\$	
9.01	Albion Park Raceway	class A	12,513.80
9.02	Club that is licensed premises (more than 4 levels)	class B	10,007.60
		class C	7505.00
9.03	Doomben Racecourse	class D	6253.80
9.04	Drive-in shopping centre (area devoted to buildings, roadways, parking and landscaping of 15,001–20,000m <sup>2</sup> )	class E	1409.20
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 of less than 3001m <sup>2</sup> )		
9.09	Industry—light, service or offensive (gross floor area of 5501–7500m <sup>2</sup> )		
9.10	Office, shop or commercial premises, other than drive-in shopping centre (3–4 levels, gross floor area of more than 5500m <sup>2</sup> )		
9.11	Office, shop or commercial premises, other than drive-in shopping centre (5–6 levels)		
9.12	Residential flats or units that are not lots (more than 2 flats or units, more than 15 levels)		
9.13	Royal National Agricultural and Industrial Association of Queensland showground		
9.14	School, boarding (more than 100 boarders)		
9.15	Tertiary education institution (501–1000 students)		



<b>Column 1 Category</b>	<b>Column 2 Annual contribution</b>	
		<b>\$</b>
9.16 Welfare residence (101–200 beds)		
<b>Levy group 10</b>		
10.01 Drive-in shopping centre (area devoted to buildings, roadways, parking and landscaping of 20,001–30,000m <sup>2</sup> )	class A	25,695.20
	class B	20,553.80
10.02 Hospital (101–200 beds)	class C	15,411.00
10.03 Industry—extractive (more than 20,000m <sup>2</sup> )	class D	12,845.60
10.04 Industry—heavy (gross floor area of 3001–7500m <sup>2</sup> )	class E	1409.20
10.05 Industry—light, service or offensive (gross floor area of more than 7500m <sup>2</sup> )		
10.06 Office, shop or commercial premises, other than drive-in shopping centre (7–10 levels)		
10.07 Welfare residence (201–500 beds)		
<b>Levy group 11</b>		
11.01 Drive-in shopping centre (area devoted to buildings, roadways, parking and landscaping of 30,001–40,000m <sup>2</sup> )	class A	43,499.80
	class B	34,799.40
11.02 Hospital (201–500 beds)	class C	26,100.20
11.03 Hotel or motel (7–10 levels)	class D	21,746.60
11.04 Industry—heavy (gross floor area of 7501–15,000m <sup>2</sup> )	class E	1409.20
11.05 Office, shop or commercial premises, other than drive-in shopping centre (11–20 levels)		

<b>Column 1 Category</b>	<b>Column 2 Annual contribution</b>	<b>\$</b>
11.06 Oil or fuel depot, including refinery (licensed capacity of 25,000,001–50,000,000L)		
11.07 Tertiary education institution (1001–5000 students)		
11.08 Welfare residence (more than 500 beds)		
<b>Levy group 12</b>		
12.01 Brewery, other than a brewery for which most of the brewed product is served on the premises where it is brewed	class A	80,419.60
	class B	64,332.00
	class C	48,250.40
12.02 Bulk sugar terminal	class D	40,207.60
12.03 Distillery	class E	1409.20
12.04 Drive-in shopping centre (area devoted to buildings, roadways, parking and landscaping of 40,001–60,000m <sup>2</sup> )		
12.05 Hospital (more than 500 beds)		
12.06 Hotel or motel (11–16 levels)		
12.07 Industry—heavy (gross floor area of more than 15,000m <sup>2</sup> )		
12.08 Office, shop or commercial premises, other than drive-in shopping centre (21–29 levels)		
12.09 Oil or fuel depot, including refinery (licensed capacity of 50,000,001– 100,000,000L)		
12.10 Resort complex (gross floor area of less than 18,000m <sup>2</sup> )		

<b>Column 1 Category</b>	<b>Column 2 Annual contribution</b>	
		<b>\$</b>
12.11 Sugar mill, sugar factory or sugar refinery		
<b>Levy group 13</b>		
13.01 Bulk coal terminal	class A	92,187.40
13.02 Drive-in shopping centre (1 shopping level, area devoted to buildings, roadways, parking and landscaping of more than 60,000m <sup>2</sup> )	class B	73,748.00
	class C	55,309.20
	class D	46,090.40
13.03 Hotel or motel (17–25 levels)		
	class E	1409.20
13.04 Office, shop or commercial premises, other than drive-in shopping centre (30–40 levels)		
13.05 Oil or fuel depot, including refinery (licensed capacity of 100,000,001–150,000,000L)		
13.06 Power station		
13.07 Resort complex (gross floor area of 18,000–35,000m <sup>2</sup> )		
13.08 Tertiary education institution (5001–10,000 students)		

### **Levy group 14**

<b>Column 1 Category</b>	<b>Column 2 Annual contribution</b>	<b>\$</b>
14.01 Casino, including accommodation, entertainment or restaurant facilities (not more than 20 levels)	class A	138,285.00
	class B	110,628.40
	class C	82,968.40
14.02 Drive-in shopping centre (more than 1 shopping level, area devoted to buildings, roadways, parking and landscaping of 60,001–100,000m <sup>2</sup> )	class D	69,138.80
	class E	1409.20
14.03 Hotel or motel (more than 25 levels)		
14.04 Integrated office, shop and commercial complex (more than 5 levels, underground parking facilities for more than 1000 vehicles and underground bus interchange)		
14.05 Metal refinery or smelter		
14.06 Office, shop or commercial premises, other than drive-in shopping centre (more than 40 levels)		
14.07 Oil or fuel depot, including refinery (licensed capacity of 150,000,001–200,000,000L)		
14.08 Resort complex (gross floor area of more than 35,000m <sup>2</sup> )		

**Levy group 15**

<b>Column 1 Category</b>	<b>Column 2 Annual contribution</b>	<b>\$</b>
15.01 Drive-in shopping centre (more than 1 shopping level, area devoted to buildings, roadways, parking and landscaping of more than 100,000m <sup>2</sup> )	class A	230,474.80
	class B	184,379.20
	class C	138,283.00
15.02 Oil or fuel depot, including refinery (licensed capacity of 200,000,001–250,000,000L)	class D	115,234.80
	class E	1409.20
15.03 Tertiary education institution (more than 10,000 students)		
<b>Levy group 16</b>		
16.01 Casino, including accommodation, entertainment or restaurant facilities (more than 20 levels)	class A	384,131.80
	class B	307,305.00
	class C	230,474.80
16.02 Oil or fuel depot, including refinery (licensed capacity of more than 250,000,000L)	class D	192,063.80
	class E	1409.20

*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 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).

**Schedule 3**      **Local government areas for  
local governments to which 5  
declared periods apply**

section 16(a)

Brisbane  
Bundaberg  
Cairns  
Cassowary Coast  
Fraser Coast  
Gladstone  
Gold Coast  
Gympie  
Ipswich  
Logan  
Mackay  
Moreton Bay  
Mount Isa  
Noosa  
Redland  
Rockhampton  
Scenic Rim  
Southern Downs  
Sunshine Coast

Tablelands

Toowoomba

Townsville

Whitsunday

**Schedule 4      Local government areas for  
local governments to which 3  
declared periods apply**

section 16(b)

Balonne  
Banana  
Barcaldine  
Barcoo  
Blackall Tambo  
Boulia  
Bulloo  
Burdekin  
Burke  
Carpentaria  
Central Highlands  
Charters Towers  
Cloncurry  
Cook  
Croydon  
Diamantina  
Douglas  
Etheridge  
Flinders



Goondiwindi  
Hinchinbrook  
Isaac  
Livingstone  
Lockyer Valley  
Longreach  
Maranoa  
Mareeba  
McKinlay  
Murweh  
North Burnett  
Paroo  
Quilpie  
Richmond  
Somerset  
South Burnett  
Torres  
Western Downs  
Winton

## Schedule 5 Dictionary

### section 3

***category*** means a category of property use mentioned in schedule 2, column 1.

***club*** means premises for a body or association of persons established for a community service, cultural, literary, recreational, social or sporting purpose, or a similar lawful purpose.

***community protection centre*** means premises used—

- (a) as an ambulance station, fire station or State Emergency Service headquarters; or
- (b) for the activities of the following—
  - (i) Australian Volunteer Coast Guard Association Incorporated;
  - (ii) a squadron of the Volunteer Marine Rescue Association Queensland Inc.

***construction site*** means premises on which, when construction is finished, will be a building to which a category (other than ‘construction site’) in levy groups 3 to 16 applies.

***drive-in shopping centre*** means a prescribed property that includes—

- (a) 2 or more shops, whether or not in the same building; and
- (b) car parking for customers.

***education and care service premises*** means education and care service premises under the Education and Care Services National Law (Queensland) for an education and care service other than a family day care service.

***gross floor area***, of a prescribed property, a part of a prescribed property, or a level of a building on a prescribed property, means the total of the floor areas (including all

walls, columns and balconies), having a ceiling or roof, of the property, the part of the property, or the level.

**landscaping** means an area of land developed, to enhance or protect the amenities of the land or its locality, by—

- (a) screening all or part of the land with fences, walls or in another way; or
- (b) planting trees, hedges, shrubs or grass; or
- (c) forming banks, terraces or other earthworks; or
- (d) laying out gardens or courts; or
- (e) building walkways or tracks.

**level**, of a building, includes a basement or mezzanine level of the building.

**levy class**, of a property, means the levy class of the levy district where the property is situated.

**levy district map** see section 7.

**licensed premises**, in relation to a club or restaurant, means premises for which a licence is in force, under the *Liquor Act 1992*, to sell liquor.

**lot** means a lot included in a community titles scheme under the *Body Corporate and Community Management Act 1997*.

**major Brisbane venue** means the following premises—

- (a) Albion Park Raceway;
- (b) Doomben Racecourse;
- (c) Eagle Farm Racecourse;
- (d) the Royal National Agricultural and Industrial Association of Queensland showground.

**marina, non-residential** means a marina with no buildings other than an ablution block, bridge, fence, jetty, pontoon, pylon or wall.

**mini storage unit** means a lot that, under a lease of the lot, can not be used for a purpose other than storage.

**outbuilding** means a non-habitable building, for example, a carport, garage or shed.

**outdoor storage area** includes the following—

- (a) an area used as a builder's, or contractor's, yard;
- (b) an area used for storing garden materials;
- (c) a fenced area for parking or storing heavy equipment, materials, motor vehicles or boats, other than for retail sale.

**QEC service premises** has the meaning given in the *Education and Care Services Act 2013*, schedule 1, but does not include a home.

**racecourse** includes a facility for harness racing, horse racing or greyhound racing.

**resort complex** means premises that include—

- (a) accommodation, most of which is used for holiday or tourist purposes; and
- (b) recreational or amusement facilities; and
- (c) restaurants; and
- (d) shops or commercial premises; and
- (e) car parking facilities.

**single unit residence** means prescribed property, that is not a lot, consisting of self-contained accommodation for the exclusive use of persons residing on the property and any other incidental building.

**student**, of a tertiary education institution, does not include a person undertaking study at the institution on an external basis.

**substation** means a subsidiary station for a service, including, for example, a service for supplying electricity, gas or water, a telecommunications service, or a service for removing sewage.

**tavern** means premises—

- (a) for which a commercial hotel licence has been issued under the *Liquor Act 1992*; and
- (b) that does not have facilities for providing accommodation.

***tertiary residential quarters*** means residential premises for students of a tertiary education institution, but does not include a single unit residence used for accommodation by students.

***welfare residence*** means premises that—

- (a) are used to provide accommodation, and nursing or personal care, to persons who because of age, disability, disease, illness, incapacity or infirmity have a need for nursing or personal care; and
- (b) are not a hospital or part of a hospital; and
- (c) are not a single unit residence.

*Examples of a welfare residence—*

children's home, hostel for disabled persons, nursing home

## 1 Index to endnotes

- 2 Key
- 3 Table of reprints
- 4 List of legislation
- 5 List of annotations
- 6 Information about retrospectivity

## 2 Key

### Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
<b>AIA</b>	= <b>Acts Interpretation Act 1954</b>	<b>(prev)</b>	= <b>previously</b>
<b>amd</b>	= <b>amended</b>	<b>proc</b>	= <b>proclamation</b>
<b>amd</b>	= <b>amendment</b>	<b>prov</b>	= <b>provision</b>
<b>t</b>			
<b>ch</b>	= <b>chapter</b>	<b>pt</b>	= <b>part</b>
<b>def</b>	= <b>definition</b>	<b>pubd</b>	= <b>published</b>
<b>div</b>	= <b>division</b>	<b>R[X]</b>	= <b>Reprint No. [X]</b>
<b>exp</b>	= <b>expires/expired</b>	<b>RA</b>	= <b>Reprints Act 1992</b>
<b>gaz</b>	= <b>gazette</b>	<b>reloc</b>	= <b>relocated</b>
<b>hdg</b>	= <b>heading</b>	<b>renu</b>	= <b>renumbered</b>
		<b>m</b>	
<b>ins</b>	= <b>inserted</b>	<b>rep</b>	= <b>repealed</b>
<b>lap</b>	= <b>lapsed</b>	<b>(retro</b>	= <b>retrospectively</b>
		<b>)</b>	
<b>notf</b>	= <b>notified</b>	<b>rv</b>	= <b>revised version</b>
<b>d</b>			
<b>num</b>	= <b>numbered</b>	<b>s</b>	= <b>section</b>

<b>Key</b>	<b>Explanation</b>	<b>Key</b>	<b>Explanation</b>
<b>o in c</b>	= order in council	<b>sch</b>	= schedule
<b>om</b>	= omitted	<b>sdiv</b>	= subdivision
<b>orig</b>	= original	<b>SIA</b>	= Statutory Instruments Act 1992
<b>p</b>	= page	<b>SIR</b>	= Statutory Instruments Regulation 2012
<b>para</b>	= paragraph	<b>SL</b>	= subordinate legislation
<b>prec</b>	= preceding	<b>sub</b>	= substituted
<b>pres</b>	= present	<b>unnum</b>	= unnumbered
		<b>m</b>	
<b>prev</b>	= previous		

### 3 Table of reprints

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

The notes column for this reprint gives details of any discretionary editorial powers under the **Reprints Act 1992** used by the Office of the Queensland Parliamentary Counsel in preparing it. Section 5(c) and (d) of the Act are not mentioned as they contain mandatory requirements that all amendments be included and all necessary consequential amendments be incorporated, whether of punctuation, numbering or another kind. Further details of the use of any discretionary editorial power noted in the table can be obtained by contacting the Office of the Queensland Parliamentary Counsel by telephone on 3003 9601 or email [legislation.queries@oqpc.qld.gov.au](mailto:legislation.queries@oqpc.qld.gov.au).

From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

<b>Reprint No.</b>	<b>Amendments included</b>	<b>Effective</b>	<b>Notes</b>
1	none	1 September 2011	
1A	2011 SL No. 278	1 January 2012	

<b>Reprint No.</b>	<b>Amendments included</b>	<b>Effective</b>	<b>Notes</b>
1B	2012 SL No. 91	1 July 2012	
<b>Current as at</b>		<b>Amendments included</b>	<b>Notes</b>
1 July 2013		2013 SL No. 110	
20 December 2013		2013 SL No. 297	
1 January 2014 rv		2013 SL No. 110 2013 SL No. 265	RA s 35
20 June 2014		2014 SL No. 109	
1 July 2014 rv		2014 SL No. 77 2014 SL No. 190	
1 January 2015		2014 Act No. 45	
1 July 2015		2015 SL No. 56	

## 4 List of legislation

### Regulatory impact statements

For subordinate legislation that has a regulatory impact statement, specific reference to the statement is included in this list.

### Explanatory notes

All subordinate legislation made on or after 1 January 2011 has an explanatory note. For subordinate legislation made before 1 January 2011 that has an explanatory note, specific reference to the note is included in this list.

### Fire and Rescue Service Regulation 2011 SL No. 160

made by the Governor in Council on 25 August 2011

notfd gaz 26 August 2011 pp 995–7

ss 1–2 commenced on date of notification

remaining provisions commenced 1 September 2011 (see s 2)

exp 1 September 2021 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—



**Education and Care Services National Law (Queensland) Regulation 2011 SL No. 278 pts 1, 4**

notfd gaz 9 December 2011 pp 729–35  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 January 2012 (see s 2)

**Community Safety (Fees and Other Matters) Amendment Regulation (No. 1) 2012 SL No. 91 pts 1, 4**

notfd gaz 29 June 2012 pp 704–10  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2012 (see s 2)

**Community Safety Legislation Amendment Regulation (No. 1) 2013 SL No. 110 pts 1, 4**

notfd gaz 21 June 2013 pp 503–7  
ss 1–2 commenced on date of notification  
ss 23(2), 24(3) commenced 1 January 2014 (see s 2(2))  
remaining provisions commenced 1 July 2013 (see s 2(1))

**Education and Care Services Regulation 2013 SL No. 265 ss 1–2, 81 sch 5 pt 2**

notfd <[www.legislation.qld.gov.au](http://www.legislation.qld.gov.au)> 6 December 2013  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 January 2014 (see s 2)

**Fire and Rescue Service Amendment Regulation (No. 1) 2013 SL No. 297**

notfd <[www.legislation.qld.gov.au](http://www.legislation.qld.gov.au)> 20 December 2013  
commenced on date of notification

**Fire and Rescue Service and Another Regulation Amendment Regulation (No. 1) 2014 SL No. 77 pts 1, 3**

notfd <[www.legislation.qld.gov.au](http://www.legislation.qld.gov.au)> 30 May 2014  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2014 (see s 2)

**Fire and Rescue Service Amendment Regulation (No. 1) 2014 SL No. 109**

notfd <[www.legislation.qld.gov.au](http://www.legislation.qld.gov.au)> 20 June 2014  
commenced on date of notification

**Industrial Relations and Another Regulation Amendment Regulation (No. 1) 2014 SL No. 190 ss 1, 2((3), pt 3**

notfd <[www.legislation.qld.gov.au](http://www.legislation.qld.gov.au)> 29 August 2014  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2014 (see s 2(3))

**Aboriginal and Torres Strait Islander Land (Providing Freehold) and Other Legislation Amendment Act 2014 No. 45 ss 1–2(1)–(2), 58 sch 1 pt 2**

date of assent 5 September 2014  
ss 1–2 commenced on date of assent  
sch 1 pt 2 commenced 1 January 2015 (2014 SL No. 270)  
remaining provision commenced 1 January 2015 (see s 2(1))

**Public Safety Legislation Amendment Regulation (No. 1) 2015 SL No. 56 pts 1, 3**

notfd <www.legislation.qld.gov.au> 26 June 2015  
ss 1–2 commenced on date of notification  
remaining provision commenced 1 July 2015 (see s 2)

## 5 List of annotations

### Short title

s 1 amd 2015 SL No. 56 s 8

### PART 3—FUNDING

pt hdg amd 2013 SL No. 110 s 10

### Administration fee—Act, s 117(4)

s 6 amd 2013 SL No. 110 s 11; 2014 SL No. 109 s 3

### Constitution and naming of levy districts—Act, s 106(1)

s 7 amd 2012 SL No. 91 s 10; 2013 SL No. 110 s 12

### Property that is not prescribed property—Act, s 105, definition prescribed property, paragraph (e)

s 7A ins 2013 SL No. 110 s 13; 2014 SL No. 109 s 4  
amd 2014 Act No. 45 s 58 sch 1 pt 2

### Levy classes for levy districts—Act, s 108

s 8 amd 2013 SL No. 110 s 14

### Categories of prescribed properties assigned to levy groups—Act, s 108(3)

s 9 amd 2013 SL No. 110 s 15

### Annual contributions of owners of prescribed properties—1 category—Act, s 108

s 10 amd 2013 SL No. 110 s 16; 2014 SL No. 77 s 8

### Annual contributions of owners of prescribed properties—multiple categories—Act, s 108

s 11 amd 2013 SL No. 110 s 17; 2014 SL No. 77 s 9

### References to type of industry

s 12 amd 2015 SL No. 56 s 9

### Annual returns by local governments—Act, s 109(1)

s 13 amd 2013 SL No. 110 s 18

### Prescribed provisions for general rates applying to amount in levy notice—Act, s 115(2)

s 15 amd 2013 SL No. 110 s 19; 2014 SL No. 109 s 5

### Payments by local governments to department—Act, s 118(5)

s 16 amd 2013 SL No. 110 s 20

### PART 5—TRANSITIONAL PROVISIONS

pt hdg ins 2013 SL No. 109 s 6  
amd 2015 SL No. 56 s 10

**Division 1—Transitional provision for Fire and Rescue Service Amendment Regulation (No. 1) 2014**

**div hdg** ins 2015 SL No. 56 s 11

**Application of amended s 7A from 1 January 2014**

**s 18** ins 2013 SL No. 109 s 6

**Division 2—Transitional provision for Public Safety Legislation Amendment Regulation (No. 1) 2015**

**div 2 (s 19)** ins 2015 SL No. 56 s 12

**SCHEDULE 1—LEVY CLASSES OF PARTICULAR LEVY DISTRICTS**

amd 2012 SL No. 91 s 11; 2013 SL No. 110 s 21

**SCHEDULE 2—ANNUAL CONTRIBUTIONS OF OWNERS OF PRESCRIBED PROPERTIES**

amd 2011 SL No. 278 s 7

sub 2012 SL No. 91 s 12; 2013 SL No. 110 s 22

amd 2013 SL No. 297 s 3; 2013 SL No. 265 s 81 sch 5 pt 2

sub 2014 SL No. 77 s 10

amd 2014 SL No. 190 s 8 (retro)

sub 2015 SL No. 56 s 13

**SCHEDULE 3—LOCAL GOVERNMENT AREAS FOR LOCAL GOVERNMENTS TO WHICH 5 DECLARED PERIODS APPLY**

amd 2013 SL No. 110 s 23

**SCHEDULE 4—LOCAL GOVERNMENT AREAS FOR LOCAL GOVERNMENTS TO WHICH 3 DECLARED PERIODS APPLY**

amd 2013 SL No. 110 s 24

**SCHEDULE 5—DICTIONARY**

def *child care centre* om 2013 SL No. 265 s 81 sch 5 pt 2

def *construction site* amd 2013 SL No. 110 s 25(3)

def *education and care service premises* ins 2011 SL No. 278 s 8

def *fire levy class* om 2013 SL No. 110 s 25(1)

def *levy class* ins 2013 SL No. 110 s 25(2)

def *levy district map* ins 2013 SL No. 110 s 25(2)

def *QEC service premises* ins 2013 SL No. 265 s 81 sch 5 pt 2

def *urban district map* om 2013 SL No. 110 s 25(1)

## 6 Information about retrospectivity

Retrospective amendments that have been consolidated are noted in the list of legislation and list of annotations. From mid-2013 any retrospective amendment that has not been consolidated is noted on the cover page.