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The Research Director  
Legal Affairs and Community Safety Committee  
Parliament House  
Brisbane, QLD, 4000

To Whom It May Concern,

### **Submission to the Fire and Emergency Services (Smoke Alarms) Amendment Bill 2015**

This submission is presented by the Smoke Alarm Solutions (SAS) management team.

Smoke Alarm Solutions is Australia's largest provider of smoke alarm maintenance and compliance services to the real estate industry. In operation since 2007, we currently service in excess of 250,000 Australian homes located in Queensland, New South Wales, ACT, Victoria and South Australia. We provide comprehensive yet cost-effective solutions to ensure property managers, landlords and homes owners meet their duty of care and legislative obligations with regards to both State and Federal smoke alarm legislation, and to ensure safe homes for property occupants.

This Bill is of particular interest to our company as it is at the ethos of the service we provide. We appreciate the importance of the current legislation and have experienced many instances where fully functioning, correctly positioned smoke alarms have acted as they were intended to, and alerted occupants to dangerous fire situations. We all too often hear the contrary to these stories too, the worst being the death of 11 family members in the Slacks Creek fire in 2011, hence our enthusiasm to present feedback and alternative suggestions to the current Bill.

#### Suggestion one

#### ***Clause 5 (1) (b) – for each storey of the domestic dwelling that does not contain a bedroom – in an exit path for the storey***

SAS suggests that an additional, unambiguous definition be added to this clause with regards to the term "in an exit path for the storey", so that we can clearly, and without any doubt, ascertain if an additional alarm is required in some properties. In our opinion, the easiest way to accomplish this would be by defining the distance in metres from a doorway (that has direct access to the open area) in which a smoke alarm is required.

We are often asked by our clients to outline why we have needed to install an additional smoke alarm for compliance. This would lead one to believe that many landlords who carry out the smoke alarm compliance steps by themselves are having difficulty determining exactly where an alarm would need to be positioned. It would be incredibly useful for service providers and property owners alike, if there was a precise location (determined by distance) as to where a smoke alarm is required especially for those on a storey of the domestic dwelling that does not contain a bedroom.

Suggestion two

**Clause 5 (1) (2) (a) (ii) in each hallway that has an entrance to a bedroom.**

SAS believes that a minimum of **two** smoke alarms should be installed in a single hallway that has bedroom doors more than seven metres apart. We feel that one alarm per 7 metres in a hallway is not adequate protection. If a fire were to start in the back of a property and the occupants were sleeping seven metres away from the alarms, safe escape would be incredibly difficult as the occupants would be notified a great deal later than if an alarm was positioned near their bedroom.

Suggestion three

**Clause 5 (2A) (a) be a photoelectric smoke alarm**

SAS believes that photoelectric style of smoke alarm is far more effective at detecting smoke than the antiquated ionisation technology. These views are shared by all Australian fire authorities. In addition to this, the Northern Territory State Government has already incorporated a similar clause into their smoke alarm legislation, which means no additional ionisation alarms will be installed in Northern Territory homes.

For over five years, our company has chosen to only ever install the photoelectric type of smoke alarm in properties we service, as we view these alarms to be more effective in real fire situations and cause less nuisance alarms (leading to the removal of alarms and/or batteries by tenants or occupants). We strongly support the inclusion of this additional section to the current legislation.

We would suggest though, that there is further explanation with regards to the installation of heat alarms in properties. Our technicians are discovering an increasing number of heat alarms in the lower areas of properties upon property inspections, so we feel that express mention of heat alarms not constituting compliant smoke alarms should be included within this clause, or a similar clause.

Suggestion four

**Clause 5 (2 B) (b) (i) a 9V lithium battery**

SAS feels that this section of the clause is a welcome addition to the current legislation however we would like to make an extra suggestion for inclusion. We feel that the battery in a 9 volt smoke alarm should also be 'tamper-proof' (with a hush button) and not simply a removable 10 year lithium battery so that occupants' safety is enhanced. Although photoelectric alarms cause less nuisance false alarms, they are not perfect. An occupant can still simply remove a battery if the alarm is being a nuisance and forget to replace it, rendering the alarm useless. Having a hush button on an alarm will temporarily desensitise the alarm for about 8 – 10 minutes, giving the air time to clear, without the need to remove a battery and disabling the alarm.

Suggestion five

**Clause 5 (2 B) (b) (ii) manufactured to have a battery life of at least 10 years.**

SAS believes the inclusion of this section will increase the overall effectiveness of a smoke alarm as moving forward, alarms should not become inoperable unknowingly due to the expiration of short-life batteries however we do feel that "monitored" batteries (such as those that include innovative Wi-Fi capable technology) do not need a 10 year life, as they are constantly monitored by a third party and therefore issues with quality and end of useful life will be reported immediately. A five year service life for these types of batteries would be sufficient.

Suggestion six

**Clause 9 Division 8 206 (1) This section applies if, immediately before the commencement, smoke alarms were installed in a domestic dwelling in compliance with this Act as in form immediately before the commencement.**

SAS would like to see a specific definition of the term “immediately before the commencement”, so that property owners have a definitive understanding as to when their property is no longer compliant. SAS feels that the least ambiguous way to do this would be to use a specific date, instead of the words “immediately before the commencement”. For example, “This section applies if, **on May 30, 2015**, smoke alarms were installed in a domestic dwelling in compliance with this Act as in force on **May 30, 2015**.”

Suggestion seven

**Clause 9 Division 8 207 (a), (b), (c) and (d) Timeframes to install smoke alarms if no alarms were present in property at commencement of Act.**

SAS believes that the timeframes set out in this clause may not be adequate for landlords or owners to retrofit smoke alarms, if required under new legislation. This would be especially true for those landlords with lease end or start dates falling in the month or two following the commencement of the legislation amendment. Based on our company’s reporting, it is fair to assume that stock and tradespeople available throughout Queensland may be less than that required in order to ensure properties across the board are brought up to compliance within the timeframes.

We believe that by removing the need to ensure compliance by the next lease start or end date (which could be a matter of only days after the introductions of this amendment), and by increasing the lead-in time to 18 months, there should be adequate time for properties to be brought in line with legislation.

Suggestion eight

**Clause 207 Installing smoke alarms (2) The owner of the domestic dwelling must install smoke alarms in the dwelling in compliance with section 104RB before the first of the following happens— (a) any transfer date for the dwelling;**

We commend the Queensland Government for addressing the lack of clarity surrounding the installation and maintenance of smoke alarms to a particular standard when a property’s title is transferred (property sold). It is currently incredibly unclear as to what defines a property’s smokes as “compliant” when referring to transfer documentation and sale contracts. We feel that by including the need for a certificate to be gained to verify compliance of a property prior to sale, any residual ambiguity will be removed.

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Thank you for taking the time to review our suggestions and feedback. We appreciate this opportunity, given how essential we view the amendments to the current legislation.

**If additional information pertaining to this submission is required, please contact Melanie Harrison, Smoke Alarm Solutions Marketing Manager, on [REDACTED]**

Kind Regards,

Smoke Alarm Solutions.