



Speech by

CHRIS CUMMINS

MEMBER FOR KAWANA

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BUILDING AND OTHER LEGISLATION AMENDMENT BILL

Mr CUMMINS (Kawana—ALP) (11.58 a.m.): I am pleased to speak to the Building and Other Legislation Amendment Bill. As a result of the Childers backpacker hostel fire on 23 June 2000, which resulted in the tragic loss of 15 lives, a task force was formed to review fire safety standards for budget accommodation buildings across Queensland.

This review included backpacker hostels, boarding houses, hotels and other similar shared accommodation-style buildings. The task force found that many of these buildings contained inadequate fire safety standards. Subsequently, it recommended that a minimum standard of building fire safety be imposed for budget accommodation buildings in line with the current requirements for new buildings under the Building Code of Australia. The budget accommodation sector provides lodgings for a variety of persons, ranging from international tourists in the case of backpacker hostels to people who, because of their low income or disability, have no choice other than to reside in boarding houses.

The Queensland economy has benefited enormously over the past 20 years from the growth in the number of visiting backpacker tourists, which adds some \$480 million to our economy annually. In recent years the Sunshine Coast has also identified the niche market of backpackers. As a former board member/director of Tourism Sunshine Coast, I can say proudly that I was part of Tourism Sunshine Coast when we released a backpacker strategy to target and benefit from the backpacker market. Although they look for lower cost accommodation, they spend a good deal of money per day—something that is well documented in many tourist studies.

The government will ensure that these types of buildings are made safe so as to protect our reputation as a safe destination for backpackers and also to protect the vulnerable people in our community. The proposed legislation will provide the most cost-effective standards possible without compromising occupant safety.

The bill follows detailed research into the safety of budget accommodation buildings and extensive consultation with stakeholders. The standards and compliance mechanisms proposed are the bare minimum to ensure the occupants of budget-style accommodation buildings are safe and that any upgrade costs faced by building owners are reasonable. The bill will ensure that the occupants of hostels, whether they be tourists, itinerant workers, people on low incomes or those with disabilities, are provided with the same standards of safety that the rest of us take for granted, and can safely evacuate a building in the event of a fire.

The bill allows a fire safety standard to be adopted under the Standard Building Regulation 1993. All budget accommodation buildings will need to comply with this standard. The bill requires that smoke alarms and emergency lighting required by the standard be installed in all budget accommodation buildings within one year. Smoke alarms will ensure that occupants are provided with early warning of a fire, while emergency lighting will guide them safely out of the building. We all realise that over the past decade smoke alarms have become a vital lifesaving device. Now—thank God—smoke alarms are quite common and more affordable for both domestic and commercial-type buildings.

However, even with alarms and emergency lighting, some accommodation buildings, due to their age, design and occupancy, will still not meet all of the provisions under the standard and will not allow for the safe evacuation of occupants. These higher risk buildings may require further upgrading or

enhanced management procedures. The bill ensures that these buildings will meet the standard within a period of three years—a lead-in time.

In addition, local governments will be responsible for assessing these applications, as they already have the statutory powers and responsibilities under the Building Act 1975 in respect of these buildings. In addition, many local governments have local laws addressing the standards of these buildings. I acknowledge that local governments have raised concerns about this. Owners will be able to apply to local governments for extended compliance time on the grounds of undue hardship. I trust that each council will make a decision on a case-by-case basis. In a small number of cases the bill anticipates that because of the design of the building it may not be viable or cost effective to alter its fabric. In these cases the proposed standard will allow alternative solutions, such as a management system which outlines staff procedures to be implemented to evacuate people in the event of a fire. In these situations the bill will require councils to undertake annual inspections to ensure the procedural systems remain operational. This inspection could be carried out in conjunction with those required under the local government law, thus resulting in a lower cost impost on councils. Hopefully, it will be the case that these inspections can be carried out simultaneously with other inspections.

Improvements in budget accommodation buildings' fire safety standards will not be effective unless there is also a continued compliance with the standard. To complement constructive improvements, owners of existing buildings will be required under the Fire and Rescue Service Act 1990 to prepare within one year a fire safety management plan for new buildings. A fire safety management plan will be required to be submitted with the development application for building work. The plan must comply with the fire safety standard called up by the Standard Building Regulation 1993 under the Building Act 1975. This plan will require owners to identify the number of occupants allowed in the building, the maintenance schedule for fire equipment, evacuation procedures and training programs for staff. The Queensland Fire and Rescue Service will undertake random audits to ensure owners comply with these plans.

To ensure owners comply with the plan, the Queensland Fire and Rescue Service and local government officers will be given increased powers of entry to inspect the living areas of budget accommodation buildings. Currently, these officers are sometimes denied access to these parts of a residential building, but it is critical that compliance inspections are undertaken. This will also enhance the Queensland Fire and Rescue Service's current random fire safety audits. It will be an offence for an owner not to upgrade the building in accordance with the fire safety standard, and the minister has touched previously upon the penalties.

The Sunshine Coast has a vibrant tourism industry, which has a benefit to our community that is estimated to be in the hundreds of millions of dollars annually. The backpacker budget accommodation market is a growing one. Just over a decade ago, I was lucky to be a backpacker travelling the world. I know first-hand that backpackers talk to one another about various destinations, safety standards and tragedies that occur from country to country. We have to lift our standards. I commend the minister and the department for undertaking good consultation in the preparation of this bill, and I commend it to the House.
