



Speech by

Hon. Pat Purcell

MEMBER FOR BULIMBA

Hansard Thursday, 2 November 2006

FIRE AND RESCUE SERVICE AMENDMENT BILL

Hon. PD PURCELL (Bulimba—ALP) (Minister for Emergency Services) (8.06 pm), in reply: I rise to thank everybody here tonight for their support of the Fire and Rescue Service Amendment Bill. If I have heard it once I have heard it every time a member spoke how important the bill is in saving lives and that smoke alarms do save lives. If everybody leaves this House with that message and gets that message out to their communities, we will certainly be carrying out the intent of this legislation, which is to save lives by having smoke alarms installed in everybody's homes by 1 July 2007.

I would like to thank everybody who has taken part in the debate—the members for Mirani, Bundamba, Gregory, Springwood, Fitzroy, Surfers Paradise, Gladstone, Sandgate, Cleveland and Indooroopilly. I would also like to thank my own staff for the work that they have done on this bill, the DG, the fire commissioner and all the staff who have worked so hard on this bill to make sure that this legislation would be enforceable and that it would save lives in Queensland. We are not the first government to have done this. We are following other states. After the horrendous fires we have had in Queensland, we have made sure that our legislation in relation to domestic dwellings is the best possible in order to save people's lives.

The member for Mirani raised concerns about the responsibility on tenants to test alarms and replace batteries. A large amount of consultation has been done with the community, the tenants association and landlords on this matter. It is fair legislation in that the landlord has to make sure that the smoke alarm is fitted to the dwelling and is in working order and, while the tenant is living in the dwelling, the tenant has to make sure that the smoke alarm works. It is a significant responsibility on the landlord to make sure that their property is fitted with a smoke alarm. We are informed by the tenancies authority that the turnover of most tenancies is about 11 months, so the onus will probably fall back on the landlord at the end of the day to have the smoke alarms tested and to replace the batteries.

As members have said, in your own home you have the responsibility to do that. When someone rents a property, for all intents and purposes that is their home and that is their property. People should do something to make sure that they and their family and possibly relatives or people who sleep over are safe.

Concerns about insurance were also raised. There had been some discussion in the community where we had taken it up. The Insurance Council of Australia was consulted. We talked to the council about the impact that the failure to comply with the mandatory smoke alarm requirements might have on people's insurance. The Insurance Council of Australia would not come out and give guarantees on behalf of its members that no smoke alarms would not affect the insurance. It said, 'From our experience it is unlikely that an insurer would decline a claim in these circumstances.' The council said that it would be a good idea for insurers to check with their own insurer to see if that was the case.

We have also made inquiries in Victoria and South Australia, where it has been mandatory for smoke alarms to be in dwellings for the past six and seven years respectively. Neither jurisdiction was aware of any instance where an insurance claim has been declined as a result of a failure to install a mandatory fire alarm. People should check with their insurer to make sure that they are covered.

The member for Mirani was also concerned about photoelectric, as opposed to iodised, smoke alarms. We do work to an Australian standard. The Australian standard allows both of those types of alarms to be used within Australia. The fire service does have a preference, of course, for the photoelectric alarm to be used. Obviously we would urge people to put that alarm in. We would also urge people to buy the sealed unit that has a 10-year battery and a life of 10 years, so there are no worries for the 10 years. It would still need to be checked on a 12-monthly basis. People still need to make sure that the alarm is clean and operable. It is the cheapest way to go over a 10-year period. We did not want to make it out of people's reach to put a smoke alarm outside their bedrooms. There must be at least one smoke alarm outside every sleeping compartment on every floor. I would urge people to go for the Rolls Royce alarm, the photoelectric alarm. People will find that will give them good value and protect them well.

The member for Mirani had no concern about licensed premises. That is good because we have concerns about them and the number of people who can attend such premises. That is why we are introducing the legislation. The fire service has spoken to us about the number of people who go to nightclubs.

Mr Malone: I raised concerns about the fact, hoping this legislation will fix it.

Mr PURCELL: We are going to work with those nightclubs to see if we can fix that. If the member for Mirani remembers, the worst nightclub fire in Australia is still the Whisky Au Go Go fire where 15 people died. Those people were not asleep. Those people were very active and dancing in a place where they thought they would be safe. Their egress was blocked and they could not get out. We want to make sure that that never happens again. I am pleased to see that people are very much in favour of what we are doing with nightclubs.

Several people have brought up concerns regarding the sensitivity of fire alarms. The member for Mirani spoke about one establishment in Townsville that had such concerns, which I do know about. We did get some news up there in the paper. We have had a number of motels and nursing homes speak to us and make it known to us that they are getting a lot of unwanted fire alarm call-outs. We do work with those companies. However, these places are required to have the fire alarms because of the people that are in those dwellings. They are required to make sure the alarms are in working condition. A lot of the alarms are improperly placed. Some of the alarm systems are probably faulty. They are probably not the best quality alarms.

Sometimes it is very difficult when someone buys a building and inherits a system that does not work very well. They spend a lot of money on it, and they continue to spend money on it and get very frustrated when they cannot get the result that they want so we do not continually get call-outs because of faulty alarms. What members have said here is true. I think the member for Cleveland said that we do get concerned if there are a lot of call-outs. It is like crying wolf—people will hear an alarm and not respond to it if there are so many false alarms. We need to continue to work with those businesses and operations to make sure that they do get the alarms working right.

Part of this legislation also relates to the private certifiers who work in the building industry regarding alarm systems. We have been having some difficulty getting their records to see if the alarms have been installed and it has all been approved. It is sometimes difficult to explain to an owner that the alarm has been incorrectly installed, that it has not been up to scratch and that is why they are having a problem and they should spend more money to fix it. We make no apology for saying to landlords and businesses, 'You must get your smoke alarms up to scratch because they do save people's lives. You must stop false alarms and you must work at it to make sure that happens.'

The member for Gregory thinks this is a good bit of legislation. I thank him for that. He also urges the education of people in regard to smoke alarms—the installation and checking of them. He spoke about his own smoke alarm that needed a battery changed. Did the member for Gregory take the battery out to stop it making the noise or did he go down and get the battery straightaway and not sleep in his dwelling until he put the new battery in?

Mr Johnson: You want me to be honest? I took the battery out to stop it making a noise.

Mr PURCELL: I thought the member would have; I think most people do. When people are getting near their anniversary date—whether it is a birthday, Melbourne Cup day, 1 April or whatever it is—they should put on their shopping list a reminder to get a new battery and to have the new battery there so that they can change it on that anniversary, irrespective of whether the alarm makes a noise or not. Do not wait for the alarm or battery to run down. Just replace the battery every 12 months if that is the type of smoke alarm installed in the house.

The member was quite concerned about the penalties for noncompliance with the installation of smoke alarms. The member should have read down a little further. The penalties are not up around the amounts that he was talking about. The penalty of \$150,000 and three years jail are for commercial premises that do not comply with the legislation. When one considers the number of people in nightclubs

and so forth, it is not a large fine if there is loss of life involved. The penalties are very small. How much money can be put on people's lives?

The member for Gregory went on to talk about making sure that we educate people and tell them about the legislation. The department and the fire service will be running an extensive campaign to inform people about the legislation to make sure that people know about it. We may even come out to members' electorates if they so wish. We will put on events and make sure that we can get as much publicity for it as we possibly can. The member for Fitzroy was also concerned in relation to the advertising of the legislation and the education of the community.

People here have spoken about the number of call-outs that the fire service receives and the percentage of them that are not fires but false alarms. The service conducts a lot of education with young people in our schools. That takes them away from those duties of inspecting hostels and aged care premises. The member for Fitzroy spoke about road rescue. Half the work that firefighters do these days is road rescue. We do not want to have firefighters called out on false alarms. Firefighters are very busy and have much work to undertake. Much of it is informing the public but also, of course, as members here have said over and over, it is the deadly business of putting out fires, putting themselves at risk to save people's property and lives, and going out to road accidents and extracting people as fast as they possibly can from vehicles so that the QAS can pick them up and get them to hospital as quick as they possibly can.