



Speech By
Hon. Bill Byrne

MEMBER FOR ROCKHAMPTON

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**FIRE AND EMERGENCY SERVICES (DOMESTIC SMOKE ALARMS)
AMENDMENT BILL; FIRE AND EMERGENCY SERVICES (SMOKE ALARMS)
AMENDMENT BILL**

Second Reading (Cognate Debate)

 **Hon. WS BYRNE** (Rockhampton—ALP) (Minister for Police, Fire and Emergency Services and Minister for Corrective Services) (7.36 pm): I move—

That the Fire and Emergency Services (Domestic Smoke Alarms) Amendment Bill be now read a second time.

Let me start by thanking the Legal Affairs and Community Safety Committee for its consideration of the Fire and Emergency Services (Domestic Smoke Alarms) Amendment Bill 2016 and the Fire and Emergency Services (Smoke Alarms) Amendment Bill 2015. I note that the committee tabled its report on the bill on 23 May 2016 and I tabled the government response to the committee's report on 24 August 2016. The committee's report contained two recommendations. The government supports both the recommendations of the committee. The committee's first recommendation gave support to the installation of photoelectric alarms. Photoelectric smoke alarms respond faster than other types of smoke alarms to the types of fires that tend to result in deaths in homes. They also lead to fewer false alarms. Fewer false alarms mean fewer people are likely to deliberately turn them off, resulting in more homes with working smoke alarms. The government's bill includes a provision which will see more photoelectric smoke alarms installed in homes immediately upon commencement. From 1 January 2017, a photoelectric alarm will need to be installed whenever a smoke alarm is replaced or a new one installed.

The committee's second recommendation was that smoke alarms comply with two Australian standards—AS 3786-2014 and AS 1670.6-1997. Existing provisions already require compliance with the first of these standards. The government supports this continuing. The government also supports incorporating the second standard into the Building Fire Safety (Domestic Smoke Alarms) Legislation Amendment Regulation (No. 1) 2016. The incorporation of this second standard stems from advice received from public submissions. The standard provides more specific guidance as to the positioning of smoke alarms, particularly in relation to structural features of a home. It aids home owners in understanding where to install their smoke alarms and ensures they are placed so as to ensure the best functionality.

The second standard also supports the interconnection of smoke alarms and their installation in bedrooms, which is mandated by the government's bill. The draft amendment regulation to the bill, which was tabled at introduction, has been amended to incorporate the placement requirements of this standard. I table this revised draft Building Fire Safety (Domestic Smoke Alarms) Legislation Amendment Regulation (No. 1) 2016 and the explanatory notes to the draft regulation.

Tabled paper: Building Fire Safety (Domestic Smoke Alarms) Legislation Amendment Regulation 2016: Tabling draft [1416].

Tabled paper: Building Fire Safety (Domestic Smoke Alarms) Legislation Amendment Regulation 2016: Tabling draft, explanatory notes [1417].

Tabled paper: Fire and Emergency Services (Domestic Smoke Alarms) Amendment Bill 2016, explanatory notes to Hon. Bill Byrne's amendments [1418].

Use of subordinate legislation for the technical aspects of the government's smoke alarm policy allows the legislation to remain reactive to technological change and developments in best practice in smoke alarm placement. I will be moving that a number of amendments be made to the bill during consideration in detail. These amendments provide greater clarity to one clause and correct a cross-referencing error in another. I have already tabled the explanatory notes to go with those.

Last week was the fifth anniversary of the devastating house fire at Slacks Creek which tragically stole the lives of 11 people, including eight children—the greatest loss of life in a domestic house fire in Australian history. The inquest by the Office of the State Coroner recommended changes be made to Queensland's smoke alarm legislation, including the installation of photoelectric and interconnected smoke alarms in every bedroom, between areas containing bedrooms, in any hallway servicing bedrooms and in any other storey of a residential dwelling. For new residences, the coroner recommended that the smoke alarms be hardwired, while in existing residences smoke alarms may be hardwired or powered by a 10-year lithium battery.

The Palaszczuk government is committed to taking every effort to prevent tragedies such as the Slacks Creek house fire from occurring again. That is why the government bill fully implements the coroner's recommendations. By doing so, Queensland will have the most effective and comprehensive smoke alarm legislation in Australia. The safety of the Queensland public is our primary and paramount consideration.

There have been 93 house fire related deaths in Queensland since 2010. Every house fire has the potential to cause deaths. From the date of the Slacks Creek house fire until the start of this year, there were 80 house fires in my electorate of Rockhampton, there were 64 in the member for Kawana's electorate, there were 178 in the Minister for Health and Minister for Ambulance Services' electorate, there were 49 in the member for Cook's electorate and there were 136 in the Minister for Housing and Public Works' electorate. I repeat: every one of these fires has the potential to kill and this government will not flinch in taking the necessary steps to reduce avoidable tragedies from happening.

That is why the government is determined not to stop halfway in enacting the coroner's recommendations. This bill seeks to amend the current smoke alarm requirements in homes to require the installation of photoelectric, interconnected smoke alarms which are hardwired or powered by a 10-year battery in every bedroom, between areas containing bedrooms, in any hallway servicing bedrooms and in any other storey of a residential dwelling.

The evidence supporting the use of photoelectric smoke alarms over the other main type of alarms, known as ionisation alarms, is well established and proven. Photoelectric alarms are better at detecting slow-smouldering fires which are generally the fires that lead to deaths in homes. They are more reliable and less likely to produce false alarm activations. Queensland Fire and Emergency Services strongly support the installation and use of photoelectric smoke alarms. In fact, all Australian fire authorities support the use of photoelectric smoke alarms over ionisation, and the Northern Territory has already mandated their use.

However, mandating the use of photoelectric alarms is only one way in which the government bill will reduce house fire fatalities. The requirement for the interconnection of alarms is critical in ensuring residents—and in particular children and the elderly—have sufficient time to escape from a house fire. Interconnection involves linking all alarms so that when one alarm is triggered all are activated. Interconnection of smoke alarms ensures residents are alerted, even when the fire starts in another area of the house. This ensures all residents hear the alarm and are provided maximum time for escape before the fire and smoke spread within the dwelling.

Interconnection can be achieved by either hardwiring into the building's electrical system or interconnecting them wirelessly through the use of battery operated wireless devices. These wireless devices do not require an electrician to install them and can be readily installed by the home owner. Queensland Fire and Emergency Services advise that the cost of wireless devices will drop significantly over the next five to 10 years due to increased demand and competition between manufacturers.

Smoke alarms are only effective if they remain functioning. A continuous power source, such as hardwiring or a 10-year battery, reduces the risk of a smoke alarm being rendered useless due to flat batteries that may not have been replaced. The bill will see new homes continue to be required to have hardwired smoke alarms installed and will introduce the requirement that all other homes have their smoke alarms either hardwired or powered by a non-removable battery with a 10-year life. Again, these battery powered alarms are easily installed by home owners without the need for an electrician.

The most deadly fires occur when occupants are asleep, and the best way to rapidly alert residents to a fire is by installing alarms in every bedroom. Evidence shows that, in order to wake sleeping residents, smoke alarms must produce at least 75 decibels of sound at the bedhead. The current Australian Standard AS 3786 states that smoke alarms must produce at least 85 decibels three metres from the alarm. If an alarm positioned in the hallway activates, the sound level at the bedhead could be as low as 36 decibels if the person sleeps with the door closed. This would not provide the necessary warning, particularly for the elderly or children, who may be more likely to sleep through an alarm sounding at a different location in the residence.

An Australasian Fire and Emergency Service Authorities Council analysis of deaths from house fires across Australia reveals that the major cause of death was smoke inhalation. The analysis found a sleeping person may become unconscious from inhaling smoke and subsequently die without ever being aware of the presence of a fire. Smoke inhalation is a silent killer. The installation of interconnected smoke alarms in every bedroom of a residence ensures sufficient early warning is provided to alert residents to the presence of a fire. The installation of smoke alarms in bedrooms provides the sleeping occupant the earliest possible warning of smoke in any part of the house and additional time to evacuate to a place of safety. If smoke alarms are not interconnected and in all bedrooms, parents would not be alerted to fires that start in children's bedrooms until it is too late.

The proper positioning of smoke alarms in homes will be further enhanced by the incorporation of Australian Standard 1670.6-1997, as recommended by the committee. This will ensure that smoke alarms are installed in the most effective position in a room. The changes will commence on 1 January 2017 and will be phased in over a 10-year period. From next year, if an existing smoke alarm needs to be replaced, it will be required to be replaced by a photoelectric smoke alarm. Also from that date, all new or substantially renovated homes will need to be compliant with the new smoke alarm provisions.

After five years from commencement all dwellings that are sold or leased will need to comply at the time an accommodation agreement, contract or sale is entered into. All other homes will be required to be compliant with the full provisions within 10 years from commencement. This 10-year period reflects the requirements under the Australian standard for smoke alarms to have a life span of at least 10 years and the recommendation of all Australian fire authorities that smoke alarms be replaced after 10 years.

The government is leading the charge by bringing its approximately 72,000 social housing and government employee housing properties into compliance within five years. The Department of Housing and Public Works has been phasing in photoelectric smoke alarms as part of its housing maintenance program and, as a result, it is estimated that approximately 80 per cent of dwellings are currently fitted with hardwired photoelectric smoke alarms.

I thank my ministerial colleague the Minister for Housing and Public Works for his assistance in the development of this bill. The Department of Housing and Public Works will be leading the way in implementing important changes to Queensland's social housing properties. The Department of Housing and Public Works is currently working on an assistance package to ease the cost of complying with the changes for struggling households. This package will be in place prior to the commencement of the changes on 1 January 2017.

This bill will see Queensland lead the country in home fire safety. Installing photoelectric smoke alarms with an enduring power source will result in a greater number of homes with working smoke alarms. The evidence is overwhelming that having interconnected smoke alarms and installing them in bedrooms greatly increases the chance of families escaping from fires unharmed. The Palaszczuk government will not sit back while more Queensland families are torn apart by house fires. We will not sit back while children continue to die in house fires. This bill takes the necessary steps towards ensuring tragedies such as the Slacks Creek house fire never happen again. I commend the bill to the House.