

## **Inquest into deaths resulting from a house fire at 60 Wagenveldt Street, Slacks Creek**

A few minutes before midnight on 23 August 2011, a fire started on the ground floor of the house occupied by the Taufa family and Lale family at 60 Wagenveldt Street, Slacks Creek, Queensland.

The Queensland Fire and Emergency Service crew at Woodridge Station were notified of the fire at approximately 12.05am. They arrived at the scene at 12.11am. By the time they arrived at the scene, police were already in attendance and the house was already fully engulfed by the fire.

Eleven people lost their lives including eight children under 18. The deceased were: Teukisia Jeannette Lale, Richard Steven Lale, Selamafi Letioa Lale, Jeanette Lafoai Lale, Lini Paul Lale, Jeremiah Lale, Fusi Kalau Taufa, Anna Maria Taufa, Kalahnie Fusikalau Fiavaai Taufa, La'Haina Uheina Taufa and Adele Topenisi Lee.

Coroner James McDougall delivered his findings of inquest on 28 November 2014.

The Queensland Government responds to recommendations directed to government agencies at inquests by informing the community if a recommendation will be implemented or the reason why a recommendation is not supported. The departments named in this response will provide implementation updates until the recommendation is delivered. Further information relating the implementation of recommendations can be obtained from the responsible minister named in the response.

### **Recommendation 1**

Legislation should be put in place as soon as possible the effect of which is such that all places where people sleep should be provided with early warning of a fire occurring at a sound level capable of waking them. That is a minimum of 75 Decibels at the bed head. To enable this to be achieved the legislation should provide:

That as a minimum in all areas of a building where people sleep, approved smoke alarms are installed:

- in any storey containing bedrooms
  - between each part of the dwelling containing bedrooms and the remainder of the dwelling and in every bedroom, and
  - where bedrooms are served by a hallway, in that hallway, and
- in any other storey not containing bedrooms, and
- in the case where there is more than one alarm required they shall be interconnected by hard wiring where possible and by wireless signal where hard wiring is impractical.

The above implementation should take a staged approach to allow homeowners to prepare for the changes. After the commencement of the legislation, homeowners are required to ensure the new legislative requirements are met in the following circumstances:

- If a dwelling does not have smoke alarms, or does not have smoke alarms that comply with the current legislation, the new legislative requirements must be met immediately (or alternatively, within a stipulated period of grace of, say, 6 or 12 months).
- When smoke alarms cease to operate when tested or are at the end of their useful life (10 years from manufactured date).
- If the owner enters into a contract to sell the dwelling, the day before the date of settlement.

- With respect to rental properties, before any new tenancy commences, and within 12 months of the commencement of the legislation in the case of existing tenancies.
- The current legislative requirements continue to apply until the new requirements are met in accordance with this staged approach.

An approved smoke alarm for these purposes means a photoelectric type smoke alarm that complies with Australian Standard AS 3786(Smoke Alarms) and:

- If installed in a newly constructed domestic dwelling, is a 240 volt hard wired smoke alarm.
- If installed in an existing domestic dwelling in addition to, or replacing existing smoke alarms, a 240 volt hard wired smoke alarm where access is available to the ceiling space or, otherwise, a 10 year lithium battery smoke alarm which is interconnected wirelessly, to all other required smoke alarms in the dwelling. It is important that all smoke alarms are interconnected so that if one alarm is triggered all the remaining alarms also operate. This will only be possible if all alarms are the same type and are compatible with each other.

Response and action: the recommendation is implemented.

Responsible agency: Queensland Fire and Emergency Services.

On 17 July 2015, the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:

Legislation requiring the installation of smoke alarms in all domestic dwellings, including rental properties, came into effect on 1 July 2007 (*Fire and Emergency Services Act 1990*). The legislation details the ongoing smoke alarm maintenance obligations of lessors and tenants. Queensland Fire and Emergency Services strongly recommends the use of photoelectric smoke alarms however, it is not currently a legislative requirement.

A discussion paper outlining the relevant issues and proposing legislative amendment has been prepared. Ministerial support was given to progress this issue to consultation. Consultation with the Department of the Premier and Cabinet, Queensland Treasury and the Department of Housing and Public Works has commenced. The Office of Best Practice Review has also been consulted with a formal response to the Preliminary Impact Assessment awaited.

It is expected that interdepartmental consultation will be completed in the second half of 2015, and will be followed by external consultation with industry.

**On 12 January 2016 the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:**

Comprehensive interdepartmental consultation has been completed, including with the Department of Housing and Public Works; Department of the Premier and Cabinet; and Queensland Treasury. The Queensland Productivity Commission (formerly known as Office of Best Practice Regulations in the Department of the Premier and Cabinet) has advised that a Regulatory Impact Statement will be required were a decision made to implement the coroner's recommendation.

In November 2015, the then Minister for Police, Fire and Emergency Services and Minister for Corrective Services approved Queensland Fire and Emergency Services (QFES) proceed with public information forums in high risk areas across the state, seeking feedback regarding the possibility of legislative changes in relation to photoelectric smoke alarms.

It is envisaged the first forums will be held in the QFES South Eastern Region in Logan and Ipswich then progress across the state. Timeframes for the forums are yet to be established.

**On 12 July 2016 the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:**

Approval had been given for QFES to hold public information forums in high risk areas across the state seeking feedback regarding possible legislative changes in relation to photoelectric smoke alarms. The proposed forums did not eventuate due to the increased priority to progress the legislative amendments.

The government has committed to implementing changes to Queensland's smoke alarms legislation in response to recommendations from the state coroner.

On 23 February 2016, the Minister for Police, Fire and Emergency Services and Minister for Corrective Services introduced the *Fire and Emergency Services (Domestic Smoke Alarms) Amendment Bill 2016* into the Queensland Parliament. In accordance with Standing Order 131 of the *Standing Rules and Orders of the Legislative Assembly*, the Bill was referred to the Legal Affairs and Community Safety Committee for detailed consideration.

The Bill demonstrates the government's commitment to protecting Queenslanders and will help prevent further lives from being tragically lost in residential fires.

The Bill will require:

- the installation of smoke alarms in every bedroom, between areas containing bedrooms, in any hallway servicing bedrooms and in any other storey of a residential dwelling
- all smoke alarms be interconnected and either hard-wired or powered by a 10-year lithium battery
- smoke alarms meet minimum performance standards beyond existing Australian Standards, with photoelectric type smoke alarms to be the performance baseline.

An implementation timeframe is also provided in the Bill, this being:

- when a new dwelling is built or substantial renovations are made to an existing dwelling, compliance would be required from 1 January 2017
- after five years, dwellings that are sold or leased would be required to comply immediately
- all government-owned housing would be required to comply within five years
- after ten years all domestic dwellings would have to comply with the changes.

The Legal Affairs and Community Safety Committee reported on its investigation into the Bill on 23 May 2016. The government's response is being prepared.

**On 22 December 2016 the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:**

On 31 August 2016, Queensland Parliament passed the *Fire and Emergency Services (Domestic Smoke Alarms) Amendment Bill 2016*. The *Fire and Emergency Services (Domestic Smoke Alarms) Amendment Act 2016* was assented to on 8 September 2016.

The new legislation specifies all Queensland dwellings will be required to have interconnected photoelectric smoke alarms (which comply with Australian Standard 3786) in all bedrooms, in hallways that connect bedrooms with the rest of the dwelling and on every level. These alarms will be required to be either hard-wired or powered by a battery with a ten year life.

Commencing from 1 January 2017, a ten-year phased roll-out of interconnected photoelectric smoke alarms in Queensland will commence over three specific periods. This means compliance with the new provisions will be required:

- from 1 January 2017 in all new dwellings and substantially renovated dwellings (this applies to building applications submitted from 1 January 2017)
- from 1 January 2022 in all domestic dwellings leased and sold
- from 1 January 2027 in all other domestic dwellings.

### **Recommendation 2**

The importance of smoke alarms and other safety requirements such as an escape plan be well publicised by Queensland Fire and Emergency Services and government.

Response and action: the recommendation is implemented.

Responsible agency: Queensland Fire and Emergency Services.

On 17 July 2015, the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:

Queensland Fire and Emergency Services (QFES) amended its community education brochures in April 2015 to further highlight the importance of smoke alarms and home escape plans. The community education brochures are available on the QFES website at [smoke alarms](#) and [escape plan](#).

In addition, QFES will distribute information cards explaining the coroner's recommendation in regards to photoelectric interconnected smoke alarms and the need for an escape plan to its more than 30,000 volunteers and paid firefighters by 30 June 2015. The Winter Fire Safety Campaign 2015 has taken on a strong focus to encourage Queenslanders to have and practice escape plans.

QFES will continue to actively promote the importance of photoelectric smoke alarms and other safety requirements such as escape plans.

**On 12 January 2016 the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:**

Queensland Fire and Emergency Services' (QFES) [web pages](#) was updated recommending the use of photoelectric smoke alarms. The web pages also highlight the need to have practised escape plans.

Queensland Fire and Emergency Services distributed smoke alarm information cards explaining the coroner's recommendation in regards to photoelectric interconnected smoke alarms and the need for an escape plan to its staff and volunteers.