

Renting, hiring or selling your home?

You need mains-powered smoke alarms



The Building Regulations 2012 (the Regulations) require the owner of a dwelling to have compliant smoke alarms installed:

- prior to the transfer of ownership;
- where a dwelling is rented under a residential tenancy agreement or made available for such rent;
- where a dwelling is made available for hire.

What is a compliant smoke alarm?

To comply with the Regulations, owners must ensure that the smoke alarm(s):

- (a) are in accordance with the Building Code of Australia ('BCA') that is applicable at the time of installation of the alarms. (Note: dwellings that were approved for construction prior to 1 May 2015 do not have to comply with the BCA requirement for interconnection of smoke alarms where there is more than one); and
- (b) are not more than 10 years old at the time of transfer of ownership or making the dwelling available for rent or hire; and
- (c) are in working order; and
- (d) are permanently connected to consumer mains power.

What types of dwellings need to comply?

The laws apply to existing residential properties that are subject to sale, transfer of ownership, rental or hire and which fall within the following residential building classes as broadly defined in the BCA:

Class 1a: A single residential dwelling, being a detached house or row houses, duplexes, town houses, terrace houses or villa units where attached dwellings are separated by a fire resisting wall.

Class 1b: includes the following:

- Boarding houses, guest houses, hostels or the like in which not more than 12 people would ordinarily be resident and with a total area of all floors not exceeding 300 square metres;
- or four or more single dwellings located on one allotment and used for short term holiday accommodation.

Class 2: Individual units such as apartments and flats.

Class 4: A residential unit in a non residential building e.g. a caretaker's residence

Is there a requirement to maintain smoke alarms?

An owner who makes their dwelling available for rent or hire must, to the extent practicable —

(a) ensure that each alarm installed in the dwelling is in working order; and

(b) if an alarm was, at the time of its installation, required to be connected to the mains power supply, ensure that the alarm —

- (i) is permanently connected to the mains power supply; or
- (ii) if the alarm is to be installed at a location in the dwelling where there is no hidden space in which to run the necessary electrical wiring and there is no appropriate alternative location - has a 10 year life battery that cannot be removed; or
- (iii) if, in relation to the alarm, the use of a battery powered smoke alarm has been approved under regulation 61 - has a 10 year life battery that cannot be removed; and

(c) ensure that each alarm installed in the dwelling -

- (i) has not reached its expiry date if one is provided on the alarm; or
- (ii) is not more than 10 years old if no expiry date is provided on the alarm.

It may be useful for people involved in the rent or hire of a dwelling to document when the smoke alarms will need replacing.

How do I maintain smoke alarm/s?

For smoke alarms to remain in working order, they should be tested and maintained regularly.

The Department of Fire and Emergency Services recommends the following smoke alarm maintenance routine:

- Testing once per month to ensure the battery and the alarm sounder are operating
- Replacing batteries annually, where appropriate mains powered smoke alarms have back-up batteries

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DFES
Department of Fire &
Emergency Services

- Check your smoke alarm for a build-up of dust and cobwebs and clean with a vacuum cleaner at least every six months
 - Vacuum with a soft brush attachment around the smoke alarm vents
 - Use a surface insect spray around the smoke alarm to prevent insects nesting inside
 - Smoke alarms should never be painted
- * Always refer to the manufacturer's guide when selecting batteries and following testing procedures

Are battery powered smoke alarms permitted?

The laws do permit the installation of battery powered smoke alarms in limited circumstances. In those circumstances local government approval is required unless:

- (a) There is no hidden space in which to run the necessary electrical wiring and there are no appropriate alternative locations for the smoke alarm, and
- (b) Where a building is not connected to the mains power electricity supply network.

It is unlawful to install battery powered smoke alarms just because it is more convenient to do so.

For example, where a two-storey dwelling is permitted the use of a battery powered smoke alarm because the first floor is concrete, the owner must not (for the sake of convenience) install a battery powered smoke alarm on the second floor where the ceiling has sufficient roof space to run the electrical wiring

Do smoke alarms need to be interconnected if there is more than one?

Only dwellings that are approved for construction on or after 1 May 2015 need to have interconnected smoke alarms. Existing dwellings (i.e. those constructed or approved for construction prior to 1 May 2015) that are subject to sale, transfer of ownership, rent or hire do not need to have interconnected smoke alarms.

How many smoke alarms are required?

The number of smoke alarms required will depend on the class, size and layout of your property.

Class 1a buildings (house, duplex, villa or town house)

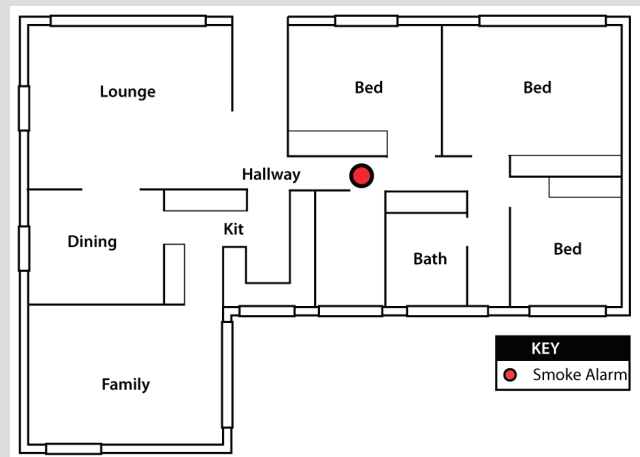
Class 2 (flat or apartment)

Class 4 (residential unit inside a building of another class)

Smoke alarms must be installed in a Class 1a building on or near the ceiling in:

- (a) any storey containing bedrooms—
 - (i) between each part of the dwelling containing bedrooms and the remainder of the dwelling; and
 - (ii) where bedrooms are served by a hallway, in that hallway, and;
- (b) any other storey not containing bedrooms. (see Fig. 3 for multilevel)

Figure 1 - Class 1a, Class 2 and Class 4 buildings



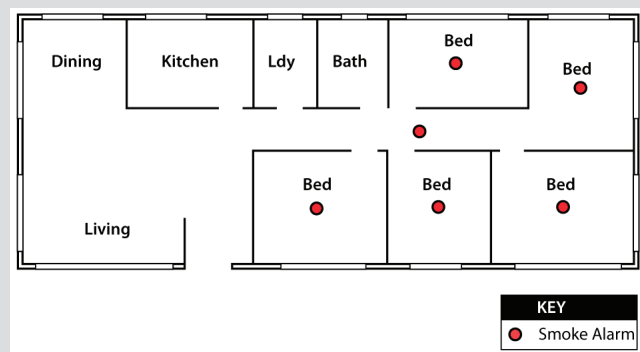
Class 1b (boarding/guest house or hostel where up to 12 persons can reside)

In a Class 1b building, smoke alarms must be installed on or near the ceiling—

- (a) in every bedroom; and
- (b) in every corridor or hallway associated with a bedroom, or if there is no corridor or hallway, in an area between the bedrooms and the remainder of the building; and
- (c) on each other storey. (see Fig. 3 for multilevel)

(Source: Building Code of Australia, 2012)

Figure 2 – Class 1b buildings



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Multilevel homes and properties

In multi-level properties, a smoke alarm is required in every storey, even if it consists only of carparking, bedrooms, laundries and the like.

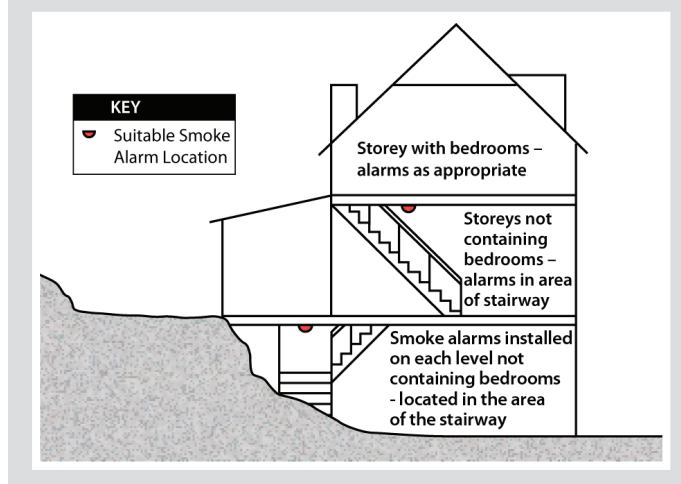
In storeys not containing bedrooms, smoke alarms should be installed in the area of the stairway between each level, e.g. if the bedrooms are on the first floor, then an alarm should be positioned near the area of the interconnecting stair at ground level.

This location is favoured as it is the path that people will most likely take to evacuate the building. It ensures that an alarm will be raised before smoke makes the common exit path impassable. If the other storey is not connected to the remainder of the dwelling (for instance a ground floor garage), the alarm should be centrally located in the lower area.

Multilevel homes and properties

Smoke alarms should be installed in each bedroom, in corridors and hallways that lead to exits and the living area. If you are installing smoke alarms in a multilevel home or property you should have an additional alarm in the stairway between each level. Often, people sleep with their bedroom doors closed at night and only a smoke alarm installed in that, room will detect a fire fast enough to get out safely.

Figure 3 – Multilevel homes and properties



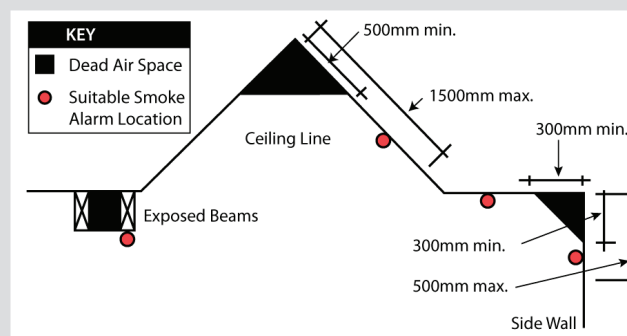
Installation of smoke alarms

Smoke alarms should be installed on or near the ceiling, with special care taken to avoid installation in the following areas:

- the apex of cathedral ceilings
- the corner junction of walls and ceilings
- between exposed beams, where there may be a dead air space

If it is not practical to install the smoke alarm on the ceiling, then it may be installed on the wall. The recommended position in this situation is between 300mm to 500mm below the ceiling. For cathedral ceilings, the recommended position should be between 500mm and 1500mm from the apex to the top of the alarm.

Figure 4 – Installation of smoke alarms



Installation of smoke alarms

Smoke alarms are very sensitive and may detect smoke and moisture created by common household activities, such as burning toast or steam from a bathroom.

Smoke alarms should not be located near:

- Cooking appliances
- Heaters or fireplaces
- Doorways to bathrooms, laundries or other humid areas
- Heating and cooling duct outlets
- Ceiling fans, doors and windows (excessive air movement may prevent smoke from reaching the smoke alarm)
- Fluorescent light fittings (to avoid the effect of electrical 'noise' or 'flicker') or doorways and windows where barbecues and incinerators are located.

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Which smoke alarm is best?

A mains powered photoelectric smoke alarm is best with a fixed rechargeable battery that does not need to be changed for the life of the smoke alarm. This type of alarm can detect smoke faster and more types of smoke than other models. This means you will be alerted to a fire earlier giving you more time to escape safely. All smoke alarms should comply with Australian Standard 3786.

Are there penalties involved?

Yes. Where the dwelling does not comply with the smoke alarm requirements under the Regulations, a local government may issue an infringement notice under the Criminal Procedure Act 2004, which attracts a penalty of \$1,000 for a prescribed offence; or the local government may prosecute an owner for non-compliance resulting in a penalty of up to \$5,000 for a prescribed offence.

Want more information?

Contact the Department of Fire and Emergency Services on 9395 9816, visit www.dfes.wa.gov.au, contact your local government or access the laws (Building Regulations 2012) at www.slp.wa.gov.au