

SMOKE ALARM COMPLIANCE from 1 January 2017

In a residential environment, fire can occur at a moment's notice and its effects can be devastating.

Even the smallest fire, if unattended, can pose a risk to life and safety as occupants can swiftly be overcome or disoriented by both smoke and the radiant heat produced by combustion. In a house fire, seconds can often be the difference between life and death, and between partial or total property destruction.

Residential environments are rarely equipped with fire protection (ie fire extinguishers, fire blankets etc) meaning that were a fire to occur, the earlier that occupants are alerted, the greater the chance to extinguish any fire and escape from the premises. Smoke alarms are the most common fire equipment in a home and operate to detect the presence of smoke, causing an audible or visual alarm to alert occupants. An inoperative or defective smoke alarm serves no purpose and in particular circumstances may result in legal liability and/or insurance implications for a property owner.

Queensland has a tragic history of significant fire events, the most recent being a house fire at Slacks Creek that claimed eleven lives in 2011. That devastating event and the realisation that working smoke alarms could have altered the outcome has resulted in changes to the law in this state.

At present, where a property owner is engaged in leasing the premises to another person, they have an obligation under the Fire and Emergency Services Act 1990 to ensure that an adequate number of smoke alarms are installed throughout the premises, and that they are tested prior to the commencement of (or renewal of) any tenancy, with batteries replaced as required and devices replaced at the end of their 10 year service life. **IMPORTANTLY**, the law with respect to smoke alarm compliance in Queensland will change effective from 1 January 2017, with notable implications for property owners.

THE NEW REQUIREMENTS

In any house fire, the installation of working and effective smoke alarms greatly enhances the prospects of occupants being alerted to and escaping from the destructive effects of a fire. The Queensland government has now acted to strengthen the regulations for domestic fire protection. The new laws, commencing on 1 January 2017, will increase the requirements for smoke alarm compliance in residential environments to include the following:-

- *The need for interconnected smoke alarms to be installed throughout a residence including in each bedroom, hallways, between areas containing bedrooms and in other storeys of residential dwellings; and*
- *The need for smoke alarms to be photoelectric, hardwired with a 240v supply or powered by a 10 year lithium battery and manufactured within the last 10 years.*

The trigger point for the new requirements are as follows:-

- (1) For new buildings where development approval is applied for after 31.12.2016 – new constructions from this point forward will be required to meet the strengthened requirements noted above; and
- (2) For building work amounting to substantial renovation made by application after 31.12.2016 – likewise where renovations are occurring to an existing building, and where the alterations (and any previous structural work completed in the past 3 yrs) represents more than half of the volume of the building; and
- (3) For any transfer of land occurring after 31 December 2021 – five years after commencement of the revised provisions, all dwellings sold or leased in Queensland must meet the new requirements prior to any lease or contract of sale being entered into.

Individual property owners and bodies corporate are advised to continue to service their existing smoke alarms on an annual basis until a triggering event occurs and also consider upgrading to meet the new standards prior to 1 January 2022 to manage cost, to ensure they are not subject to the financial penalties under the act for non-compliance and also to ensure their property insurance is not affected.

Should you require further information or assistance with your fire services needs please contact **Incendia Fire Services** on 1300 747 080 or go to www.incendia.com.au for further details.