

Smoke alarms in dwellings for sale, rent or hire

Western Australia's smoke alarm laws require owners to have compliant smoke alarms in dwellings that are subject to transfer of ownership, rent or hire.

Smoke alarm requirements

The Building Regulations 2012 requires that the smoke alarms:

- are installed in the dwelling in accordance with the Building Code of Australia (Building Code) applicable at the time of installation of the alarms;
- are not more than 10 years old and have not reached their expiry date;
- are in working order; and
- are permanently connected to the mains power supply.

Installing smoke alarms

The Building Code requires smoke alarms to be installed on or near the ceiling as follows:

- a minimum of 300mm away from the corner junction of the wall and ceiling; and
- between 500mm and 1500mm away from the high point and apexes of the ceiling if the room has a sloping ceiling.

This is to avoid a smoke alarm being positioned in a dead air space, where trapped hot air prevents smoke from reaching the alarm.

Where it is not possible to install a smoke alarm on the ceiling, it may be installed on the wall and located a minimum of 300mm and a maximum of 500mm off the ceiling at the junction with the wall.

Location of smoke alarms

The location of smoke alarms will depend on the dwelling's Building Code classification.

Class 1a building

A Class 1a building is a single dwelling. Examples include: a detached house, row house, town house, terrace house or villa unit.

In a Class 1a building smoke alarms must be located in:

- any storey containing bedrooms, 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
- each other storey not containing bedrooms (even if those storeys consist of only carparking, bathrooms, laundries and the like).

Diagram 1 – Class 1a: Smoke alarm location where bedrooms grouped.

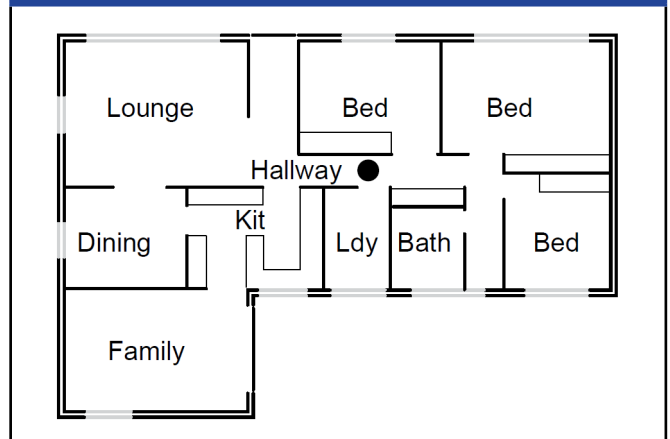
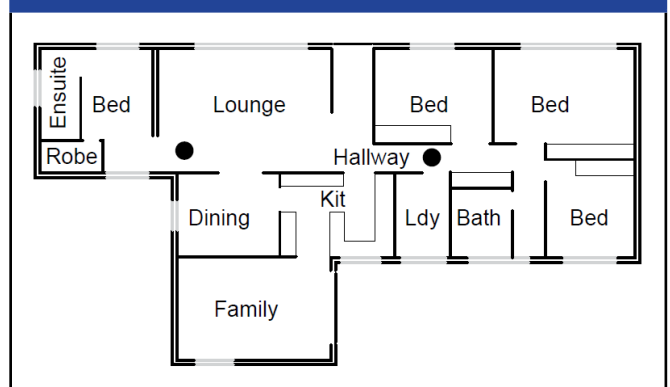


Diagram 2 – Class 1a: Smoke alarm location where bedrooms are separated.



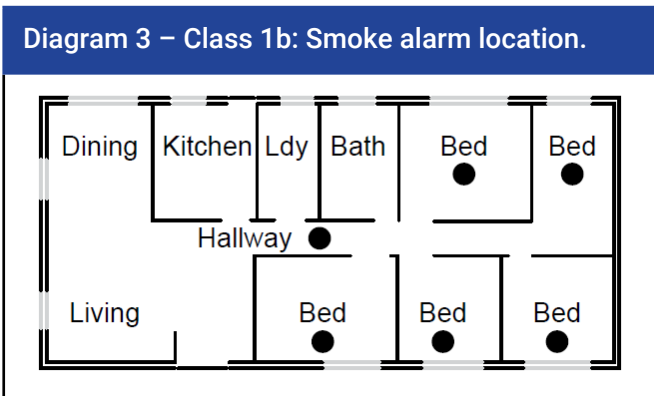
Class 1b building

A Class 1b building includes:

- A small boarding house, guest house, hostel or the like, that ordinarily accommodates no more than twelve people.
- Four or more single dwellings located on one allotment and used for short-term holiday accommodation, such as cabins in a caravan park or farm stay.

Smoke alarms in a Class 1b building must be located in:

- the same locations required for a Class 1a building; and
- every bedroom.



Class 2 building

A Class 2 building is a building that contains two or more sole-occupancy units such as apartments.

In general, the location of smoke alarms inside the apartment or unit is similar to the requirements for a Class 1a building.

Class 4 building

A Class 4 building is a single dwelling in a non-residential building if it is the only dwelling in the building.

In general, the location of smoke alarms inside the dwelling is similar to the requirements for a Class 1a building.

Park homes

Smoke alarms are required in park homes or similar dwellings that are subject to transfer of ownership, rent or hire.

Types of smoke alarm

Smoke alarms must comply with Australian Standard 'AS 3786 – Smoke alarms using scattered light, transmitted light or ionization.'

Smoke alarms complying with this Standard can be either photoelectric or ionisation. The difference is in the smoke sensing technology used, which affects how the device reacts to a fire.

The Department of Fire and Emergency Services recommends the use of photoelectric smoke alarms.

Nuisance alarms

Smoke alarms are extremely sensitive and may detect smoke and moisture created by common household activities such as burnt toast, steam from a bathroom or starting a car inside a private garage.

To reduce the likelihood of nuisance alarms, it is preferable that smoke alarms are not located near cooking appliances and bathrooms. However, if it is necessary to locate alarms in these positions, the type of alarm may need consideration as there are alarm types that may be more suitable in certain locations.

In a private garage associated with a Class 1 dwelling, the Building Code permits the use of any other alarm deemed suitable in accordance with Australian Standard AS 1670.1, provided smoke alarms complying with AS 3786 are installed elsewhere in the dwelling.

Interconnection

The Building Code requires smoke alarms to be interconnected where more than one smoke alarm is installed in the dwelling. This provides a common alarm so that if one alarm in the dwelling activates, the other alarms automatically activate.

However, the interconnection of smoke alarms for dwellings subject to transfer of ownership, rent or hire is not required for a dwelling that was constructed on an application for a building permit made before 1 May 2015.

Who can install smoke alarms?

A licensed electrical contractor is required to connect or disconnect mains powered smoke alarms.

Are battery powered smoke alarms allowed?

A battery powered smoke alarm is only permitted where there is no hidden space in which to run the necessary electrical wiring for the required mains powered smoke alarm and there is no appropriate alternative location. For example, where the ceiling is concrete, or the dwelling has a flat roof with no ceiling space.

Local government approval for a battery powered smoke alarm is not required in this circumstance. Installation of a battery powered smoke alarm in other circumstances may require local government approval.

Where a two-storey home is permitted the use of a battery powered smoke alarm, the owner must not, for the sake of convenience, install a battery powered smoke alarm on the upper floor ceiling where there is sufficient roof space to run the electrical wiring for the mains powered alarm.

Requirement to maintain smoke alarms

The lessor or owner of a dwelling that is subject to rent or hire is responsible for maintaining smoke alarms so that each smoke alarm:

- is in working order;
- is permanently connected to the mains power supply, or where the use of a battery powered smoke alarm is permitted, the alarm has a 10-year life battery that cannot be removed;
- has not reached its expiry date if one is provided on the alarm; and
- is not more than 10 years old if no expiry date is provided on the alarm.

Keeping smoke alarms in working order

It is recommended that owners refer to the smoke alarm manufacturer's instructions or the [Department of Fire and Emergency Services website](#) for specific advice about maintaining smoke alarms.

Smoke alarms in home security systems

The laws require smoke alarms to be permanently connected to the mains power supply. Smoke alarms that are powered through a home security system may not comply because some home security systems can be disconnected by the occupier at the power point.

While the home security system may be on 240-volt from the mains power supply, a feed of 12-volt from the home security system to the smoke alarm would not comply with the requirement for the smoke alarm

to be permanently connected to the 240-volt mains power supply.

Exemption for proposed demolition

If the proposed buyer of a dwelling intends to demolish it and has given the vendor a declaration of intended demolition (statutory declaration) prior to the transfer of ownership, then smoke alarms are not required.

The proposed buyer is making a statutory declaration that they intend to demolish the dwelling within six months from the date of transfer of ownership.

If the property is not demolished within the six months following transfer, the new owner must then install all required smoke alarms.

Penalties apply for non-compliance

Local governments have powers under the *Building Act 2011* to take enforcement action where compliant smoke alarms are not installed or maintained in accordance with the Building Regulations 2012.

Disclaimer – The information contained in this document is provided as general information and a guide only. It should not be relied upon as legal advice or as an accurate statement of the relevant legislation provisions. If you are uncertain as to your legal obligations, you should obtain independent legal advice.

Building and Energy

Department of Energy, Mines, Industry Regulation and Safety

1300 489 099

8.30am – 4.30pm

Level 1 Mason Bird Building

303 Sevenoaks Street (entrance Grose Avenue)

Cannington Western Australia 6107

M: **Locked Bag 100, East Perth WA 6892**

W: www.demirs.wa.gov.au/building-and-energy

E: be.info@dmirs.wa.gov.au

Regional Offices

Goldfields/Esperance (08) 9021 9494

Great Southern (08) 9842 8366

Kimberley (08) 9191 8400

Mid-West (08) 9920 9800

North-West (08) 9185 0900

South-West (08) 9722 2888

National Relay Service: 13 36 77

Translating and Interpreting Service (TIS): 13 14 50

This publication is available in other formats on request to assist people with special needs.