



Smoke Alarms

New smoke alarm requirements

Owners of houses, residential flats and units

Factsheet 1 • March 2006



NSW Fire Brigades estimates that 59 per cent of deaths from house fires occur during sleeping hours and 670,000 homes across the State do not have smoke alarms, leaving occupants at great risk. In the last five years, 144 house fire deaths occurred across NSW.

In an effort to protect residents from this risk, the NSW Government introduced the Environmental Planning and Assessment Amendment (Smoke Alarms) Regulation 2006. This requires smoke alarms for all houses, flats and units that do not currently have them installed.

The new Regulation commences on 1 May 2006 and home owners are encouraged to take action to install smoke alarms as soon as possible.

This fact sheet provides the information you need to prepare for the new requirements. A full copy of the Regulation is available on NSW Parliamentary Counsel's Office website listed below.

New smoke alarm requirements

The new regulation requires owners of houses, flats and units (homes) to ensure smoke alarms are installed in their residences. Owners of homes that have smoke alarms installed in compliance with a current or previous requirement need take no additional action. Also, homes where smoke alarms have already been voluntarily installed are not required to take action if their smoke alarms are in good working order and in the right locations (see below for details).

Building types required to have smoke alarms

The new smoke alarm requirements apply to the following residential building types as classified under the Building Code of Australia (BCA):

- **houses and townhouses, etc.** (Class 1a buildings)
- **apartments and blocks of flats** (Class 2 buildings)
- **residences above shops and caretaker flats** (Class 4 parts of buildings), and

relocatable homes such as manufactured homes and certain moveable dwellings. (Tents, campervans and caravans are not affected by these requirements.)

Requirements also apply to other building types (Class 1b, 3 and 9a buildings of the BCA) as outlined in Factsheet 2 'New smoke alarm requirements for shared accommodation buildings', available from the NSW Department of Planning website listed below.

Type of smoke alarms required

Any smoke alarm that complies with the Australian Standard (AS) 3786-1993, *Smoke Alarms* (which should be noted on the product packaging) will meet the new requirements. These alarms can be hard-wired (powered from the mains electricity supply) or battery-operated at the owners' choice.

For more information about types of smoke alarms, see the NSW Fire Brigades website listed below.



New smoke alarm requirements

Owners of houses, residential flats and units

Factsheet 1 • March 2006

Cost of smoke alarms and installation

Smoke alarms come in a range of styles and prices and battery-operated alarms can be purchased for as little as \$10.00. Most battery-powered smoke alarms can be easily installed by the home owner and do not require professional installation. However hard-wired smoke alarms will need to be installed by a licensed professional.

Elderly residents can receive assistance from the NSW Fire Brigade through its SABRE (Smoke Alarm Battery Replacement for the Elderly) program.

Where to buy smoke alarms

Smoke alarms are available at most hardware, home equipment and building supply stores and a number of department stores. Call your local store to enquire about what they carry and whether their product range meets AS 3786.

Where to locate smoke alarms to meet the new requirement

The number of smoke alarms required will depend on the size and layout of each particular home.

For houses (Class 1a buildings) and manufactured and relocatable homes, smoke alarms are required on or near the ceiling in the following areas:

- in storeys containing bedrooms: in every corridor or hallway associated with a bedroom, or, if there is no corridor or hallway, between the part of the home containing the bedroom and the rest of the dwelling, and
- in any storey not containing bedrooms. In these storeys smoke alarms should be located in the path of travel most likely to be used by those evacuating the home.

For **apartments**, blocks of flats (Class 2 buildings) and **residences over shops or caretaker flats** (Class 4 parts of buildings) smoke alarms are required on or near the ceiling in the following areas in each flat or unit:

- in every corridor or hallway associated with a bedroom, or, if there is no corridor or hallway,

between the part of the unit containing the bedroom and the rest of the dwelling, and

- in any storey not containing bedrooms. In these storeys smoke alarms should be located in the path of travel most likely to be used by those evacuating the unit.

Penalties for non-compliance

The new smoke alarm requirements will rely primarily on community support for implementing this important legislation. While the regulation does not include any new inspection powers, it does include provisions for fines to be issued for failure to install smoke alarms after a six month compliance period. Also, from 1 May 2006, it will be an offence to interfere with or remove an existing smoke alarm, unless it is to repair, maintain or replace the alarm.

Public education will be carried out to assist NSW home owners to comply with the new requirements.

For more information or assistance

For all of the latest information about the new NSW smoke alarm requirements, see www.planning.nsw.gov.au.

For a full copy of the regulation, see www.legislation.nsw.gov.au/maintop/search/inforce.

For more information on smoke alarms and other related topics, see the NSW Fire Brigades website at: www.fire.nsw.gov.au/community/athome/smokealarms/.

Enquiries: phone the Smoke Alarm Helpline on 1300 858 812 or email smoke.alarms@planning.nsw.gov.au.

Important note: This advisory note does not constitute legal advice. Readers are advised to seek professional advice and refer to the relevant legislation, as necessary, before taking action in relation to any matters covered by this publication.

Crown copyright 2006
NSW Department of Planning
www.planning.nsw.gov.au
DOP 06_008

Disclaimer: While every reasonable effort has been made to ensure that this document is correct at the time of printing, the State of New South Wales, its agencies and employees, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance upon the whole or any part of this document.