

Changes to Queensland's smoke alarm Legislation

On 31 August 2016 the Queensland Parliament passed new smoke alarm legislation making Queensland households the safest in Australia in relation to fire safety.

The new legislation was developed following recommendations handed down after the 2011 Slacks Creek fatal house fire where sadly 11 lives were lost. In the years since, lives have continued to be lost in house fires in Queensland. The new legislation has been developed to help save lives.

It specifies that every Queensland residence will be required to have interconnected photoelectric smoke alarms in all bedrooms of the house or unit, in hallways that connect bedrooms with the rest of the dwelling and on every level.

Photoelectric smoke alarms can also be known as optical or photo optical smoke alarms. They are generally more effective than ionisation types because they 'see' the smoke by detecting visible particles of combustion. For this reason they are good at detecting smouldering fires and dense smoke, and are not as prone to false alarms from cooking etc.

Interconnected means if one smoke alarm sounds all other smoke alarms in a premise will sound; so it won't matter what part of the house the fire starts in, the alarm closest to you will quickly alert you to a fire danger. Photoelectric smoke alarms are more likely to alert occupants to a broad range of fires in time to escape safely.

How does this new Legislation affect you?

By law, all homes and units in Queensland must be fitted with smoke alarms. It is your responsibility to make sure you have working smoke alarms installed.

When is this happening?

There is a 10 year phased roll-out of interconnected photoelectric smoke alarms in Queensland that will happen over three specific periods starting from 1 January 2017. This means interconnected photoelectric smoke alarms are required for compliance:

- From 1 January 2017: **All new dwellings** and **substantially renovated dwellings** are required to install interconnected photoelectric smoke alarms (this applies to building applications submitted from 1 January 2017)
- From 1 January 2022: Interconnected photoelectric smoke alarms are required in all domestic dwellings **leased and sold**
- From 1 January 2027: Interconnected photoelectric smoke alarms are required to be installed in **all domestic dwellings**

New or replacement of existing smoke alarms?

Any new smoke alarms being installed or existing smoke alarms being replaced from 1 January 2017 **must** be a photoelectric type alarm which complies with Australian Standard 3786.

If your smoke alarm is more than 10 years old it must be replaced with a photoelectric smoke alarm. A smoke alarm which is hard wired to the domestic power supply must be replaced with a hard wired photoelectric smoke alarm. Be sure to check your alarm's date of manufacture. Any smoke alarms that do not operate when tested must also be replaced immediately.

Where will smoke alarms need to be installed?

The new legislation means that interconnected photoelectric smoke alarms will need to be installed on each storey and:

- In each bedroom
- In hallways that connect bedrooms and the rest of the dwelling
- If there is no hallway, between the bedroom and other parts of the storey
- If there are no bedrooms on a storey, at least one smoke alarm must be installed in the most likely path of travel to exit the dwelling.

How does this legislation affect your body corporate?

Existing dwellings have ten years to install or replace alarms with an interconnected photoelectric smoke alarm ***unless***:

1. *They are renovating their unit after 1 January 2017*
2. *They are leasing or selling their unit after 1 January 2022*

It is not necessary to ensure compliance by all owners until 1 January 2027 '***unless***' they are required to do so earlier.

However, it is not recommended to wait this long. There are very persuasive reasons to upgrade to photoelectric alarms earlier, even though it is not legislatively required. Photoelectric alarms are far more effective at detecting dangerous fires and saving lives.

If owners do not comply within the roll out of the new legislation and have incorrectly installed smoke alarms then they may be deemed to be non-compliant in the event of a claim or loss, thus making the whole building non-compliant.

Bodies Corporate have a duty of care to comply with all relevant legislation in order to ensure their cover is not prejudiced in the event of any insurance claim.

The above information has been compiled from information contained in the following websites and from advice received from Solutions in Engineering. These sites are a useful source of further information on this topic and recommended reading:

Qld Govt:

<https://www.qld.gov.au/emergency/safety/smoke-alarms.html>

Qld Fire and Emergency Services:

<https://www.qfes.qld.gov.au/community-safety/smokealarms/Pages/new-legislation.aspx>

Choice:

<https://www.choice.com.au/home-improvement/safety-and-security/smoke-alarms/buying-guides/smoke-alarms>

ABC News article 01/09/16:

<http://www.abc.net.au/news/2016-09-01/tougher-queensland-smoke-alarm-laws-to-be-phased-in-from-january/7804262>