

Contract - Annexure: Smoke Alarms in Dwellings



Planning, Development and Infrastructure (General) Regulations 2017

95—Fire safety requirements—smoke alarms in dwellings

(1) In this regulation—

"approved standard" means—

- (a) Australian Standard 3786 (as in force from time to time); or
- (b) a Ministerial building standard published for the purposes of this regulation.

(2) This regulation applies to Class 1 and 2 buildings under the Building Code (whenever constructed).

(3) Subject to any other requirement in the Building Code, 1 or more smoke alarms complying with an approved standard must be installed in each dwelling that is, or forms part of, a building to which this regulation applies in locations that will provide reasonable warning to occupants of bedrooms in that dwelling so that they may safely evacuate in the event of fire.

(4) If title of land on which a building to which this regulation applies is situated is transferred, then, within 6 months from the day on which title is transferred, each dwelling that is, or forms part of, the building must have a smoke alarm or smoke alarms in accordance with the requirements of subregulation (3) that are powered through a mains source of electricity (unless the building is not connected to a mains source of electricity) or powered by 10 year life non-replaceable, non-removable permanently connected batteries.

(5) If a smoke alarm or smoke alarms are not installed in a building to which this regulation applies in accordance with the requirements of this regulation, the owner of the building is guilty of an offence.

Maximum penalty: \$750.

Expiation fee: \$150.

(7) For the purposes of this regulation—

(a) the transfer of the interest of—

- (i) a unit holder of a unit under the *Strata Titles Act 1988*; or
- (ii) an owner of a community lot under the *Community Titles Act 1996*; or
- (iii) an occupant of a unit in a building unit scheme,

will be taken to be a transfer of title of land; and

(b) land will be taken to include a unit under the *Strata Titles Act 1988*, a community lot under the *Community Titles Act 1996* and a unit in a building unit scheme (and to the extent that such a unit or community lot comprises a building, it will be taken that the building is situated on that unit or lot); and

(c) a unit holder of a unit under the *Strata Titles Act 1988*, an owner of a community lot under the *Community Titles Act 1996* or an occupant of a unit in a building unit scheme will be taken to be the owner of any building comprising the unit or lot.

INITIALS

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