

Window safety devices

TENANTS/LANDLORDS

The NSW tenancy laws require landlords to provide and maintain locks and security devices to make the premises reasonably secure. Landlords cannot unreasonably refuse permission for tenants to make minor changes to rental premises, such as installing child safety window locks.

Landlords and tenants entering into a new tenancy agreement must use an up-to-date Residential Tenancy Condition Report which lists window safety devices.

Tenants, Landlords and Owner Occupiers should check the schemes by-laws for any rules for window safety devices within the scheme.

STRATA SCHEMES MANAGEMENT REGULATION 2016 –REG 30

- (1) A building in a strata scheme is a building to which section 118 of the Act applies if the building contains lots used for residential purposes.
- (2) A window within any such building is a window to which section 118 of the Act applies if:
 - (a) it is a window within the meaning of the Building Code of Australia, and
 - (b) it can be opened, and
 - (c) the lowest level of the window opening is less than 1.7 metres above the surface of any internal floor that abuts the wall of which it forms part, and
 - (d) that internal floor is 2 metres or more above the ground surface, or any external surface, below the window that abuts the wall, and
 - (e) it is a window on common property to which access can be gained from a residence in a strata scheme or a window on any part of the building that is part of a residence.
- (3) A screen, lock or any other device is a complying window safety device for the purposes of section 118 of the Act if it:
 - (a) is capable of restricting the opening of a window so that a sphere having a diameter of 125 millimetres or more cannot pass through the window opening, and
 - (b) is capable of resisting an outward horizontal action of 250 newtons, and
 - (c) has a child resistant release mechanism, in the case of a device that can be removed, overridden or unlocked.
- (4) In this clause
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"Building Code of Australia" has the same meaning as it has in the Environmental Planning and Assessment Act 1979