

INFORMATION SHEET

Window Safety Legislation

The purpose of the additional item, headed “Window Safety Compliance Report” which has been or will be placed on the agenda of your Annual General Meeting or Executive Committee Meeting is to ensure that your strata scheme is compliant with the legislation which will come into force on 13 March 2018. Although this date may seem to be in the distant future, please bear in mind that windows in older buildings may not be compliant and require significant work and expense, for which funds may have to be raised, to make them child-safe according to the provisions below. It is therefore vital that you initiate action NOW, as time will quickly pass.

From 1 May 2013, amendments to the National Building Code assist to prevent children falling from bedroom windows in newly constructed buildings. These requirements are also applicable to where windows are replaced in existing buildings. Additionally, in October 2013 new window safety laws to help prevent children falling from residential strata buildings were passed through Parliament and come into force on 13 March 2018.

Residents will still be able to open their windows as presently, but the lock will be available to be engaged when children are present.

Due to this risk and to prevent injuries and deaths, the new requirements are applicable where:

- The building has lots used for residential purposes and the window can be accessed from a residence,
- The floor is located more than 2 metres above ground level, and
- The window is located below 1.7 metres from the floor inside the dwelling.

For all applicable windows,

- A locking device must be fitted to ensure the window opening is not greater than 12.5cms, or
- Windows bars are fitted to ensure the maximum gap is less than 12.5cms, or
- A barrier or mesh is fitted over the danger area,
- There are specific technical requirements regarding of the locking device.

Further information can be obtained from

Fair Trading NSW : <http://www.fairtrading.nsw.gov.au>

S.64A Strata Schemes Management Act 1996 : www.austlii.edu.au/au/legis/nsw/consol_act

Westmead Hospital – Kids don’t Fly

www.kidshealth.schn.health.nsw.gov.au/projects/falls-windows-and-balconies

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