

Information for managing agents

New laws for leasing a property with a swimming pool in NSW

What's changing?

From 29 April 2016, new laws apply to the sale and lease of properties with a swimming pool in NSW. The new laws have an impact on anyone who is selling, buying or leasing a property with a pool.

If you are handling the leasing of a property with a pool, you should check that the landlord has provided the following:

- a [current certificate of compliance](#); or
- a [relevant occupation certificate](#) and a [certificate of registration](#).

A certificate of compliance and/or registration can be downloaded from the NSW Swimming Pool Register [here](#) once the property owner has registered the pool and the local council inspector or accredited certifier has issued a certificate of compliance.

For new leases signed after 29 April 2016, the landlord provides the tenant with the relevant certificates at the time the residential tenancy agreement is entered into. Please refer to the Schedule 1 "Standard Form Agreement" created under the *NSW Residential Tenancies Regulation 2010*.

These new laws **do not apply** to properties with more than two lots and a shared pool, such as units in strata complexes or community schemes. This information sheet should be read in conjunction with the *NSW Conveyancing (Sale of Land) Amendment (Swimming Pools) Regulation 2016*, which can be accessed [here](#).

How you can help

- Please remind landlords and tenants of their obligations under NSW swimming pool laws:
 - Landlords must maintain the pool fence as a compliant, child-resistant barrier.
 - Tenants must ensure that:
 - The pool fence is kept in good repair (by the landlord);
 - Doors, windows and gates opening onto the pool area are kept closed when not in use; and

- A compliant cardio-pulmonary resuscitation (CPR) sign (provided by the landlord) is clearly visible in the pool area and is readable.
- As a property agent, you should ask the tenant to inform you and/or the landlord immediately of any pool barrier or pool area-related defect so that it can be remedied.

Process for leasing a property with a compliant pool

Strengthening swimming pool safety

