

Sunday, 13 September 2020

BARKING MAD CHANGES TO STRATA BY-LAWS COULD SPARK LORD OF THE FLIES IN APARTMENT BUILDINGS

The comfort and safety of more than one million NSW residents in apartment buildings is at risk, with a shock amendment to legislation threatening to shake the strata system to its core.

Last month a minor political party snuck an amendment through the NSW Upper House which effectively allows apartment dwellers to keep pets even if it's against the building's by-laws:

137B Keeping of Animals

(1) *"A by-law has no force or effect to the extent that it purports to unreasonably prohibit the keeping of an animal on a lot."* (You can read the debate on the amendment [here](#).)

Under current legislation, strata buildings in NSW are allowed to declare themselves pet-free if more than 75% of owners vote in favour of prohibiting pets – a very high threshold.

Owners Corporation Network (OCN) spokesperson, Stephen Goddard, warned if individuals who don't like the rules no longer have to follow them, the implications are serious for strata living.

"There are some key principles at risk here," Mr Goddard said.

"First, you can love apartment living and love animals, but not necessarily the two together.

"Second, if this amendment goes through, it would mean that if you're allergic to animals, scared of them or just don't plain want to live with them, you no longer have that choice in Sydney unless you happen to be rich enough to buy a standalone house.

"And third - and this is the big one – what next? If strata schemes can no longer make and uphold their own pet by-laws, even by agreement with 75 per cent of owners, what can they decide?

"Finally, this proposed amendment is a nail in the coffin of democracy. Why? How else do you describe the disenfranchising owners by denying them the democratic right to vote on how their building will be regulated."

"By-laws in strata buildings determine everything from smoking on balconies, to rules for parking areas, and what types of renovations can be carried out.

"We would have a Lord of the Flies senario unfolding in every apartment building from Broken Hill to Bondi.

“Strata schemes are democratic communities, where owners vote on by-laws to determine the the benefit and comfort of all, but now we are on a slippery slope.

“This is a rogue amendment made with no consultation or thought about the people it will impact. It reflects an individualistic behaviour that doesn’t work in strata communities.”

OCN fears that taking away the right of strata schemes to uphold pet and other by-laws will result in more adversarial situations for strata committees and an overload of disputes at NCAT.

“Not only would this add to the financial and time impose on strata schemes, but an unnecessary burden on the NSW legal system,” Goddard said.

The OCN is calling for the removal of this amendment, and instead for the matter of pets to be considered as part of a scheduled strata legislation review to commence later this year.

- Ends -

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About OCN

The Owners Corporation Network of Australia Limited (OCN) is the peak consumer body representing residential strata and community title owners and residents. Strata is the fastest growing form of residential property ownership in Australia, and the growth of this sector raises increasingly important questions over property ownership and governance.