

**Tuesday, 15 September 2020**

## **GOING TO THE DOGS: D-DAY FOR STRATA BY-LAW**

The Owners Corporation Network (OCN) is calling on the NSW opposition and cross bench to withdraw their support for a controversial law threatening to destabilise the strata system – robbing people who live in apartments of the ability to set their own bylaws.

Legislation amended by the Animal Justice Party (AJP) and set for possible debate this fortnight, will allow people to bring pets into pet-free apartment blocks, even if it's against the will of 75% or more owners.

The amendment (which is opposed by the NSW Government) was made to unrelated legislation about solar panels and could be voted on as early as tomorrow, after it passed the NSW Upper House in August.

### ***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 laws, 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.

OCN spokesperson, Stephen Goddard, said if this AJP amendment is successful, the ability for apartment owners to set their own rules is at risk.

“Forget about this being only about pets, if this legislation becomes law, you're setting a precedent saying the democratic process doesn't matter. It's okay for anyone... to do anything... anytime...”

This amendment will set a precedent that puts ‘on the table’ everything that strata residents take for granted, rules around noise, to BBQs on balconies and parking.

What's even more unconscionable is that the amendment to legislation has been designed to circumvent a case currently before the NSW Supreme Court of Appeal.

OCN calls on the opposition and cross bench to preserve the rule of law and the democratic process. How? Prevent this AJP amendment. There is a better place to consider strata amendment.

“The five-yearly review of strata law that starts in November has built in consultation. That's the right place and way to consider matters such as these.

“We are not for or against pets. What we oppose is an ill-conceived, rushed amendment that has the potential to create chaos in strata buildings.”

“We ask both the opposition and cross bench to reconsider their support for the legislation to ensure that strata schemes remain democratic, where owners can vote on by-laws to determine the benefit and comfort of their collective communities.”

**- 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.