

# New Strata Legislation Will Soon Become Law

The *Strata Schemes Management Amendment (Sustainability Infrastructure) Bill 2021* is expected to commence in mid-2021.

## Overview of New Laws

The key features of the Bill are as follows:

1. An owners corporation will be able to authorise the installation of sustainability infrastructure (such as solar panels) on common property by passing an ordinary resolution.
2. Any decision by an owners corporation that would unreasonably prohibit the keeping of an animal on a lot will have no force or effect.
3. It will be possible for a by-law to prohibit the keeping of an animal (such as a dangerous dog) on a lot if that prohibition is reasonable.
4. An owners corporation will need to keep voting records regarding a secret ballot confidential unless directed to make those records available for inspection by a court or NCAT.
5. NCAT will need to provide a copy of any strata application that is lodged by any person to the owners corporation of the strata scheme concerned.
6. An owners corporation will need to serve a copy of any NCAT application it receives on each owner instead of just placing a copy of the application on the noticeboard.
7. NCAT will have the power to require a person to pay a penalty of up to \$5,500.00 for breaching an order made by NCAT.
8. A person who owns more than one lot in a strata scheme will

be able to appoint a single proxy in respect of all of the lots (to prevent the limitation on the number of proxies a person can hold stopping this from occurring).

9. A proxy appointment form for a meeting will still be valid even if the meeting is adjourned to a later date.

## **Conclusion**

These new laws will make it easier for owners corporations and owners to install solar panels and implement other “green” initiatives, clarify the validity of “no pets” by-laws and close a loop hole in the strata legislation that prevented NCAT imposing penalties on people who breach orders.

For all NSW strata legal including by-laws, building defect and levy collection advice contact us [here](#) or call 02 9562 1266, we’re happy to assist.