

Pets, Parking and Smoking – New Strata By-laws

New [strata by-laws](#) allowing pets in units, managing illegal parking and curbing smoking on apartment balconies are part of the biggest overhaul of strata laws in more than 50 years. Set to come into play 1 July this year, what do they mean?

Pets

The new changes to [pet strata by-laws](#) will have an impact on people living with pets. Under the current model there are 3 options and these will change come 1 July. The current options are:

1. Owners corporation to approve pets (except fish), but approval cannot be unreasonably refused.
2. Owners corporation to approve pets, some pets are allowed without approval, the owner must advise the owners corporation if they are keeping a cat, dog, caged bird or fish, but approval cannot be unreasonably refused.
3. No pets allowed.

Note: Currently if the owners corporation chooses no option it will default to option 1.

What happens post 1 July?

The new strata by-laws will not remove a scheme's ability to make its own rules about pets. However, if the new model by-law is adopted, the request to keep a pet cannot be unreasonably refused. If the owners believe approval was unreasonably withheld, they can apply to the Tribunal.

For more information – [Fair Trading Strata Law Reforms](#)

Parking

Drivers who illegally park in visitor bays of strata communities could soon be slapped with \$550 fines by the City of Sydney Rangers if a plan to crack down on non-approved parking takes hold.

This strata reform will assist to reduce one of the most common disputes concerning unauthorised parking by residents misusing visitor parking spots, or outsiders with no connection to the strata scheme parking on common property without prior approval.

So, how will it work?

A scheme will need to enter into an agreement with an authorised council which will allow them to enter the property, erect signage and issue fines. It's not mandatory; schemes have a choice as to whether they wish to enter into such arrangements.

For more information read – [Better Parking Control](#)

Support for smoke-free multiunit living is on the rise, particularly with people living with children and it's predicted that it's only a matter of time before most strata buildings go smoke-free.

The NSW Government has said that the new strata laws would make clear that smoking and second-hand smoke exposure could constitute a nuisance that could be outlawed.

How can it be imposed?

Simply, an owners corporation can make a strata by-law banning smoking throughout an entire strata building. Orders can also be made against residents who smoke or allow their cigarette smoke to drift into other units, and landlords can be held liable to their tenants for second hand smoke exposure.

To read the full article written by partner, Adrian Mueller click here – [Wake up and Smell the Smoke](#)

For NSW strata legal or levy collection advice please contact us [here](#) or call 02 9562 1266, we're happy to assist.

About JS Mueller & Co

JS Mueller & Co has been servicing the strata industry across NSW for almost 40 years. We are a specialist firm of strata lawyers with in depth and unmatched experience in, and comprehensive knowledge of strata law and levy collection. We are there to assist you every step of the way.