



New South Wales

Strata Schemes Management Amendment (Pets) Regulation 2021

under the

Strata Schemes Management Act 2015

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Strata Schemes Management Act 2015*.

Minister for Better Regulation and Innovation

Explanatory note

The object of this Regulation is to prescribe the circumstances in which the keeping of an animal unreasonably interferes with another occupant's use and enjoyment of the occupant's lot or the common property of a strata scheme.

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1 Name of Regulation

This Regulation is the *Strata Schemes Management Amendment (Pets) Regulation 2021*.

2 Commencement

This Regulation commences on the commencement of the *Strata Schemes Management Amendment (Sustainability Infrastructure) Act 2021*, Schedule 1[6] and is required to be published on the NSW legislation website.

Schedule 1 Amendment of Strata Schemes Management Regulation 2016

Clause 36A

Insert after clause 36—

36A Keeping of animals—circumstances of unreasonable interference

For the purposes of the Act, section 137B(3), the circumstances in which the keeping of an animal unreasonably interferes with another occupant's use and enjoyment of the occupant's lot or the common property are—

- (a) the animal makes a noise that persistently occurs to the degree that the noise unreasonably interferes with the peace, comfort or convenience of another occupant, or
- (b) the animal repeatedly runs at or chases another occupant, a visitor of another occupant or an animal kept by another occupant, or
- (c) the animal attacks or otherwise menaces another occupant, a visitor of another occupant or an animal kept by another occupant, or
- (d) the animal repeatedly causes damage to the common property or another lot, or
- (e) the animal endangers the health of another occupant through infection or infestation, or
- (f) the animal causes a persistent offensive odour that penetrates another lot or the common property, or
- (g) for a cat kept on a lot—the owner of the animal fails to comply with an order that is in force under the *Companion Animals Act 1998*, section 31, or
- (h) for a dog kept on a lot—
 - (i) the owner of the animal fails to comply with an order that is in force under the *Companion Animals Act 1998*, section 32A, or
 - (ii) the animal is declared to be a menacing dog or a dangerous dog under the *Companion Animals Act 1998*, section 34, or
 - (iii) the animal is a restricted dog within the meaning of the *Companion Animals Act 1998*, section 55(1).