

# Reform of strata laws

## Department of Fair Trading

Submission from the Australian Veterinary Association Ltd



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## About us

The Australian Veterinary Association is the national organisation representing veterinarians in Australia. Our 8500 members come from all fields within the veterinary profession. Clinical practitioners work with companion animals, horses, farm animals, such as cattle and sheep, and wildlife. Government veterinarians work with our animal health, public health and quarantine systems while other members work in industry for pharmaceutical and other commercial enterprises. We have members who work in research and teaching in a range of scientific disciplines. Veterinary students are also members of the Association.

## Executive summary

On behalf of the NSW Division of the Australian Veterinary Association we would like to commend you on reconsidering the by-laws of the Strata Titles Act.

At present Owners Corporations can pass Bylaws banning pets. An Owners Corporation should not be allowed to unreasonably refuse permission for residents to own a pet and "pet friendly" should be the default position in NSW as it is in the ACT.

Pet ownership provides many benefits to our communities. The benefits to the physical and mental wellbeing of pet owners have been confirmed by scientific research. Pets provide companionship, encourage exercise and increase social interaction. They give pleasure, teach responsibility and are loved and love in return. Their owners are happier and healthier than non-pet owners. The majority of pet owners are responsible.

With the increase in high density living it is important that those who want to own pets and reap these benefits are not prohibited to doing so.

The AVA is aware that many people surrender their pets and also strata laws make rehoming unwanted pets more difficult which subsequently leads to an increase in euthanasia rates in pounds and shelters because they cannot get permission to keep them in strata accommodation, so a change like this which makes "pet-friendly" the default is a positive move by the government.

## Recommendations

The AVA supports default option A as recommended in the Strata Scheme Management Regulations 2016 Schedule 3 Model by-laws for strata schemes clause 38 5 – Keeping of animals – public consultation document.

1. An owner or occupier of a lot may keep an animal on the lot, if the owner or occupier gives the owners corporation written notice that it is being kept on the lot.

2. If an owner or occupier of a lot keeps an animal on the lot, the owner or occupier must:
  - a) Keep the animal within the lot, and
  - b) Supervise the animal when it is on common property, and
  - c) Take any action that is necessary to clean all areas of the lot or the common property that are soiled by the animal.

The AVA would ask that this include companion animals as per the Companion Animal Act 1998 (dogs and cats) as well as rodents, rabbits, birds, unusual and exotics pets (subject to relevant licensing requirements).

The AVA recommends that strata corporations adopt these model by laws so that all strata are pet-friendly as the default. It is acknowledged that for schemes pre-1996, permission must still be sought but must not be unreasonably withheld. For newer schemes, they adopt the new clause as recommended.