Time to Review your Community, Precinct and Neighborhood Management Statement again | Pet Reform commenced on 1 November 2024

If you have not updated and registered amendments to your community, precinct or neighbourhood management statements to remove invalid provisions to take into account the community law reforms of 1 December 2021, then here is another reason! The changes to the enacted in the Community Land Management Amendment Act (Pets) Regulation 2024 which came into force on 1 November 2024. These changes bring the community laws in line with the strata laws about what constitutes an unreasonable interference by an animal, as extracted below:

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,

b) the animal repeatedly runs at or chases another occupant, a visitor of another occupant or an animal kept by another occupant,

c) the animal attacks or otherwise menaces another occupant, a visitor of another occupant or an animal kept by another occupant,

d) the animal repeatedly causes damage to association property or another lot,

e) the animal endangers the health of another occupant through infection or infestation,

f) the animal causes a persistent offensive odour that penetrates association property or another lot,

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,

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 dangerous dog or a menacing 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)

Please note that the law is the same in both Strata and Community Schemes, in so far as rules around by-laws and permitting and keeping pets. Please refer to our previous article New Laws for Community and Strata Schemes for 2023! There were some provisions that were to commence on proclamation from the Strata Legislation Amendment Act 2023, including the insertion of section 129A of the Community Land Management Act 2021.

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This was proclaimed to commence on 1 November 2024.

If you need assistance with updating your Community, Precinct or Neighbourhood management statement feel free to reach out to our experienced team on 02 9929 0226 or at enquiries@bannermans.com.au.

Related articles

New Laws for Community and Strata Schemes for 2023!

New Strata Laws for 2024

Key takeaways

- The Community Land Management Amendment Act (Pets) Regulation 2024 introduces significant changes to pet ownership laws in NSW.
- Community management statements must be updated to remove invalid provisions in light of these reforms.
- The new laws align community laws with strata laws regarding unreasonable interference by animals.
- Owners must comply with specific orders under the Companion Animals Act to avoid penalties.
- Bannermans Lawyers offers assistance in updating community management statements to ensure compliance.

****The information contained in this article is general information only and not legal advice. The currency, accuracy and completeness of this article (and its contents) should be checked by obtaining independent legal advice before you take any action or otherwise rely upon its contents in any way.*

Prepared by Bannermans Lawyers
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