

BCS Strata Management Pty Ltd - Sydney
ABN: 0
Locked Bag 22 Haymarket New South Wales 1238
<https://bcssm.com.au>
bcs_sydney@bcssm.com.au
Ph: 82160398



23 June 2022

ALL OWNERS
VIE 1, 2, 3
STERLING CIRCUIT CAMPERDOWN
CAMPERDOWN NSW 2050

Dear Owner,

**RE: SP 71747 VIE 1, 2, 3 STERLING CIRCUIT CAMPERDOWN
GENERAL NOTICE – KEEPING OF ANIMALS**

We are the strata managing agent for VIE 1, 2, 3 STERLING CIRCUIT CAMPERDOWN Strata Plan 71747 and have been instructed to write to you in this capacity.

Please be advised that the Community Management Statement has now been registered. This means that the new pet by-law 59 is now enforceable.

To summarise, please see below.

1. Animals are not permitted on the Village Green 59.2 (b)
2. Animals are to be restrained.
3. Security is now enforcing this by-law.

A reminder to all that a pet register must be kept as these may be requested by the Community Association from time to time.

A copy of the CMS and Rules of Use is also available at www.cityquarter.info

Should you have any further queries regarding this matter then please do not hesitate to contact the writer on the number above.

Yours faithfully
for and on behalf of
**3 STERLING CIRCUIT
CAMPERDOWN Strata Plan 71747**

Denise Greene
Strata Manager

Branches:

(NSW): Sydney, Central Coast, Forster – Tuncurry, Miranda, Mona Vale, Newcastle, Nelson Bay, Tweed Heads, Willoughby, Wollongong
(QLD): Brisbane, Cairns, Caloundra, Coolangatta, Gold Coast, Mackay, Noosa, Port Douglas, Townsville
(VIC): Melbourne, Hawthorn

DP270241

c) is not dangerous.

58.3 You may keep planter boxes, pot plants, landscaping, occasional furniture and outdoor recreational equipment on the Loggia of your Apartment only if it:

- a) will not cause damage; and
- b) is not dangerous.

58.4 If your Apartment has a Loggia:

- a) you must repair and replace the louvre blades of your retractable external Loggia external wall;
- b) you must not change the design, material or colour of your Loggia retractable walls in any way without the consent of your Owners Corporation; and
- c) if you do not comply with your obligations under this by-law your Owners Corporation may do so on your behalf (including reinstating any unauthorised changes made by you) and recover the cost of doing so from you.

58.5 To enable your Owners Corporation to inspect, repair or replace Common Property, your Owners Corporation may require you, at your cost, to temporarily remove and store items from the Balcony or the Loggia of your Apartment that are not Common Property (eg your planter boxes or pot plants).

59. Keeping an animal

59.1 Subject to section 130(6) of the *Community Land Management Act 2021*, an Owner or Occupier of a Lot may keep an animal on the Lot if the animal is approved in accordance with the by-laws of their Strata Scheme.

59.2 Conditions for Keeping an Animal

- a) An Owner or Occupier who obtains consent in writing to keeping an animal in a Strata Scheme must also ensure:
 - i. To the extent permitted by law, the animal (except a small caged bird or fish) must be microchipped and registered with the City of Sydney Council or any other authority having such jurisdiction.
 - ii. The keeping of any animal adheres to the City of Sydney Council Companion Animals Policy dated 19 April 2021, or any prevailing policy.
 - iii. the animal does not become dangerous, offensive, vicious, aggressive, noisy or a nuisance to another Owner or Occupier of a Lot;
 - iv. the animal does not enter the Lot of any other Owner or Occupier without their consent;
 - v. the animal does not soil on the Community Property, Common Property or Lot of any other Owner or Occupier;
 - vi. an Owner or Occupier must keep their Lot free of offensive odours likely to interfere with the peaceful enjoyment of other Lot Owners or Occupiers;
 - vii. that the animal does not engage in any destructive behaviour on the Community Property, Common Property or the Lot of any other Owner or Occupier of a Lot;
 - viii. in the event that the animal is left unattended on the courtyard or balcony area of the Lot, the animal must not create persistent noise that unreasonably

DP270241

- interferes with the peace, comfort or convenience of another Owner or Occupier; and
- ix. the animal is not left unattended on the Community Property or Common Property.
- b) Subject to section 130(6) of the *Community Land Management Act 2021*, an Owner or Occupier of a Lot must not bring an animal into the Swimming Pools Area, Gym or area known as The Village Green.
- c) An Owner or Occupier of a Lot who owns an animal is responsible to the Community Association and a visitor using the Community Property for:
- i. any noise that their animal makes which causes unreasonable disturbance;
 - ii. damage to or loss of property or injury caused to any person caused by the animal; and
 - iii. cleaning up after their animal.
- d) An Owner or Occupier of a Lot must control their animal and not permit their animal to wander on to the Community Property or Common Property or to enter the Lot of another Owner or Occupier without that Owner or Occupier's permission.
- e) If it is necessary for an Owner or Occupier of a Lot to transport an animal across the Community Property or Common Property, an Owner or Occupier of a Lot must ensure that their animal is sufficiently restrained by either a leash or cage at all times.
- f) The Lot Owner or Occupier must pay any costs incurred by the Community Association as a result of damage from an animal on the Community Property (either by a resident or their visitor).
- g) Nothing in this management statement excludes any person from keeping an assistance animal as defined in the *Disability Discrimination Act 1992* (Cth) on any Lot.

59.3 Restricted animals

- a) An Owner or Occupier must not keep:
- i. An animal which has not been approved by their Strata Scheme (excluding a small caged bird or fish);
 - ii. A dog which is defined as a "dangerous dog", "menacing dog" or a "restricted dog" under the *Companion Animals Act 1988*;
 - iii. A dog which is defined as a "restricted dog" in the City of Sydney Companion Animal Policy dated 19 April 2021, or any prevailing policy; and
 - iv. A dog that is menacing, vicious, aggressive, noisy or difficult to control.

59.4 Strata Scheme Approval Process

- a) Each Strata Scheme must make their own by-law to determine the keeping of animals within that Strata Scheme, however such by-law must include that the following information is provided by an Owner or Occupier to that Strata Scheme in

DP270241

any application for the keeping of animals:

- i. Owner's name, address, Strata Plan number, Lot number, email, phone;
 - ii. Occupier's name, address, lot number, email, phone (if different to Owner details); and
 - iii. Animal name, photo, breed, sex, age at time of application, Local Council microchip details and Assistance Animal registration details (if relevant).
- b) Any by-law of a Strata Scheme approving the keeping of animals in that Strata Scheme must require that a copy of this by-law together with the relevant by-law of that Strata Scheme is provided to the Owner or Occupier:
- i. As a part of any prescribed application form seeking approval to keep an animal in that Strata Scheme; or
 - ii. If there is no prescribed application form, are provided to the Owner or Occupier prior to any animal application being considered by that Strata Scheme.
- c) Any by-law of a Strata Scheme approving the keeping of animals must include a requirement that the Owner or Occupier provides a written undertaking to the Strata Scheme for the keeping of the animal in accordance with the Strata Scheme's by-laws together with this by-law.

59.5 Each Member or Strata Scheme Must Keep a Register of Animals

- a) Each Strata Scheme must keep and maintain a register of all animals kept within the Lot, whether these animals are approved by the Strata Scheme or otherwise.
- b) A copy of this animal register must be updated regularly and provided to the Community Association on request.
- c) The Community Association's authorised representative may inspect the animal register of a Strata Scheme at any time.

60. Moving furniture through a Strata Scheme

Who must comply with this by-law?

60.1 You must comply with this by-law if you are the owner or occupier of an Apartment.

Your obligations

60.2 You must:

- a) make arrangements with your Owners Corporation at least 48 hours before your move furniture and or other large articles through your Strata Scheme.
- b) use the lift nominated by the Owners Corporation (with protective wall blankets fitted) to move furniture or other large items;
- c) move furniture and other large articles through your Strata Scheme