

KEEPING OF ANIMALS AT CHARLES COURT

UNREASONABLE INTERFERENCE

The new pet reform laws in NSW, effective from 1 November 2024, were introduced under the *Community Land Management Amendment Act 2024* (NSW). These laws align community schemes with existing strata regulations, defining unacceptable pet behaviors and establishing guidelines for pet ownership within community and strata schemes. Compliance with these responsibilities is essential to uphold the communal living standards and avoid potential actions from the owner's corporation or strata managers.

KEEPING OF ANIMALS – THE ACTS 129A (3) CIRCUMSTANCE OF UNREASONABLE INTERFERENCE:

The following are specified as circumstances in which the keeping of an animal unreasonably interferes with another occupant's use and enjoyment of the occupant's lot or association property—

- a. Animals make 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,
The Animal endangers the health of another occupant through infection or infestation,
- e. The animal causes a persistent offensive odour that penetrates association property or another lot,
- f. 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,
- g. 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,
 - (ii) or the animal is declared to be a dangerous dog or a menacing dog under the Companion Animals Act 1998, section 34
 - (iii) or the animal is a restricted dog within the meaning of the Companion Animals Act 1998, section 55(1).



INTERFERENCE

Dogs don't bark with the intent of being disruptive, it is typically in response to boredom, anxiety, fear or responding to noises that they hear outside. Unfortunately, in an apartment block, this behavior can cause unreasonable interference to other residents. Socialisation is a key component of producing an adult dog which behaves in an appropriate manner and is well-suited to living with humans in modern day society, particularly in apartment style living.

It is your responsibility to ensure your dog becomes a well socialised individual, which doesn't display undesirable behaviors. This takes considerable time socialising and training your dog appropriately, to minimise the risk of development of behavioural problems. The Owners Corporation recommends consulting a behavioural veterinarian or a qualified trainer for assistance with your puppy or dog's training. Many local veterinary clinics offer puppy school sessions, or you can reach out to the Royal NSW Canine Council or the Australian Veterinary Association for further guidance.

PROCEDURE FOR UNREASONABLE INTERFERENCE:

In the event that the Owners Corporation receives complaint(s) from any Lot Owners or Tenants against your dog causing unreasonable interference, the following steps will be implemented:

1. **Initial Notification:** You will receive a written email notice detailing the complaint. The Building Manager and/or Strata Manager will discuss the matter with you verbally. It is expected that you will address the complaint promptly, which may involve intervention from a behavioural veterinarian or a qualified trainer.
2. **Second Notification:** If the issue remains unresolved after 14 days, you will receive a second email notice regarding the complaint. You will then have an additional 14 days to rectify the situation.
3. **Escalation:** Should the complaint still not be satisfactorily resolved, Mosman Council will be notified, and the Ranger will investigate. You may be subject to a nuisance order under the Companion Animals Act 1988, which could result in penalties.
4. **Legal Action:** The Owners Corporation may independently pursue a noise abatement order through the local court under the Protection of the Environment Operations Act 1997.
5. **Withdrawal of right to have the pet:** If the Owners Corporation withdraws the right of an owner occupier or tenant to keep the animal, the owner occupier or tenant must remove the animal within two months of such a request being made by the Owners Corporation, or such other time as approved by the Owners Corporation



Pet Application

By completing the “Details” section and returning this form to the Charles Court Owners Corporation, you acknowledge and confirm that the approval of your dog is conditional upon the following provisions:

1. You acknowledge that you have read and understood Special Bylaw 13: Keeping of Animals, and you recognise your responsibility to prevent your dog from causing unreasonable interference. This includes managing noise levels to ensure that your dog's sounds do not disturb the peace, comfort, or convenience of other residents;
2. You must provide current documentation showing that your dog is up to date on vaccinations, de-worming, and flea and tick prevention, and confirmation and proof of de-sexing date;
3. You are required to provide proof of routine vaccinations, de-worming, and flea and tick prevention on an annual basis, with treatment intervals adhering to the recommended guidelines on the product labels;
4. the Owners Corporation advises obtaining behavioural guidance and training from your veterinarian and / Or a qualified trainer, especially in relation to living in an apartment environment.
5. you understand the procedure for addressing unreasonable interference in the event that a complaint is made against your dog.

DETAILS

Please complete and sign:

Applicant Name	
Applicant Lot Number	
Applicant Email address and phone number	
Pet name, breed and sex	
Applicant Signature	
Date	