

By-Law 8

Keeping a pet

8.1 Your obligation

If you intend to keep a pet in your Apartment you must:

- a. notify the Owners Corporation for a cat or a small dog or an assistance animal (see 8.2e) prior to that animal being kept in your Apartment; consideration will be given to multiple cat and/or small dog applications; and
- b. seek the prior approval of the Owners Corporation if you:
 - i. intend to install a large aquarium; or
 - ii. you wish to bring a dog heavier than 12 kilograms when mature into the Building; or iii. you wish to have a limit of two dogs and/or two cats in your Apartment; and
- c. if you are a lessee, provide proof to the Owners Corporation that the Owner has approved you having a pet; and
- d. keep the pet within your Apartment except when transiting Common Property; and
- e. have a dog on the leash at all times when transiting Common Property and in the immediate vicinity of the Apartment Building; and
- f. not let the animal cause a nuisance to other Owners and Occupiers; and
- g. not leave pets unattended on the Balcony of your apartment when a responsible person is not in the apartment; and
- h. for any assistance dog which is not classified as a “small dog” under this By-Law, the dog should be identifiable as an assistance animal by an appropriately marked lead or jacket; and
- i. not allow the animal to urinate or defecate on Common Property; and
- j. in order to maintain a healthy environment, immediately clean or repair any part of your apartment or the Common Property if soiled or damaged by the animal.

8.2 What pets may you keep?

Subject to this By-Law, you may keep the following pets within your Apartment:

- a. goldfish or other similar fish in an indoor aquarium, provided that advice from a structural engineer, at the cost of the Occupier, is obtained and approved by the Owners Corporation prior to any large aquarium (volume more than 0.5 cubic metres) being installed in an Apartment; and
- b. a small, caged bird, but not a bird likely to cause offensive noise such as parrots, galahs and cockatoos; and
- c. a cat; or
- d. a small dog, which is not a Restricted breed and which, when fully matured, will weigh less than 12 kilograms; or

- e. An assistance animal (as defined in Section 9(2) of the Commonwealth Disability Discrimination Act 1992) for You provided that you produce to the Owners Corporation the evidence referred to in Section 54A (5) of that Act.

8.3 Dangerous dogs

Dogs in the following categories, as defined by NSW government, are not permitted in Darling Island Apartments:

- a. restricted dogs as defined in the Companion Animals Act 1998 (NSW); and
- b. any dog declared “Dangerous” or “Menacing” by any government authority, council or court.

8.4 Powers given to Owners Corporation to remove animals

The Owners Corporation may order you at any time to remove your animal if:

- a. you do not have the Owner’s written consent to keep the animal in the apartment; or
- b. it becomes offensive, vicious, aggressive, noisy or a nuisance; or
- c. you breach a condition made by the Owners Corporation when it gave you consent to keep the animal; or
- d. your animal urinates or defecates on another Apartment or Common Property after a warning has been given to you by the Owners Corporation; or
- e. your dog is classified as a Restricted dog under the Companion Animals Act; or
- f. your dog is a dangerous or menacing dog under the Companion Animals Act 1998 (NSW); or
- g. your dog is not registered under the Companion Animals Act 1998 (NSW).

8.5 Your Visitors

You must not allow a visitor to bring an animal into the building unless the animal is an assistance animal as defined in Section 9 of the Disability Discrimination Act 1992.