



Secretary  
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## SUBMISSION FOR CONSIDERATION OF LOT OWNER MOTION FOR COMMITTEE FOR BODY CORPORATE FOR “VICTORIA SQUARE” TO CONSIDER<sup>1</sup>

**TO:** The Body Corporate for Victoria Square Community Titles Scheme No. 5721  
**From:** The Applicant(s)

### When to use this form:

The Applicant(s) described in **Part 2** seek consent of the Body Corporate under by-law 14 of the Victoria Square by-laws to keep the domestic animal described in **Part 3** of this Application in their Lot. The Applicant seeks the Body Corporate’s confirmation about whether the Body Corporate agrees to give its written approval to bring or keep a domestic pet on the lot or common property.

### PART 1: Applicant’s Proposed Motion for Committee

**Committee Motion:** That the Committee decide whether to grant written approval to the Applicant to keep the domestic animal described in Part 3 of this Application, and if so, what conditions will apply to any approval.

### Please note the following obligations and restrictions:

1. Please read By-Law 14 relating to the Keeping of Animals at Victoria Square attached.

### PART 2: Applicant Details *[Applicant(s) to complete this Part 2]*

<b>Full Name(s) of Applicant(s):</b>	
<b>Are you the owner or tenant of the Lot?</b>	<i>If you are the tenant, please attach written consent from the lot owner consents to you keeping the proposed animal.</i>
<b>Your Lot Number:</b>	
<b>Your Best Contact Email Address:</b>	
<b>Your Best Phone Number:</b>	
<b>Applicant acknowledgements:</b>	
1. The Applicant(s) acknowledges that they have read the Victoria Square By-law 14 attached to this application.	
<b>Applicant(s) Signature(s) confirming the above acknowledgements:</b>	
<b>Date of signature(s):</b>	

<sup>1</sup> Lot owners have the right to submit up to a maximum of 5 proposed motions to the Committee to decide within a 12-month period: [Regulation 50 of the Body Corporate and Community Management Act 1997](#). The Committee must decide a lot owner’s motion as soon as reasonably practicable, and within a 6 week period after the motion is submitted unless it gives the lot owner a written notice stating that the committee requires more time to decide the motion, with the reasons it requires more time and the committee’s decision is made within an additional period not exceeding a further 6 weeks (on top of the original 6-week period = 12-weeks). The Committee is not permitted to make decisions on lot owner motions that are about ‘restricted issues’ that the Committee can’t make decisions about, or motions that would conflict with the Body Corporate and Community Management Act 1997, regulations or by-laws, or would be unlawful or unenforceable. If the Committee does not make its decision within the decision period (maximum of 12 weeks), then it means the Committee has not agreed to the motion.

Your Committee– Janelle Fineran (Chairperson & Secretary), Tim Waters (Treasurer), Beverley Poida, Steve Surman, Rob Slayer, Dean Wignall, Lisa Charlton

Our Body Corporate Manager - The Nuu Co, Nicole Wilde; Caretaker: Jessica’s Space Pty Ltd: Rob Keen  
[hello@thenuuco.com.au](mailto:hello@thenuuco.com.au)



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**PART 3: Proposed Domestic Pet [Applicant(s) to complete this Part 3]**

<b>Brief description of your application:</b>	
<b>Name of the animal:</b>	
<b>Description of animal (breed, age):</b>	
<b>Photograph of the animal</b>	
<b>Proposed length of stay (if not permanent)</b>	
<b>Any other information you wish the Committee to consider</b>	



## Considerations

When the Committee is considering this application it will consider By-Law 14 and any potential impact on the common property and residents.

### **Victoria Square By-law 14: Keeping Animals**

#### **By-law 14: Keeping of Animals**

14

- (a) This By-Law is subject to Section 181 of the Act
- (b) An Owner or Occupier is only entitled to keep an animal on a Lot on the condition that they obtain the prior written consent of the Body Corporate.
- (c) It is the responsibility of the Owner or Occupier in applying for consent pursuant to By-Law 14.2 to provide sufficient information to the Committee to enable a decision to be made having regard to:
  - (i) The factors listed in By-Law 14.4; and
  - (ii) Any other matters as requested by the Body Corporate relevant to considering whether approval should be granted
- (d) Any approval granted by the Committee for an animal will be subject to the following conditions:
  - (i) The animal must be toilet trained and domesticated
  - (ii) A tenant of a Lot must provide to the Body Corporate
    - a. Written approval from the Lot Owner consenting to an animal being kept within that Lot signed by the Lot Owner;
    - b. if any regulation requires the animal to be registered with the Gold Coast City Council, evidence of registration; and
    - c. a photo of the animal, 14 days prior to the animal being kept in the Lot
  - (iii) An Owner of a Lot must provide to the Committee:
    - a. if any regulation requires the animal to be registered with the Gold Coast City Council, evidence of registration
    - b. a photo of the animal, 14 days prior to the animal being kept in the Lot
  - (iv) The animal must not cause a nuisance to, or unreasonably interfere with the use and enjoyment of a lot or the common property by another person
  - (v) The animal is only permitted on the Common Property for the purpose of ingress or egress to a Lot
  - (vi) The animal must not cross over any of the areas of the Common Property inside the building including the main foyer, the lifts or hallways unless it is being carried or restrained
  - (vii) If the animal defecates whilst on the Common Property (which must not be encouraged by the owner of the animal) or otherwise causes a mess, any waste or mess caused by the animal must be disposed of or cleaned accordingly in a hygienic manner
  - (viii) Where the animal is a cat or a dog, the animal must wear an identification tag clearly showing the owners unit number, address and telephone number
  - (ix) Where the animal is a cat it must wear a collar bell
  - (x) The animal must be desexed and possess a microchip as if it were an applicable cat or dog as regulated by the Animal Management (Cats and Dogs) Act 2008 unless it is not reasonably feasible
    - a. The Owner or Occupier must provide evidence of the recent veterinary treatment of the animal for fleas, ticks, worms or other parasites unless it is not reasonably feasible applicable
- (e) For the purposes of this By-Law, all references to the word animal within this By-Law include birds and fish