



SUBMISSION FOR CONSIDERATION OF LOT OWNER MOTION FOR COMMITTEE FOR BODY CORPORATE FOR “BREEZE VISTA SPHERE” TO CONSIDER<sup>1</sup>

TO: The Body Corporate for Breeze Vista Sphere Community Titles Scheme No. 37951
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 11 of the Breeze Vista Sphere 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 11 relating to the Keeping of Animals at Breeze Vista Sphere attached.

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

Form with fields: Full Name(s) of Applicant(s); Are you the owner or tenant of the Lot?; Your Lot Number; Your Best Contact Email Address; Your Best Phone Number; Applicant acknowledgements; Applicant(s) Signature(s) confirming the above acknowledgements; Date of signature(s).

1 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.



Breeze Vista  
Sphere

**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>Please attach most recent vaccination certificate with this application:</b>	Vaccination certificate must be attached.



### **Considerations**

When the Committee is considering this application it will consider By-Law 11 and any potential impact on the common property and residents.

### **Breeze Vista Sphere By-law 11: Keeping Animals**

#### **By-law 11: Keeping of Animals**

An Occupier may not without written consent of the Committee (which consent will not be unreasonably withheld or delayed) bring on to or keep “animals” (which expression shall include pets) on a Lot or the Common Property (subject to local authority laws) on the following conditions:

- (a) Neither the animal nor the animal’s habitat shall become a nuisance.
- (b) Any animal must be kept controlled within the Occupier’s Lot or exclusive use area and confined in a manner which prevents the animal from gaining access to the Common Property when not supervised.
- (c) No animal is permitted on Common Property unless it is on a leash or otherwise controlled under the supervision of the responsible Occupier. This By-Law extends to any Common Property of the Principal Body Corporate.
- (d) Fouling of the common Property by an animal must be cleaned up by the Occupier responsible for the animal.
- (e) The animal must not weigh more than 10 kilograms.
- (f) The Committee may from time to time determine the nature, type or breed of animal and its weight, height and size which may be classified as an “animal” or “pet” for the purposes of this By-Law.
- (g) The Committee may issue warnings and/or revoke any consent to an Occupier as it considers appropriate and further may revoke any uncontrolled animal from the Common Property.