



# Request for a Companion Animal Nuisance Order

Made under Section 21 or Section 31 of the Companion Animals Act 1998

## Any questions

Phone Customer Service on (02) 9391 7000, or call in personally (see page 2)

## ▼ Applicant & Animal Details

### 1. Applicants name, address and contact details.

Title: Mr  Mrs  Miss  Ms  Other

Family Name: .....

Given names: .....

Postal address .....

Phone (B) (.....) ..... Fax (.....) .....

### 2. The Companion Animal

You must provide the type of animal, its colour, and the address where it ordinarily resides

Is the animal?  Registered  Unregistered  Unknown

Type of animal?  Dog  Cat **Must complete**

Sex of animal?  Male  Female  Unknown

Breed of animal? .....  Unknown

Colour of animal? ..... **Must complete**

Name of animal? .....  Unknown

Owners name (if known) .....  Unknown

Address .....

### 3. Description of Nuisance

Please tick the most appropriate behaviours that are causing a nuisance to you or your family.

Please note that Council's authorised officer can only issue nuisance orders for the matters listed.

Where a dog attack has occurred you must complete a different form. Please speak to Council's Customer Service Officers for more details.

Explain in your own words how the behaviour of the animal affected or unreasonably interfered with the peace, comfort or convenience of you or your family.

The dog is habitually at large;

The dog or cat makes a noise, by barking or otherwise, that persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of persons in other premises;

The dog repeatedly defecates on property outside the property on which it is ordinarily kept;

The dog repeatedly runs at or chases persons, animals, vehicles;

The dog endangers the health of persons or animals;

The dog or cat repeatedly causes substantial damage to property outside the property on which it is ordinarily kept.

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### 4. Statutory Declaration

I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the 'Oaths Act of 1900-1953'. I am prepared to give this as evidence in court if so required by Council.

Subscribed and declared at ..... this .....day of ..... two thousand and .....

Signature of Applicant: .....

before me: Name & Signature of J.P: .....

## How to lodge this application

**Address the application to:** The General Manager  
Woollahra Municipal Council

**You can send it to us by any of the following methods**

**Post:** P O Box 61  
Double Bay 1360

**DX:** DX 3607 Double Bay

**Courier or personal delivery** Council Chambers  
536 New South Head Rd  
Double Bay NSW 2028

**CSO Checklist – Council Use**

Council's Customer Service Officers will complete this section of the form.

✓ Satisfactory                      × Unsatisfactory/Outstanding

- Form complete
- Description of Animal adequate
- Description of Nuisance Clear
- Statutory Declaration Complete
- Application accepted

### Section 21 Companion Animals Act 1998

#### 21 Nuisance dogs

- (1) For the purposes of this section, a dog is a nuisance if the dog:
- (a) is habitually at large, or
  - (b) makes a noise, by barking or otherwise, that persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of any person in any other premises, or
  - (c) repeatedly defecates on property (other than a public place) outside the property on which it is ordinarily kept, or
  - (d) repeatedly runs at or chases any person, animal (other than vermin and, in relation to an animal, otherwise than in the course of droving, tending, working or protecting stock) or vehicle, or
  - (e) endangers the health of any person or animal (other than vermin and, in relation to an animal, otherwise than in the course of droving, tending, working or protecting stock), or
  - (f) repeatedly causes substantial damage to anything outside the property on which it is ordinarily kept.
- (2) If an authorised officer of a council is satisfied that a dog is a nuisance, the officer can issue an order to the owner of the dog requiring the owner to prevent the behaviour that is alleged to constitute the nuisance. The order is to be in a form approved from time to time by the Director-General.
- (3) The order must specify the behaviour of the dog that is required to be prevented. The order can specify more than one kind of behaviour.
- (4) An order remains in force for 6 months after it is issued.
- (5) The owner of a dog must comply with an order issued to the owner under this section and must continue to comply with it while it is in force. Maximum penalty: 5 penalty units for a first offence or 10 penalty units for a second or subsequent offence.
- (6) A council whose authorised officer issues an order under this section must notify the Director-General within 7 days after the order is issued.

### Section 31 Companion Animals Act 1998

#### 31 Nuisance cats

- (1) For the purposes of this section, a cat is a nuisance if the cat:
- (a) makes a noise that persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of any person in any other premises, or
  - (b) repeatedly damages anything outside the property on which it is ordinarily kept.
- (2) If an authorised officer of a council is satisfied that a cat is a nuisance, the officer can issue an order to the owner of the cat requiring the owner to prevent the behaviour that is alleged to constitute the nuisance. The order is to be in a form approved from time to time by the Director-General.
- (3) The order must specify the behaviour of the cat that is required to be prevented. The order can specify more than one kind of behaviour.
- (4) An order remains in force for 6 months after it is issued.
- (5) The owner of a cat must comply with an order issued to the owner under this section and must continue to comply with it while it is in force.  
Maximum penalty: 2 penalty units for a first offence or 5 penalty units for a second or subsequent offence.
- (6) A council whose authorised officer issues an order under this section must notify the Director-General within 7 days after the order is issued.

## Privacy notification

The personal details requested on this form are required under the *Companion Animals Act 1998* and will only be used in connection with the requirements of this legislation. Access to this information is restricted to Woollahra Municipal Council officers and other people authorised under the Act. Council is to be regarded as the agency that holds the information. You may make application for access or amendment to information held by Council. You may also request Council to suppress your personal information from a public register.