

DARNLEY HALL PTY LTD HOUSE RULES

Darnley Hall Pty Ltd
ACN 000 099 034
Based on the model house rules supplied by JFMLaw

Version 23rd July 2020

DARNLEY HALL PTY LTD

HOUSE RULES

Preamble

Darnley Hall's Constitution authorises the Board of Directors to issue House Rules.

They are designed to protect the Company and its assets, and to make Darnley Hall an enjoyable and harmonious place in which to reside.

They are guided by the principle that to have a good neighbour means you must be a good neighbour. The House Rules apply to shareholders, residents, guests, tradespeople and other invitees.

Advice from Directors should be sought for any issue of concern not covered in these rules.

Safety

- ♦ All are responsible for ensuring a safe environment in Darnley Hall.

Fire Safety

- ♦ It is unlawful to interfere with the operation or sensitivity of fire safety devices and equipment installed within the building or external areas. Only persons authorised by a Director may do so.
- ♦ Anyone within the building must observe fire alarms and all instructions given in respect of fire safety. Normally residents will be notified prior to any planned test of the alarms.
- ♦ If proposed work in Home Units may affect fire safety devices, approval must be sought. Directors must be informed so they may seek advice as appropriate.

Hazards

- ♦ Windows in common areas should not be opened beyond the limits required for child security, except during authorised works or cleaning.
- ♦ It is dangerous to place any pot plant or other object on the ledges or edges of exterior walls or windowsills in case they accidentally fall. Therefore, this practice is not permitted.
- ♦ It is both unlawful and dangerous for anything to be thrown from windows or external areas.

Security

- ♦ The security of the property is vitally important. All exterior doors must be securely locked after entry or exit. Approval must be obtained from Directors if doors are required to remain open for a significant period.

Noise

- ◆ All residents and invitees need to be mindful of not creating noise likely to interfere with the peaceful enjoyment of others.
- ◆ Noise can be an issue at Darnley Hall due to the wooden floors. Hearing normal activity associated with the ordinary practice of daily life is to be expected when living in a community such as Darnley Hall and does not constitute a disturbance.
- ◆ It is also accepted that repairs or other work is sometimes necessary in Home Units. When such activities are likely to affect other residents, where possible notice should be given of the work, and the anticipated nature and length of any loud noise.

Common Property

- ◆ All are expected to show respect and care for common property.
- ◆ Common property must not be obstructed - only occasional, temporary storage on a non-recurring basis is considered acceptable.
- ◆ It is expected any mess, spill, or other hazard created on common property will be rectified by the person responsible as soon as possible.
- ◆ The garden is common property and is professionally maintained.

Lift and Lobby

- ◆ The lift and lobby must be protected during potentially damaging activities. The cupboard on LG1 contains protective gear and before undertaking these activities:
 - Lift padding is to be hung up
 - Grey carpet is to be laid out in the lift, and the
 - Brown canvas mat is to be rolled out in the lobby
- ◆ Directors reserve the right to recover the cost of any damage to common property from the responsible party.

Asbestos

- ◆ Some parts of common property contain asbestos. Warning Notices have been posted in parts of the building where asbestos has been identified. Everyone is required to comply with all regulations relating to this material. An Asbestos Registry is available and its existence must be made known to tradespeople working in or around those areas.

Waste Management

- ◆ Garbage bins are provided on the north-west corner of the building at street level. Recyclables are collected weekly and other waste more frequently.

- ◆ Plastic bags, plastic film and foam polystyrene are not recyclable and should not be placed in the yellow bins. Please empty plastic bags full of recyclable waste straight into the bin and then discard plastic bags into the red bin.
- ◆ Please be considerate and preserve bin space for your neighbours by collapsing and folding all cardboard boxes before placing them into the bins. Excess cardboard boxes should be folded and taped into a bundle. Tape dispensers are available in the cupboard on LG1 for residents' use and return.

Moving in/Moving Out

- ◆ Wherever possible moving in or out of the building should occur between the hours of 7.30am and 7.30pm.
- ◆ Directors must be notified a minimum of 48 hrs prior to a move.
- ◆ During the move, protective coverings available from the cupboard by the stairs on LG1 must be used to protect the lift and the foyer's marble flooring.
- ◆ Any damage shall be made good at the expense of the responsible party for the Home Unit associated with the movement of items. A bond of \$500 is required prior to any move in or move out.
- ◆ If the Company is required to make a claim on its insurance in relation to any move, the responsible party will be required to make payment for any excess associated with the claim.
- ◆ Removal companies and their attending employees should be informed of these rules.

Renovations and Repairs

- ◆ Shareholders and their agents are obliged to comply with Section 8 (Renovations and Repairs) of the Constitution of the Company.
- ◆ Directors will make informed decisions when applying terms and conditions to Members' applications to conduct Major Renovations.
- ◆ All work is required to comply with Australian Standards and the Building Code of Australia. All tradespeople conducting or supervising work must be qualified and hold all appropriate licences and insurances.

Water Penetration

- ◆ All residents must take reasonable steps to ensure that any water on or from any part of a Home Unit does not penetrate the Common Property or any other Home Unit. Any water leakage must be dealt with as quickly as possible.
- ◆ Where water leakage is not able to be dealt with urgently and immediately by the resident the matter may be treated as an emergency and Directors may take steps to rectify including forced entry into the source of the leak.

- ◆ If there is an insurance claim on the building policy secondary to damage caused by omission or negligent action of any person, the excess will be recoverable from the responsible party.
- ◆ When any renovation or repair is undertaken involving a kitchen, laundry, lavatory or bathroom in a Home Unit, those spaces must be waterproofed, or water sealed in accordance with the Building Code of Australia.
- ◆ Automatic watering devices are not permitted to be installed in the building.

Leasing and Licensing

- ◆ Shareholders may lease their Home Units for a period of six months or greater.
- ◆ Prior to the signing of a lease, prospective tenants shall be interviewed by a pair of Directors and must sign and agree to abide by the House Rules.
- ◆ Directors will not unreasonably withhold approval.
- ◆ Shareholders must not use the services of temporary accommodation providers such as Air BNB, booking.com or other similar platforms.
- ◆ Shareholders and residents may have house guests occupying their Home Unit who are family or friends. They should be apprised of the House Rules.

Floor Coverings

- ◆ Darnley Hall has wooden floors which readily transmit noise. Floor space within a Home Unit should be covered or otherwise treated to an extent sufficient to minimise the transmission of noise likely to disturb the peaceful enjoyment of others.

External Appearance of Building

- ◆ The Company prides itself on maintaining an attractive external appearance of the building.
- ◆ Shareholders and residents should support this aim by ensuring Home Units are sympathetic to this intention in relation to aspects of the Home Unit visible from the street.
- ◆ It is preferred that any washing hung to dry should not be visible from the streets.
- ◆ Directors reserve the right to take action to ensure the appearance of Darnley Hall is maintained.

Smoking

- ◆ The smoking of tobacco or any other substance is only permitted within the enclosed space of a Home Unit. Residents should be conscious of ensuring that smoke and associated odour does not affect other residents.

Pets

- ◆ Residents may keep domestic animal/s in a Home Unit with the written consent of the Directors on the understanding their presence does not unreasonably affect other residents.
- ◆ Companion animals and guide dogs as defined under the relevant government regulations are exempt from the requirement to obtain Director consent.

Communication Between Shareholders and Residents

- ◆ There are two WhatsApp Groups sponsored by Directors.
- ◆ The Chat Group is designed for neighbourly messages between residents. In order to keep the traffic to a manageable level, members should use SMS when posting messages intended for one or two people / Home Units. Users should be aware of the guidelines for proper use. Broadcasting to all should only be an occasional practice.
- ◆ The Alert Group is for Directors and building Managers use only and is intended as a vehicle for communicating important messages.
- ◆ From time to time Directors will circulate the Darnley Hall Newsletter.

Bicycle Storage

- ◆ Bicycles must be stored inside Home Units.

Disputes Between Members

- ◆ Should any shareholder or resident believe another party is breaching or has breached these rules, that person is encouraged, before commencing any legal proceedings or referring the dispute to any external authority to:
 - ◆ discuss the alleged breach with the other party in good faith with the aim of resolving the dispute, then;
 - ◆ if no resolution can be agreed, ask Directors to facilitate a mediation aimed at finding a compromise or resolution.
- ◆ Any person is entitled to contact an external authority to report any breach of these rules if they reasonably believe the violation might result in injury or damage to property.

Compliance

- ◆ Directors reserve the right to take legal or any other action for which they are empowered to enforce these rules.
- ◆ A Member must ensure that his or her Home Unit is not used for any purpose that is prohibited by law.

Receipt

We welcome you to your new home at Darnley Hall Pty Limited

I of Unit .../ 12 Onslow Ave has received a copy of the above House Rules.

Signed

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Dated

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Of House Rules dated 23rd July 2020