

MODEL COMMUNITY RULES
Residential (Land Lease) Communities Act 2013 - Part 8

IMPORTANT INFORMATION

The *Residential (Land Lease) Communities Act 2013* enables community rules to be made in relation to the use, enjoyment, control and management of a community.

All community rules must be fair, reasonable and clearly expressed. A rule is of no effect to the extent that it is inconsistent with any law or a term of your agreement.

These rules apply to everyone in the community. It is our job to enforce the community rules fairly and equitably. Residents are also responsible for ensuring that they, any people living with them and their guests follow the rules.

These rules are subject to change, however, any change cannot invalidate anything that has already occurred.

If you have any concerns about any aspect of these community rules, please speak to us in the first instance. Should you require further information you may contact NSW Fair Trading on 13 32 20.

Name of
Community:

Current as at:

(1) Common areas

- (a) All signs posted on common areas, such as those about hours of use, form part of these rules and must be obeyed.
- (b) You must not obstruct or permit the obstruction of walkways, entrances, security features, lighting or other parts of the common areas.
- (c) When on common areas everybody must be adequately clothed, must not use inappropriate language or behave in a manner likely to cause offence or embarrassment to another person.
- (d) Smoking is not permitted in any building (other than in your home) or other enclosed parts of common areas.

(2) Vehicles and Parking

- (a) In the interests of safety when driving in the community any internal speed limits and other traffic signs must be obeyed at all times.
- (b) As parking spaces are limited you may only park your vehicle in your own garage, carport, driveway or other allocated space. You must not park or stand your vehicle on any other part of the community without our consent. This rule does not prevent you from stopping to allow passengers to get in or out of your vehicle.
- (c) Under no circumstances may a vehicle be driven or parked on grassed common areas.
- (d) Visitor parking spaces are for visitors use ONLY, including tradespeople, doctors, emergency vehicles or other people just visiting the community. They are not to be used by residents, other occupants living in the community or staff.

(3) Gardening and landscaping

- (a) The state of the grounds is important to the overall appearance of the community for residents and visitors. It is our responsibility to maintain the common area lawns and gardens. If you want to assist, such as by watering or weeding the common area next to your home you are welcome to do so.
- (b) You must not prune or remove plants, take cuttings or pick flowers from the common area gardens without our consent.
- (c) You must not use any part of the common area as your own garden without our consent.
- (d) Be mindful of your neighbours when choosing plants for your garden. You must not knowingly place any plants, such as flowers, shrubs or vines on or in your site which commonly cause allergic reactions or are likely to cause a nuisance or damage to property.

(4) Garbage disposal and recycling

- (a) For health and safety reasons all household garbage, including pet and food waste, must be wrapped before being placed in any bin.
- (b) Littering, leaving garbage, pet waste or other rubbish on common areas, other than in the bins provided, is prohibited.
- (c) Garbage must be placed in the correct bin (Garbage, Recycling, Green waste).
- (d) It is your responsibility to organise the disposal of large items that require special handling, such as broken appliances and unwanted furniture, and these items must not be left on common areas without our consent.
- (e) Under no circumstances is the burning of rubbish or garden waste permitted within the community.

(5) Pets

- (a) You may keep an animal as long as you notify us beforehand.
- (b) All cats and dogs kept as pets within the community must be de-sexed.
- (c) Cats must be kept inside after dark and must wear a collar with a bell at all times.
- (d) Dogs must be kept on a leash at all times when on common areas.
- (e) Pets are not allowed in in any building (other than in your home) or in any enclosed common area in the community, with the exception of a guide dog or hearing dog.
- (f) You are responsible for your pet/s and must clean up after them.
- (g) All animals kept in the community must not:
 - i. create unreasonable noise or nuisance (e.g. excessive barking), or
 - ii. attack or threaten people or other animals within the community, or
 - iii. cause damage to common areas or other residents' property.
- (h) You agree that if these rules are breached seriously or persistently we may request that the animal be removed from the community within a specified time and you agree to comply with any such request.

(6) Visitors and guests

- (a) We encourage residents to maintain links with family and friends from outside the community. Day visitors are welcome any time, and there is no need for you to get our consent or let us know they are coming.
- (b) To assist with the security of the community if you have guests staying overnight or for a short term you agree to let us know their names and their intended length of stay.
- (c) Any visitor or guest who seriously or repeatedly breaks these rules may be asked to leave the community immediately.

(7) Fire Safety

- (a) You should exercise due care when dealing with fire, both inside and outside of the home, including, but not limited to, when using a barbeque and other outdoor cooking facilities.
- (b) At all times, you and your guests must comply with fire bans and restrictions imposed by emergency services.
- (c) Flammable materials, such as chemicals, liquids or gases, in excess of normal household quantities must not be stored on your site or in your home.

(8) Storage

- (a) You must not use decks, carports or common areas as storage space without our consent. Including, but not limited to, storing items such as paint tins, bottles, boxes, luggage, garden tools, electric equipment and furniture (other than specifically designed outdoor furniture).

Compliance/enforcement of these rules

If we believe these rules are being breached we may issue a notice to comply giving 30 days in which to remedy the breach. If the breach continues we can apply to the NSW Civil and Administrative Tribunal (NCAT) for appropriate enforcement orders.

If you believe somebody is breaching the rules you should bring the matter to our attention. You also have the option of giving us written notice requesting us to take action and then applying to NCAT for appropriate orders if the matter has not been resolved.

Amendment to these rules

These rules may be varied, deleted, replaced or a new rule may be added, if:

- (i) we give you at least 30 days written notice before the day on which the amendment is to have effect; and
- (ii) we have advised and consulted with the residents committee (if the community has one) about the amendment before the written notice is given.

Definitions

In these rules:

Common areas means any amenities, building, facilities, open space, road or other area provided for common use in the community.

We, our and us mean the operator of the community, and includes our employees, agents or representatives.

You and your mean any resident of the community.