



## OWNERS CORPORATION RULES

### UNITS PLAN 1903 “GLOBE ON MOORE” 16 MOORE STREET CANBERRA ACT 2601

#### INTRODUCTION

The following Owners Corporation Rules (also known as “House Rules”) have been established for the mutual benefit of all residents, both owners and tenants, in order to maximise the convenience, comfort and privacy of the residents of Units Plan 1903. At all times and in all matters, the Schedule for the Unit Titles (Management) Act applies.

Owners who lease properties, should provide tenants with a copy of these House Rules, so that breaches do not occur. Owners are ultimately responsible for breaches caused by their tenants and guests.

Commercial unit owners and tenants are also required to follow the *UP1903 Retail Tenant Manual*. Commercial unit owners who lease properties, should provide commercial tenants with a copy of these House Rules and the Retail Tenant Manual, so that breaches do not occur. Commercial unit owners are ultimately responsible for breaches caused by their commercial tenants and guests.

#### COMPLAINTS

A resident wishing to report an infringement of these rules, that cannot be resolved personally, should report the matter in writing to:

The Strata Manager  
“Globe on Moore”  
Independent Strata Management Pty Ltd  
GPO Box 1539  
CANBERRA CITY ACT 2601

Or: [teamecho@independent.com.au](mailto:teamecho@independent.com.au)

Telephone enquiries: 02 6209 1515

Please note that the Body Corporate can only take action if the complaint is in writing. Complainants should identify the offender, or their unit number, as well as the time, date and nature of the offence.

#### **Verbal and/or anonymous complaints will not be acted upon.**

Residents must always make a complaint in writing to the email or address listed above. Your details will be kept confidential.

#### **Social media comments/complaints will not be acted upon.**

Residents are reminded that social media is not an official communication channel nor should residents expect important messages will be posted via social media. It is provided as a community platform for residents to socially connect. Any complaints or breaches at the building should

## **OWNERS CORPORATION RULES**

always be sent to Independent Strata Management in the first instance. Comments / concerns / complaints etc will not be acted upon by posts on social media.

Incidents that infringe particular laws of the ACT, such as noisy parties or trespassing, should be referred to the ACT Police, especially late at night or where your personal safety is threatened. Police attendance can be requested by phone on 131 444.

### **1 NOISE**

- (a) Residents should be aware that noise penetrates easily into other units, particularly through hallways, balcony doors, windows and on the level 2 gym and terrace area.
- (b) At all times, and specifically between 10.00 pm and 7.00 am, residents must avoid causing any noise (slamming doors, music, television, loud voices, washing machines, dryers, spas, etc.) at a level which may disturb other residents.
- (c) Noise complaints should be raised through the Strata Manager in the first instance, or ACT Police if outside of business hours.
- (d) Repeated noise complaints will result in a breach notification to the owner or tenant.
- (e) Residents must not drop weights or otherwise use the equipment in the gym in a way that may disturb other residents.

### **2 VEHICLES AND PARKING**

- (a) Residents must only park their vehicles in their unit's allocated car space in the carpark. Do not block or use other residents' car parking space without their express consent to do so.
- (b) Vehicles are not to be parked on the concrete access driveways or in any position where they may cause an obstruction to others.
- (c) The building does NOT have visitor parking. Residents are not to allow guests to enter the carpark.
- (d) The commercial National Capital Centre (NCC) carpark outside the building's own residential carpark is not to be used by residents at any time.
- (e) The Owners Corporation and NCC will contact ACT Government parking inspectors from time to time to issue tickets to vehicles incorrectly/unlawfully parked.
- (f) Residents must not obstruct the vision of drivers in the carpark or create blind spots e.g. through the opaque coverage of storage cages on corners or near ramps.
- (g) Vehicles must observe a 5 km/h speed limit within the carpark.
- (h) Residents are responsible for cleaning up of any oil spills caused by their vehicles and will be requested by the Owners Corporation to clean up any spills in the event that this is not carried out.

## **OWNERS CORPORATION RULES**

- (i) In the interest of safety, children are not permitted to ride cycles or play games on the common property driveway areas or in the carpark areas.
- (j) Residents are not allowed to wash cars in the carpark.
- (k) Fire hydrants are never to be used by residents for purposes other than a fire.
- (l) Residents must not store anything in their carpark space. All items must be stored within the resident's secure storage cage.

### **3 GARBAGE AND RECYCLING**

- (a) The garbage chute is for domestic general waste only. Any waste that gets stuck in the chute requires specialist services to remove and the cost may be passed on to the resident responsible for causing the blockage.
- (b) All rubbish must be enclosed in an acceptable outer container, such as an approved garbage bin liner and fastened securely. Do not overfill the container as it may get stuck in the chute.
- (c) Residents are encouraged to recycle wherever possible. Recycling hoppers with yellow lids are located in the refuse room on level B2. Large boxes should be collapsed and freed from foam or other contaminated matter before being placed in the recycling hoppers provided.
- (d) Under no circumstances is garbage or recycling to be left on the floor in the garbage chute rooms, on the floor of the refuse room on level B2, outside unit doors or anywhere on common property.
- (e) Household items such as furniture, bedding, whitegoods, electronics, mattresses, etc. are not to be placed in either the garbage or recycling hoppers but should be disposed of by residents at appropriate Government collection areas. Residents who "dump" any such items in the refuse room on level B2 or anywhere on common property will be charged a removal fee and this will be added to the owner's levies. CCTV footage accompanied by swipe card audit will be used to trace down the resident responsible.
- (f) Residents are encouraged to immediately report any "dumping" they have observed anywhere around the building by emailing [security@globeonmoore.com](mailto:security@globeonmoore.com)
- (g) Consideration should be given, and noise kept to a minimum, when disposing of rubbish. Noise from the garbage chute areas transmits easily to surrounding units.
- (h) Residents must remove all rubbish generated by their activities from all common property areas.
- (i) Residents must not throw any items off their balconies.

## **OWNERS CORPORATION RULES**

### **4 APPEARANCE**

- (a) Residents must maintain their units so that other units are not adversely affected in terms of hygiene, appearance or value.
- (b) Residents are not to paint their front door. This is considered part of common property.
- (c) National Broadband Network (NBN) and other cabling connections must be installed via the inside of the common property hallway ceiling and are not be visible in common property hallways.
- (d) No items (such as pot plants, rugs, paintings etc.) are to be located in common areas without the written approval of the Owners Corporation.
- (e) The draping of rugs, mats, sheets, blankets, clothing etc. over balcony railings is not permitted.
- (f) Collapsible washing lines are permitted on unit balconies. No permanent washing structures are permitted on balconies. Residents are not to hang washing over or from the balcony railing.
- (g) Excessive items which detract from the building's visual appearance (as decided by the Executive Committee) or create a safety risk are not to be stored on balconies.
- (h) Residents must not affix any permanent fittings to or place any permanent structures (including any kind of storage container) on balconies where these are visible from the street.
- (i) Residents must not install any custom security devices such as bars or security mesh screens on any exterior doors and windows, including the front door.
- (j) A sense of community and tidiness requires all residents to assist in keeping the common areas clean and free from litter and damage, including entrance foyers, carpark and amenities.

### **5 SMOKING**

- (a) Smoking is not permitted in any of the common areas, including the lifts, foyers, hallways, gym, terrace or carpark.
- (b) Cigarette butts must be disposed of in the appropriate manner. An resident must not throw cigarette butts or ash over the balconies or discard them in any part of the common property.
- (c) All owners/tenants are responsible for their guests in regards to the above mentioned points.
- (d) CCTV footage may be reviewed from time to time to identify individuals who ignore the above mentioned points, and a breach notice will be issued. In some circumstances the Executive Committee may order commercial cleaning and

## **OWNERS CORPORATION RULES**

deodorising and all costs will be passed on to the resident responsible for causing the smoking smell on common property.

### **6 LEGAL AND OTHER FEE RECOVERY**

- (a) If the Owners Corporation incurs legal fees as a result of the conduct of an owner (including for the recovery of a debt owed to the Owners Corporation), the owner shall be liable to pay to the Owners Corporation the amount of the legal fees incurred by the Owners Corporation in undertaking legal action against the owner.
- (b) If the Owners Corporation incurs any fees associated with the remedy action of a resident not following these rules (e.g. damage, dumping or vandalising etc), the owner shall be liable to pay the Owners Corporation the amount incurred in the remedial action.

### **7 VANDALISM AND DAMAGE**

- (a) An occupant or visitors must not damage any part of the common property.
- (b) The occupant who has caused damage is liable to reimburse the Owners Corporation for all expenses that it incurs in rectifying the damage.
- (c) Any damage caused by anyone in the building (owners, tenants or visitors) should be reported to the Strata Manager in the first instance.
- (d) CCTV footage will be reviewed to identify culprits of any damage to common property not notified to the Strata Manager.

### **8 ANIMALS/PETS**

- (a) In accordance with Section 32 of the Unit Titles (Management) Act 2011, animals are not permitted unless the Owners Corporation gives written approval. Contact the Strata Manager to request the appropriate approval request form to complete.
- (b) The Executive Committee is authorised to make determinations regarding keeping of animals after all criteria have been met by the applicant.
- (c) The Executive Committee will keep under review any permission that has been given, and approval to keep a pet can be withdrawn at any time if the pet causes a nuisance to another resident or other residents.
- (d) No animals are permitted on the common property at any time unless being escorted either to or from a unit.
- (e) Any damage or soiling of any common property is the responsibility of the pet owner.
- (f) Permission to have a pet is not transferable to a new owner or tenant of an apartment or to current residents replacing an approved pet.
- (g) These rules relating to pets are strictly enforced by the Executive Committee.

## **OWNERS CORPORATION RULES**

- (h) All real estate agents associated with the sale or rental of an apartment are reminded that a condition of ownership in the building is that pets are not permitted unless written approval has been granted by the Owners Corporation. This requirement must be conveyed to all prospective buyers and tenants.
- (i) All pets must be kept on a lead when moving around the building.
- (j) Approvals will only be considered for a maximum of two (2) animals to be kept in any unit at any one time.
- (k) Wildlife are not to be fed from the balconies.

### **9 ALTERATIONS**

- (a) Alterations and additions must not be undertaken without the prior written consent of the Owners Corporation.
- (b) Alterations include the erection of any structure (such as external blinds, screens, pergolas, awnings, satellite dishes or other shade devices), painting or otherwise altering the external facade or appearance of the building, modifications or installation of any air conditioning, heating or ventilation system or associated piping or ducting servicing a unit.
- (c) All requests for alterations should be forwarded to the Strata Manager for consideration by the Executive Committee. In the case of tenants, requests should be submitted to the managing Real Estate Agent.
- (d) Approval is unlikely to be given to any alterations that will impact on the privacy/amenity of another resident or that is not in keeping with the general appearance of the building.
- (e) Approval is unlikely to be given to any alterations that do not show clear use of suitable materials. E.g., If you are replacing carpet with wooden floors, the Executive Committee would expect to see the use of acoustic underlay and flooring to minimise any noise for residents that live below you.
- (f) All alterations must also comply with the Australian Building Code.
- (g) Unit front doors are Fire Rated - security screen doors, deadbolts, and peepholes are not permitted to be installed to the front doors of the unit unless written approval is provided by the Owners Corporation or relevant fire safety authorities.
- (h) Construction noise from the use of hammer drills, jack hammers or any noisy tools is limited to between the hours of 8.00am and 5.00pm on weekdays and 10am and 5pm on weekends and public holidays.
- (i) All alterations and additions, including but not limited to tiling, waterproofing, plumbing, air-conditioning, cabling and electrical work must be undertaken by a licenced service provider and have any necessary permits and approvals. Owners should be aware that if they undertake such works themselves, without the use of a licenced service provider or holding a necessary permit or approval, they may be

## **OWNERS CORPORATION RULES**

voiding or limiting the Owners Corporation liability and/or insurance claims to repair something that might otherwise have been a Body Corporate responsibility or otherwise claimable under the Owners Corporation building insurance. In such circumstances the unit owner will become solely liable for any repairs relating to that alteration or addition and any resulting damage to common property or other units. E.g. incorrectly installed plumbing that leaks and causes water damage to your unit, common property and/or another unit.

### **10 ACCESS AND SAFETY**

CCTV cameras operate in common areas of the building. Access to CCTV footage is strictly controlled and is only accessed on the request of law enforcement, because of an official written complaint received by strata management made because of damage and/or safety or to aid the Strata Manager and Executive Committee in executing their responsibilities. Outside of this CCTV footage will not be released to individual requests.

- (a) Security is provided through building security access tags and carpark access cards. Residents are to ensure that no tailgating occurs when moving around the building. Residents concerned for safety because of tailgating or suspicious behaviour should immediately report the behaviour to the ACT Police.
- (b) Additional building security access tags are available. All additional building access tags must be formally requested via the online forms located on the building's website. Additional carpark access cards are not available. The building maintains a strict policy of one carpark access card per allocated car space.
- (c) All faults with the security system and/or individual residents' access tags or cards should be reported to the Strata Manager. Replacement tags and cards must be formally requested via the online forms located on the building's website.
- (d) In the interest of maintaining security at the building, all residents and their guests must ensure that security doors are closed firmly after entering or leaving a secure area.
- (e) Unknown or unauthorised persons must not be admitted to the building. An intercom system provides access to visitors or guests entering the building. Residents must never swipe entrance to someone they do not know – remember that access is logged to resident's tags and cards.
- (f) The Owners Corporation is unable to provide after hour's access to residents who are locked out of the building. In these instances, residents should make alternate arrangements, for example, leaving an additional building access tag and set of keys with a friend or relative.
- (g) Security access tags and cards cannot be loaned out (either for profit or not) to people not normally resident in the building for purposes such as but not limited to renting out an additional car spot, or providing access to the gym, or access to other areas of the common property.

## **OWNERS CORPORATION RULES**

- (h) The Executive Committee will limit the number of building access tags provided to residents to a reasonable amount. A reasonable amount is normally two building access tags per bedroom in the unit plus one additional for an agent.
- (i) The access control system automatically disables tags that have not been swiped at least once in the last 12 months. Residents or agents that have tags stored in a draw somewhere should swipe them at the building on any reader at least once every 12 months to keep them active.
- (j) Faulty building access tags and carpark access cards will be replaced at no cost when the faulty card is returned. All other requests, including replacements for lost tags or cards will incur a fee. See the Globe website online forms for current fee information.
- (k) Building access tags, carpark access cards and keys should not be kept in resident's vehicles. Such items can attract the attention of burglars as it provides easy access throughout the building, including your storage cage and unit once obtained.
- (l) In the interest of safety, parents and guardians should be aware that children are not permitted to play on the common property driveway areas, gym, terrace or in the carpark. Parents and guardians are responsible for the cost of repairing any damage caused by their children.
- (m) To prevent overcrowding and to ensure safety, the maximum allowable number of people living in a unit is two (2) per bedroom, with no limits on family members. This also applies to any sublet arrangements.
- (n) External entry/exit doors and fire doors must not be propped open.

### **11 EVACUATION FROM THE BUILDING IN AN EMERGENCY**

- (a) Signs are located in each of the hallways to indicate to residents and their guests the nearest emergency exit and the location of emergency equipment. Residents should familiarise themselves with the location of their nearest exit.
- (b) Emergency tones and recorded announcements will sound when an emergency evacuation is required.
- (c) In the event of an evacuation, and in the event that it is safe to do so, ensure you take your building access tag and unit keys with you to enable you to re-enter the building when advised it is safe to do so by the Fire Brigade. Do not use the lifts – use the fire stairs only when evacuating.

### **12 AMENITIES - GYM AND TERRACE**

- (a) **Residents and their accompanied guests use the facilities at their own risk. The Owners Corporation does not accept any liability for bodily injury or loss of property arising from the use of these facilities.**
- (b) Guests must be accompanied by the unit resident at all times.



## **OWNERS CORPORATION RULES**

- (c) Children under 16 years of age must be supervised by a parent or guardian at all times when on the terrace and must not use the gym equipment at any time.
- (d) The gym is available for use between 6am and 11pm daily. Please be considerate of surrounding units in the early morning and late evening hours, particularly noise from weights and the volume of TVs.
- (e) The terrace is available for use between 10am and 8pm daily.
- (f) Eating is not permitted in the gym.
- (g) Residents must behave and use the gym in a safe manner, wear suitable clothing and footwear, use a towel on equipment and comply with all posted signage. Particularly all instructions relating to hygiene, cleaning and the proper use of equipment while minimising noise.
- (h) Facilities must be left clean and tidy after use.
- (i) Please ensure that the door to the facilities is closed behind you.
- (j) No pets are permitted in the facilities at any time.
- (k) Use of the facilities is shared and all residents have equal rights to use them. Residents and guests must not behave in such a way that controls the space and deters other residents from rightfully using these facilities. Shouting, playing games, loud and drunken or boisterous behaviours are not permitted. Consistent offenders may be suspended from using the facilities or loss of your tenancy agreement.
- (l) There is no exclusive booking of the facilities. The facilities are for the enjoyment of all residents. Please be considerate of others.

### **13 REAL ESTATE, SUBLETS (AIRBNB ETC) AND SIGNS**

- (a) Under no circumstances are sandwich boards or other advertising material permitted on the common property, with the exception of (temporary, time limited) real estate signs denoting the location of properties for sale or lease and open for inspection within the building.
- (b) Under no circumstances are residents to affix in anyway signage or advertising on common property. Such signs include the sale of personal items, lost property or community announcements etc. Any repairs caused by the fixing of such signs will be recovered from the unit owner.
- (c) Unit owners are not permitted to display any signs in any visible external windows to their unit or on the common property except with the prior approval of the Executive Committee.
- (d) Without limiting paragraph 13(a), temporary signs including “For Sale”, “For Lease”, “Open for Inspection” or any other sign of this nature can only be displayed on common property and/or the boundary of building for the duration of the

## OWNERS CORPORATION RULES

inspection and must be removed once the scheduled/advertised time for inspection has passed.

- (e) Further to paragraph 13(d), these signs must not be stored on common property after the inspection and must be removed. Signs found to be stored on common property will be treated as abandoned rubbish, and the cost to remove these signs off common property may be charged back to the advertised unit and/or agent.
- (f) Under no circumstances are real estate signs to be affixed to external pillars, external walls, external balconies or affixed by means of permanent or temporary to any structure that makes part of common property.
- (g) Rectification of any damage caused as a result of the erection of signs, will be the responsibility of the unit advertised for sale.
- (h) In the interest of safety and building aesthetics, real estate signs or any other type of sign/billboard are not to be erected on public land directly on the border of the building property without permission from the Executive Committee accompanied by permission from the ACT Government.
- (i) In the interest of all resident's safety, storage lock boxes (for keys and swipes) are not to be affixed to common property at any time, as to not allow unlawful access to the building.
- (j) Units operating as Airbnb should notify the Strata Manager and provide an after-hours contact number in the case of an emergency.
- (k) Airbnb units must provide a copy of these rules to their tenants, so breaches do not occur.
- (l) All owners are responsible for any breaches in the house rules caused by their guests. This includes short term rental guests. A CCTV/swipe card audit may be used to determine the responsibility for any damages caused.

### 14 STORAGE

- (a) **The Owners Corporation does not accept responsibility for any personal property removed, damaged or stolen from common property areas, the carpark or from individual units or storage cages.**
- (b) For safety and appearance, residents are not to store any items in common property areas including entrance foyers, stairwells, pathways or vehicle parking spaces. The storage cages provided for units are to be used for this purpose.
- (c) NOTE: The carpark, including individual storage cages, are designated "wet areas". The Owners Corporation does not accept responsibility for damage to any property as a result of water.
- (d) No hazardous items or material is to be stored in storage cages.

## OWNERS CORPORATION RULES

- (e) Damage caused to any property as a result of items stored in cages (such as exploding gas bottles) will be the responsibility of the owner/tenant.
- (f) Any item left outside a storage cage or in a car space that is then used to damage any property, e.g., used as a projectile or used to smash a vehicle window etc., will be the responsibility of the owner/tenant that left the item outside their storage cage.
- (g) CCTV footage accompanied by swipe card audit will be used to track down residents who abandon items found on common property.

### 15 GENERAL

- (a) Residents are responsible for any damage to the common areas by their guests and visitors and for any annoyance they cause to other residents. This includes the cost associated with repairs.
- (b) No shopping trolleys are to be brought onto common property, left inside the building, on common property areas, or on the surrounding areas of the building. Trolleys 'dumped' on common property or damage caused to common property by trolleys are to be notified to the Strata Manager. CCTV footage accompanied by swipe card audit will be used to track down responsible residents. The cost of removal and/or repair will be charged to the unit owners levies.
- (c) The use of barbeques (BBQs) on balconies must not cause an inconvenience to other residents. Only gas BBQs and heaters may be used on balconies with wooden decking. The use of open flame solid fuel BBQs or heaters such as coal or wood is strictly prohibited and cause an extreme fire risk.
- (d) Residents must not climb over or hang from balconies or windows.
- (e) Fire Doors must not be propped open or interfered with in any way. Fire equipment such as extinguishers and hoses must not be used except in case of an emergency. Please note this is a requirement under law and corporate and personal fines will be issued by the Fire Brigade for non-compliance (ACTFB Policy May 2003).
- (f) Letterboxes must be emptied of all junk mail on a regular basis. It is the owner's responsibility to ensure that unoccupied units have their mailboxes emptied.
- (g) Commercial signage, business names, "NO JUNK MAIL" stickers or other types of stickers/signage are not permitted to be affixed on individual mail boxes.
- (h) Residents shall not ride bicycles, scooters, rollerblades, skateboards etc., within the building.
- (i) Graffiti of any description is not permitted on any area of the building. Any graffiti should be documented, and a report lodged with the Strata Manager immediately.
- (j) Residents are not permitted to place door mats, shoes, or any other objects outside their unit door as this area is common property.

## **OWNERS CORPORATION RULES**

- (k) Residents are not permitted to hang any signage or objects on the outside of their door. Exceptions will only be permitted for a Christmas wreath during 1 December and 1 February.
- (l) Residents are not to leave their front door ajar when home or allow cooking smells to escaping into the common property hallway via an open door.
- (m) No objects are to be thrown off balconies.
- (n) Residents moving in/out must use the goods lift (lift 1) with the padding on the walls and use of the green door override switch on the front panel to lock the doors open while loading/unload goods in the lift. Failure to use the override switch will result in the doors attempting to force close. Blocking the doors from force closing may damage the door mechanism. Any lift repair costs will be the responsibility of the unit owner.
- (o) Further to paragraph 15(m), the other two passenger lifts (lift 2 and 3) are not be used by residents for moving in/out. Lift 1 is the only lift that has padding on the walls to stop any damage to the lift interiors. Additionally, lift 2 and 3 do not have override switches to keep the lift doors open while loading/unload goods in the lifts. Any damage to the passenger lift interiors or door mechanisms and any repair costs will be the responsibility of the unit owner.
- (p) Residents must not overload any floor or balcony area and must observe the maximum load limit of 200kg / m<sup>2</sup>.
- (q) Commercial unit owners and commercial tenants are to comply with the Retail Tenant Manual (available for download from the Globe website) at all times, but in particular when fitting out, altering or setting up a commercial tenancy, and establishing a new commercial lease.

### **16 STRATA MANAGER**

The Strata Manager (Managing Agent) is **Independent Strata Management Pty Ltd**

Office address: Ground Floor 91 Northbourne Avenue Turner ACT 2612

Postal address: GPO Box 1539 Canberra City ACT 2601

Telephone: 02 6209 1515

Facsimile: 02 6247 9567

Email: [teamecho@independent.com.au](mailto:teamecho@independent.com.au)

Emergency after hours: 0419 626 355

### **17 ATTACHMENTS**

Attachment 1 – Default Rules

## OWNERS CORPORATION RULES

### ATTACHMENT 1 – DEFAULT RULES

#### Default Rules for Units Plan 1903

---

**1 Definitions—Default Rules**

- (1) In these Rules:

***Executive Committee Representative*** means a person authorised in writing by the Executive Committee under Rule 10 (4).

***Owner, occupier or user***, of a unit, includes an invitee or licensee of an owner, occupier or user of a unit.

- (2) A word or expression in the Act has the same meaning in these Rules.

**2 Payment of rates and taxes by unit Owners**

A unit owner must pay all rates, taxes and any other amount payable for the unit.

**3 Repairs and maintenance**

- (1) A unit owner must ensure that the unit is in a state of good repair.

- (2) A unit owner must carry out any work in relation to the unit, and do anything else in relation to the unit, that is required by a Territory Law.

**4 Erections and alterations**

- (1) A unit owner may erect or alter any structure in or on the unit or the common property only—

(a) in accordance with the express permission of the Executive Committee; and

(b) in accordance with the requirements of any applicable Territory Law (for example, a law requiring development approval to be obtained for the erection or alteration).

*Note* An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- (2) Permission may be given subject to conditions stated in the resolution.

**5 Use of common property**

A unit owner must not use the common property, or permit it to be used, to interfere unreasonably with the use and enjoyment of the common property by an owner, occupier or user of another unit.

**6 Hazardous use of unit**

A unit owner must not use the unit, or permit it to be used, so as to cause a hazard to an owner, occupier or user of another unit.

**7 Use of unit—nuisance or annoyance**

- (1) A unit owner must not use the unit, or permit it to be used, in a way that causes a nuisance or substantial annoyance to an owner, occupier or user of another unit.

## OWNERS CORPORATION RULES

- (2) This rule does not apply to a use of a unit if the Executive Committee has given an owner, occupier or user of the unit written permission for that use.
- (3) Permission may be given subject to stated conditions.
- (4) Permission may be withdrawn by special resolution of the Owners Corporation.

### **8 Noise**

- (1) A unit owner must not make, or permit to be made, such a noise within the unit as might (in the circumstances) be reasonably likely to cause substantial annoyance to an owner, occupier or user of another unit.
- (2) This rule does not apply to the making of a noise if the Executive Committee has given the person responsible for making the noise written permission to do so.
- (3) Permission may be given subject to stated conditions.
- (4) Permission may be withdrawn by special resolution of the Owners Corporation.

### **9 Illegal use of unit**

A unit owner must not use the unit, or permit it to be used, to contravene a law in force in the ACT.

### **10 What may an Executive Committee representative do?**

- (1) An Executive Committee representative may do any of the following in relation to a unit at all reasonable times:
  - (a) if the Committee has reasonable grounds for suspecting that there is a breach of the Act or these rules in relation to a unit—inspect the unit to investigate the breach;
  - (b) carry out any maintenance required under the Act or these rules;
  - (c) do anything else the Owners Corporation is required to do under the Act or these rules.
- (2) An Executive Committee representative may enter a unit and remain in the unit for as long as is necessary to do something mentioned in Subrule (1).
- (3) An Executive Committee representative is not authorised to do anything in relation to a unit mentioned in Subrule (1) unless—
  - (a) the Executive Committee or the representative has given the owner, occupier or user of the unit reasonable notice of his or her intention to do the thing; or
  - (b) in an emergency, it is essential that it be done without notice.
- (4) The Executive Committee may give a written authority to a person to represent the Corporation under this rule.

### **11 Seal of Owners Corporation**

- (1) For the attaching of the seal of the Owners Corporation to a document to be effective—
  - (a) the seal must be attached by decision of the Executive Committee; and  
*Note - Executive Committee decisions must be made by majority vote, or by unanimous vote if there are only 2 members of the Committee (see Unit Titles Act 2001, s 88).*
  - (b) the seal must be attached in the presence of two (2) Executive members; and

## OWNERS CORPORATION RULES

- (c) the Executive members witnessing the attaching of the seal must sign the document as witnesses.
- (2) Managing agent may affix seal
  - (a) The common seal may be affixed to reduced quorum meeting notices and certificates under Section 119 of the Act by the managing agent of the Owners Corporation without following the procedure in Rule 11.1

### **12**

#### **Recovery of Legal Fees**

- (1) If an Owners Corporation incurs legal fees or other costs in any legal or administrative action against a unit holder, the unit holder shall, unless a court order directs otherwise, be liable to pay the Owners Corporation the amount of the legal fees or other costs incurred by the Owners Corporation in undertaking, commencing or otherwise being involved in the legal or administrative action.
- (2) The unit holder agrees that any monies which are payable pursuant to Clause 1 shall be a debt enforceable by the Owners Corporation against the unit holder.
- (3) The legal fees and other costs payable in accordance with Clause 1 shall only be such legal fees and costs which can be evidenced by written invoice as payable by the Owners Corporation. For the avoidance of doubt any legal fees or other costs incurred by the Owners Corporation which can be evidenced by a written invoice as due and payable shall not form part of, and will not be recoverable against, in accordance with Clause 1.
- (4) The Owners Corporation shall not commence any action against any unit holder other than to recover outstanding levies, without a majority vote from a Special General Meeting.