

HOUSE RULES AND LEASING POLICY

EASTHAVEN LIMITED 35A SUTHERLAND CRESCENT DARLING POINT NSW 2027

LEASING POLICY

1. In relation to a shareholder wishing to lease a unit, the provision of Article 5(d) of the Articles of Association given below will apply :-

5(d) "No holder of a group of shares to which Article 5(d) refers shall lease or otherwise part with possession of a unit or penthouse without first obtaining the consent in writing of the Board of Directors of the Company {"The Board"}. Such consent shall be in the absolute and uncontrolled discretion of the Board and in that regard the Board may attach conditions to be fulfilled as a requirement of its consent. In all respects the decision of the Board in this regard shall be final, conclusive and binding. Notwithstanding the foregoing every such consent shall be subject to these Articles and any House Rules in existence at the time such consent is given and any additions, deletions or variation thereto as resolved thereafter by the Board."

2. For the guidance of shareholders and prospective purchasers the Board has determined a policy in relation to the leasing of units and the terms and conditions upon which consent to leasing shall be granted:

- (a) Consent to lease will not be granted until One (1) year has expired from the date of occupation of the unit by the shareholder. (i.e. not one (1) year from the date of purchase but one (1) year from the date the shareholder occupies the unit as their residence.)

- (b) A bond of \$500.00 is to be paid by the shareholder to the Managing Agent and shall be returned to the shareholder when the unit is no longer occupied by tenants and such bond shall be applied by the Company against any damage or cost incurred by the Company as a result of the tenancy.

HOUSE RULES

House Rules are made pursuant to the Articles of Association which state:-

"9(o) For the purpose of the amenity of the building and the repair and maintenance of the building and the land together with the safety of the occupants in the building and their invitees as well as the use of facilities and services thereon the Board may in its uncontrolled and unfettered discretion make such Rules and Regulation concerning such matters {"The House Rules"} from time to time to be binding upon the holder of each group of the shares herein before referred. In the event of any ambiguity or Inconsistency between any House Rule so made and the provisions of these Articles the Articles shall prevail."

The following Rules were made by a Resolution of the Board on 11 April 2011.

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The purpose of the Rules is to preserve the interest of unit holders and other residents and the Board looks for the willing co-operation of all unit holders, tenants and guests in observance of the same.

1. PRIVATE DWELLING

1.1 Each home unit shall be used as a private dwelling only.

2. LEASING OF UNITS

2.1 No unit owner or tenant shall allow the unit under their control to be occupied by any other person for any period other than in accordance with the Leasing Policy.

3. NOISE

3.1 An owner or occupier of a unit must not create any noise likely to interfere with the peaceful enjoyment of the owner or occupier of another unit.

3.2 The volume of television and radio, CD's, record players and tape recorders, etc shall at all times be kept to a level that will not inconvenience the residents of any other units.

3.3 Quiet playing of musical instruments is permissible to a reasonable extent at any time. However, such playing should not be longer than one hour at a time nor for total of more than three hours in any day.

3.4 Residents should ensure that noise from parties is not audible outside their unit after 11.00 p.m. Furthermore, guests leaving at all times, and particularly after 11.00 pm are requested to leave quietly.

3.5 Television and sound systems must not be fixed on walls that adjoin another apartment and no sound equipment or speakers can be installed on balconies.

4. BALCONIES

4.1 No articles of laundry, bedding, clothing, floor coverings, etc shall be hung out of any window nor upon any balcony or displayed in any other manners as to be visible from either the common property or any other unit.

4.2 Residents, their servants or guests, shall not throw or permit or suffer to be thrown any refuse or substance whatsoever out of the windows or doors or from their balconies or passageways or down the liftwell and staircases.

4.3 Residents shall ensure that when cleaning their balconies, or watering plants on their balconies, that no water falls on to the units beneath.

4.4 Residents shall not store any goods on balconies.

5. LIFT

5.1 Residents and guests shall not detain or interfere with the proper operation of the lift.

5.2 Protective floor covering must be used in the lift during renovation works or the delivery or removal of furniture.

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6. MOVING FURNITURE

- 6.1 When moving furniture or other heavy articles into or out of the building, residents shall take due care that damage is not done to the building and in particular the lift. Removers shall also be instructed not to hold the lift out of service or to interfere with its use by residents.
- 6.2 Furniture or other heavy items may be moved only between the hours of 7.30 am to 5.30 pm Monday to Friday and 8 am to 12 noon on Saturdays.

7. KEEPING OF ANIMALS

- 7.1 Residents or occupier must not keep any animal in his unit or the common property.
- 7.2 Feeding of wild birds and animals is discouraged as this attracts vermin to the premises.

8. RENOVATION/REDECORATION ACTIVITY

- 8.1 No renovation or redecoration activity shall be carried out in any unit without the written approval of the Board.
- 8.2 A renovation bond of \$2,000 is payable to the company and that bond is refundable to the owner. Should the company incur any additional expense as a result of the renovation work, then the amount of that expense is payable by the owner and will be deducted from the bond.
- 8.3 Renovation works shall be carried out strictly between the hours of 7.30 am and 4.00 pm, Monday to Friday and 8.00 am to 12.00 noon on Saturdays. No power tools can be used before 8.00am and no loud building or demolition work should commence before 8.00am.
- 8.4 Residents shall not make structural alterations to their units (including alterations to water or electrical installations) without the prior permission of the Board in writing. Furthermore, residents shall not do anything to vary the external appearance of their unit without the prior consent of the Board.
- 8.5 Generally, the Board will approve only one renovation to be carried out at anytime.
- 8.6 Residents renovating their units must make their own arrangements for immediate disposal of rubbish such as tiles, carpet, concrete filling, old furniture, etc.

9. FLOOR COVERINGS

- 9.1 Residents above the second floor must have all areas of their units carpeted (kitchens and bathrooms excepted). No parquet flooring or tiles or similar materials will be permitted to be installed above the second floor.
- 9.2 This rule does not apply to floor space comprising a kitchen, lavatory or bathroom.

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10. WATER CRAFT

- 10.1 Residents wishing to store water craft on the boat deck must seek permission in writing from the Board. Priority will be given to shareholder residents.
- 10.2 Only water craft owned by residents can be stored on Easthaven's property.
- 10.3 All water craft owned by residents are to be kept on the boat deck and not left on, or adjacent to, the concrete slipway or wooden boat ramp.
- 10.4 Residents wishing to use the boat winch do so at their own risk and must only use the boat winch after having received instruction from a person or persons nominated by the Board.
- 10.5 All water craft stored on Easthaven's property must bear a mark that identifies the owner. Unidentified water craft will be disposed of without notice.
- 10.6 Approval for watercraft storage may be limited to one watercraft per unit, subject to availability.
- 10.7 As storage is limited, it is available only for watercraft that are seaworthy and used on a regular basis. Owners of watercraft that do not comply with these requirements may be issued with a demand to show the watercraft are seaworthy and capable of use within four (4) weeks. Failure to satisfy the Board by that time may result in the watercraft being disposed of without further notice.
- 10.8 Neither Easthaven Limited, the Board, Directors, servants or agents will be liable for any loss associated with the disposal of watercraft as a result of a breach of this rule.
- 10.9 The washing of watercraft must take place on the boat ramp only and not within the storage area.

11. AUCTION SALES

- 11.1 Residents shall not permit any auctions or other sales to take place upon these premises.

12. CONTRACTORS

- 12.1 Residents shall not directly instruct the cleaners, gardeners or workmen employed by the Board, but shall convey their requests to the Board through the Secretary.

13. STORAGE

- 13.1 Only shareholder residents may store items in the common storage room.
- 13.2 Residents shall not use or store any chemicals, gasses or explosive materials in their units or garages or common floor storage area, nor in any way cause or increase the risk of fire or explosion in their units.
- 13.3 Items stored in the common storage room must bear a mark that identifies the owner.

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14. FIRE DOORS/ ALARMS

- 14.1 To comply with insurance requirements and Fire Department regulation, the fire doors on each floor (with the exception of the entrance door to the foyer) must be closed at all times.
- 14.2 Occupiers of units shall be liable for any fees payable by the company to the fire brigade should the fire brigade be required to attend the property as a result of a fire alarm being activated by them.

15. COMMON PROPERTY

- 15.1 Residents shall not paint or affix any sign, advertisement, notice or poster to or on any part of the premises.
- 15.2 Residents shall not store any items on common property including walkways.

16. INTERNAL MAINTENANCE

- 16.1 Each resident shall be responsible for the interior maintenance and decoration of his unit, and for the tidiness and cleanliness of his unit including curtains, blinds, etc.
- 16.2 Windows shall be kept clean and if cracked or broken shall be promptly reported to the Secretary. Tinting of windows shall be only in a shade approved by the Board.
- 16.3 Exterior awnings or windbreaks shall only be installed after approval by the Board and design has been adopted by the Board. ,
- 16.4 Exterior awnings or windbreaks must be maintained in a good condition.
- 16.5 The water closets, conveniences and other apparatus shall not be used for any purpose other than those for which they were constructed and no sweepings, rubbish or other unsuitable substances or articles shall be thrown therein. Any damage thereby caused to such conveniences and apparatus shall be made good by the resident responsible.
- 16.6 Residents shall give prompt notice to the Secretary of any accidents or defects in the water pipes, electrical installation and other fixtures and fittings in or around the building.

17. INSPECTION OF UNITS

- 17.1 Upon giving reasonable notice in writing to a resident of a unit, the Board, its servant, agent or contractors shall be permitted to inspect the interior of any unit and to test any electrical, water or other installation or equipment therein and to trace and repair any leakage or defect in the said installation or equipment at the expense of the resident where such leakage, or defect is due to any act or default of the said resident. If not so permitted, and in all cases or urgency, they may effect an entry.

It is recommended that resident leave a spare key with trusted friends or a Board member in order that in an emergency entry to their unit may be obtained without having to employ locksmiths. It is further recommended that when a resident is leaving their unit for any length of time they inform the Chairman or a Board member of where a spare key may be obtained.

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18. GARBAGE DISPOSAL

- 18.1 Household rubbish is to be securely wrapped and taken by residents to the Sula Bins located in the lower garages. Cardboard cartons should be flattened before being placed in the bins so marked, near the ramp.
- 18.2 General refuse including used furniture, cardboard cartons or any other items must not be left in the bin area. It is the responsibility of owners to remove rubbish and goods other than household rubbish at their own expense.

19. LAUNDRY

- 19.1 The laundries are for the use of residents only. No commercial laundry of any kind is permitted.
- 19.2 The washing and drying machines may only be used between the hours of 6.00am and 9.00pm.
- 19.3 Residents are asked to ensure that washing is not left unattended delaying others who may want to use the machines.
- 19.4 If there is any problem with the mechanical operation of the machines, then this should be reported as soon as possible to the Managing Agent or note the problem on the maintenance page of the Managing Agent's website. www.whelanproperty.com.au

20. SWIMMING POOL

- 20.1 The swimming pool and shower facilities are intended for the use and enjoyment of all residents and their guests. The latter must be accompanied at all times by a resident. Undue noise must be avoided at all times. Children must not be allowed to run around the area of the pool and the garden. Bottles and papers and other debris must not be thrown into the pool. Bathers going to and from the pool must be suitably clothed at all times and are requested not to use the lift or corridors whilst in a wet condition.

21. GARDENS

- 21.1 The gardens are for the enjoyment of all residents and their guests. Therefore, no picking of flowers or cutting of branches from flowering trees is permitted. It is requested that when using the lawn area, residents make sure all rubbish, including cigarette butts, is deposited in the receptacles provided; also that all chairs are removed from the lawn after use.

22. TROLLEYS

- 22.1 Trolleys located in the lower garages are for the use of all residents and should always be promptly returned to the garage area after use. They are not to be left in the walkways or lift.

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23. BARBECUES

23.1 It is not permitted to have barbecues on the balcony of units.

24. AIR CONDITIONING

24.1 It is not permitted to install/affix air conditioners in units.

25. SHARE TRANSFERS

25.1 The Company charges a fee of \$200.00 to cover cost incurred in investigations and administrative duties in respect of a transfer of shares in the sale of a unit.

EASTHAVEN LIMITED

THE CHAIRMAN

On behalf of the Board