

# **KANIMBLA HALL LTD**

[www.kanimblahall.com.au](http://www.kanimblahall.com.au)

**ABN 80 000 042 179**

## **BY-LAWS SCHEDULE B(A) USE OF THE WESTERN ROOF**



**The large western roof area is a shared amenity for the use of all resident shareholders, occupiers and their invited guests. Access to the roof area is between 6.00am and 10.00pm. This is for the safety and comfort of Kanimbla Hall occupiers and others nearby. The Board of Directors reserves the right to restrict access to the roof at any time. The use is subject to the observance of the following requirements:**

1. Any person found on the roof outside the above hours will be asked to leave. The Board of Directors reserves the right to restrict access to the roof at any time.
2. Persons not accompanied by a resident owner or approved occupier are not permitted to use the roof. Non-resident shareholders do not have right of usage of the roof for gatherings or functions. On no occasion will sub-leasing of the rooftop by a resident be permitted.
3. As a private residence Kanimbla Hall Ltd reserves the right to seek police assistance to remove unauthorized persons, non-approved gatherings or those demonstrating antisocial, dangerous or illegal behaviour and being present outside normal hours. The Board may consider taking steps toward terminating leases in regard to such breaches.
4. Items must not be placed on the parapet as there is a danger of them falling and causing injury.
5. As of the 01<sup>st</sup> January 2017 the rooftop along with all other common areas of the building are declared smoke free. This decision is taken for the comfort of all residents and following complaints from neighbours that lit cigarettes have been routinely thrown from the roof. Specific fines apply for breaches of this requirement (see fee schedule).
6. Nude sunbathing and the use of the picnic tables for sunbathing is not permitted.
7. The needs of other occupiers should be kept in mind; shareholders and occupiers must not monopolise the area or have any loud music or objectionable noise.
8. To minimise damage do not move any of the furniture. No furniture, plants or other items are to be installed on the roof area (other than temporary light chairs and small tables) or existing furniture or plants relocated around without prior written approval of the Board.
9. Shareholders and occupiers using the area are responsible for disposing of their own rubbish and the area must be left clean and tidy after use. All bottles must be removed from the roof back to an individual unit or directly to the recycling area. Rubbish (other than bottles) in excess of what can fit in the rooftop bins provided must be taken to the large bins in the recycling area of building 19A.
10. No fires, BBQs, lit candles or other flammable items/apparatus are permitted on the roof due to the fire hazard and impact to resident's clothes on washing lines.

11. The building's security must not be compromised. Entry and rooftop doors are not to be wedged open. All residents and guests must finish by 10.00pm when the roof is normally secured.
12. Any use of the rooftop or other common area for commercial purposes (e.g. commercial photographs or filming, hosting of a meeting etc), other than for the purposes of gaining images for the sale of a unit in the building, involving any number of persons, is subject to Board approval. An applicable cost will be levied.
13. Drone/remotely piloted aircraft use regardless of size or type is not permitted. All operators found to be operating in breach of this bylaw, in breach of CASA conditions of their operator's certificate or operating without an approval will be stopped, possible fines issued and all details provided to CASA for further action.
14. Any attendees needing to use toilet facilities must use the dedicated toilet provided on the roof or that in the host's unit.
15. The shareholder or tenant is responsible for any damage or mess created in any part of the common area of the building by them or their guests.
16. The roof is for residents' quiet recreational purposes only. The roof is not a workshop space for building projects, cleaning of items, repair projects or the cleaning of home renovation equipment etc. It is also not a play area for the riding of bicycles or scooters or ball games.
17. A shareholder or tenant must not permit any child of whom the owner or occupier has control to play on the roof unless accompanied by an adult exercising effective control.
18. The rooftop is not open for New Year's Eve or other major evening events due to the risks associated with liability and security.
19. Washing Machines and Dryers are not to be unplugged for the purposes of plugging in personal electronic devices.

#### **HOSTING GATHERINGS ON THE ROOFTOP**

20. Resident shareholders and approved tenants may host a gathering of up to ten (10) people only in any one gathering.
  - (a) Kanimbla Hall Ltd reserves the right to have unauthorized persons removed and a fee of \$500 (plus any cleaning or damage costs) will be charged to that shareholding (unit) without recourse;
  - (b) the roof terrace must be left clean and tidy after use.
  - (c) The shareholders or tenant who entertains guests on the rooftop is entirely responsible for the behaviour/actions of their guests in line with all requirements of the Buildings By-laws.
  - (d) the shareholder or tenant entertaining friends on the rooftop is responsible for ensuring the building's security is maintained and that all guests leave the premises in a quiet and orderly manner.
  - (e) any rubbish, bottles and food must be cleared away on the same day. Any rubbish that will not fit into the rooftop bins provided must be taken directly to building's main rubbish area on the

ground floor. The building's cleaner will commence cleaning on the following day without reference, and the shareholder and/or tenant responsible is liable for the cleaning costs.

- (f) any damage to the building and the associated repair costs will be charged to the shareholder and/or tenant

**REVISIONS**

<b>BOARD REVIEW</b>	<b>DATE</b>
Schedule created and approved	12 March 2012
Review approved	08 February 2016
Review approved	18 January 2017
Review approved	17 May 2017
Review approved	28 August 2017