

**SUBSTITUTED CONDUCT RULES FOR THE BODY CORPORATE OF
EVERGLADES, SCHEME NO. SS 27/1980 i.t.o. SECTION 35(2)(b) OF THE
SECTIONAL TITLES ACT 1986**

A. GENERAL CONDITIONS OF OCCUPANCY


No owner/occupier of any unit shall:

1. alter or add to structurally or otherwise any portion of the exterior of the premises, without the written consent of the Trustees of the Body Corporate.
2. erect any blinds or awnings without the written consent of the Body Corporate; in giving its consent to the erection of blinds or awnings, the Trustees shall be empowered to impose such conditions as they deem necessary in regard to type and colour of any blind or awning to be erected.
3. allow any part of the premises over which the occupier has rights of occupation to become unsanitary or accumulated with rubbish, a danger to health or otherwise dirty or untidy.
4. erect any tent or other structure or alter or remove any shrub, tree or plant in the common property.
5. permit the obstruction of any passages or entrance to any unit belonging to another occupier or to which other occupiers of the premises have common access.
6. permit anything to be done in and upon the premises or any other portion of the property which constitutes a nuisance or an unreasonable invasion of the privacy of the other occupiers of other units or permit or make any disturbance or allow children, guests, tenants or any other person for whom the occupier is responsible to make any disturbance or noise which in the opinion of the Board of Trustees in their sole and absolute discretion would constitute an invasion of the right of privacy of the other occupiers of the units.

B. SPECIFIC CONDITIONS OF OCCUPANCY

The units shall be used for residential purposes only and for no other purpose whatsoever, and shall be occupied by the number of persons which in the discretion of the Trustees is reasonable.

C. VISITORS

1. The Body Corporate shall not be liable or responsible for anything which the owner/occupier or any member of the owner/occupier's family or any employee or servant or any relative, friend, acquaintance, visitor, invitee or guest of the owner/occupier may have deposited or left in the unit or in any part of the building. All goods brought by the owner/occupier onto the premises shall be placed there at his sole risk and no responsibility whatsoever is undertaken by the Body Corporate or the Trustees or their representatives.
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2. The owner shall be responsible direct to the Trustees of the Body Corporate for any breach of the provisions of these rules by the owner and/or any members of the owner's family or any employee or servant, friend, acquaintance, visitor, invitee or guest of the owner.
3. The Body Corporate or its servants or employees of the Body Corporate shall not be liable to the owner/occupier for any injury or loss or damage of any description which the owner/occupier or any member of his family, or any employee or servant or any relative, friend, acquaintance, visitor, invitee or guest of the owner/occupier may sustain physically or to their property directly or indirectly, in or about the premises or in or about the garages or storerooms or servants rooms, or in or about any part of the building in which the units are situated by reason of any defect in the buildings, or any appliances whatsoever in the building in which the units are situated, or for any act done or any neglect on the part of the Body Corporate or any of the Body Corporate's employees, servants or agents. The Body Corporate or the Trustees or the Trustees' representatives and servants accept no responsibility or liability of whatsoever nature in respect of the receipt or the non-receipt and delivery or non-delivery of goods, postal matter or other correspondence.

D. MOTOR VEHICLES

1. Motor vehicles of owners and their visitors may be parked only on such areas as are specifically demarcated for that purpose. The owner shall not permit a vehicle either to obstruct or to interfere with normal traffic control within the driveways common to all dwelling units.
2. Repairs to and reconditioning of vehicles on the common property are not permitted.
3. Vehicles may not travel at speeds in excess of 8 kilometres per hour on any portion of the common property.

E. CYCLES ETC.

1. Bicycles, tricycles and roller skates may not be left on any portion of the common property or on any portion of the section where it is visible to any owner. This also applies to caravans, trailers, boats and commercial vehicles.
2. The use of soap-box carts, skate boards, roller skates, etc. on the common property is prohibited.

F. LAUNDRY

1. Washing may be hung out to dry only in the areas especially set aside for that purpose, i.e. in the backyard.
2. Washing hung out to dry is at the sole risk of the person so doing.
3. Washing may not be hung out to dry in any part of the section where it is visible to the general public or other residents.



G. SANITARY SERVICES

1. Rubbish or bins may not be visible from the common property unless a specific place has been designated for such bins.
2. Rubbish may not be handled contrary to the regulations of the City Council, e.g. broken glass must be wrapped in a double layer of newspaper.
3. No rubbish or refuse may be left on any portion of the common property or elsewhere where it will be visible from the common property whether in a container or not.

H. SILENCE

1. Motor hooters may not be used on the common property.
2. Radios, musical instruments, record players and T.V. sets must be used in such manner as not to be heard in adjoining sections or on the common property.

I. GARDENING AND PLANTS

No plants may be planted by occupiers on the common property. All gardening on the common property shall be done by the persons authorised by the Board of Trustees, unless specifically otherwise agreed. This Rule shall not apply to any exclusive use area.

J. PRIVATE GARDENS

1. Private gardens must at all times be kept neat.
2. Garden tools and other equipment must not be kept in any place where they will be in view from other units or any portion of the common property.
3. No tree or plant may be painted or grown by owners/occupiers in any private garden area if in the opinion of the Trustees it may cause any damage or potential damage to any building or structure.

K. BRAAIVLEIS EQUIPMENT is permissible only in the garden to which owners have exclusive use.

L. PARKING AREAS

No articles other than motor vehicles or motor cycles may be kept in carports and garages shall be used for the parking of motor vehicles.

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M. CHILDREN

1. No ball games are permissible on areas other than those specifically approved by the Trustees.
2. Residents must supervise their children and the children of their visitors so that no damage is caused to the common property or the property of other occupiers. In particular children may not interfere with the postboxes, plants, decorations, name plates, fire hose reels, exterior lights etc.

N. ACTIVITIES ON COMMON PROPERTY

1. No hobbies or other activities may be conducted on the common property if they would cause a nuisance to other occupiers.
2. Hobbies and other activities which cause undue noise are not permitted at all.

O. SERVANTS

1. Occupiers must ensure that their servants do not loiter on the common property.
2. Occupiers must ensure that their servants do not cause undue noise on the common property or elsewhere.
3. The occupier is not entitled to employ more than one domestic servant without the express consent of the Board of Trustees, nor to allow anybody other than the owner/occupier or one bona fide domestic servant employed by the owner/occupier to occupy the servant's room to which the owner/occupier has exclusive rights and the owner/occupier shall further not allow any servants to congregate in the building or the vicinity thereof so as to cause a nuisance to the other occupiers of the building in the quiet enjoyment of their own premises.

P. SUNDRY PROVISIONS

1. Common property and garden areas must at all times be kept neat and clean.
2. Inflammable or other dangerous material or articles may not be brought onto the common property or elsewhere.

Q. PETS

1. No animals or pets can be kept in or on the premises or common property without the express written approval of the Board of Trustees, which permission can be summarily withdrawn at any time if, in their discretion, the Trustees consider such animal or pet to constitute a nuisance. Should dogs be allowed, they must be leashed and properly controlled when on the common property or any portion of the premises. Should any dog defecate the person in control of the dog must pick up the faeces and dispose of it down a toilet.

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2. No aviaries, kennels or other like accommodation for pets may be sited at any place where they can be in view from any portion of the common property or the adjoining units.

R. BUSINESS ACTIVITIES

1. No business professions or trade may be conducted on the common property or in a section.
2. No auctions or jumble sales may be held on the common property or in a section.
3. No advertisements or publicity material may be exhibited or distributed in the building without the written consent of the Board of Trustees.

S. EXTERIOR

1. No airconditioning or solar heating units or TV aerials and dishes which are visible from outside may be installed without approval from the Board of Trustees.
2. No decorations may be attached to a section and the exterior of a section may not be painted or otherwise treated, unless specifically authorised by the Board of Trustees.

T. GENERAL

The Trustees of the Body Corporate shall be entitled, at all times, to lay down general terms and conditions of occupancy relating to the use of radios, air-conditioning machines and other electrical appliances and such other matters as the Trustees deem fit, for the convenience and comfort and general well-being of all the occupants of said premises and from time to time to vary, alter or amend same provided always that the Board of Trustees shall have given written notice to the owners/occupiers.

