

Edgewater Towers Regulations



Edgewater Service Limited
ABN 66 004 514 596

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Introduction

Edgewater Service Limited, the service company that “owns” the common property, entered into a service agreement with each of the initial owners of apartments in the building. These service agreements were registered on the title to each apartment, in accordance with section 98C(1) of the Transfer of Land Act 1958 (Vic). As a consequence, the service agreement binds all subsequent owners as successors in title and also binds tenants as occupiers of the property.

The service agreement is a legally binding document and forms the basis for these regulations.

The regulations have been developed to:

- ensure the safety and well-being of all residents;
- foster harmonious and pleasant living for all residents;
- maintain a consistency of appearance throughout the building; and
- enhance the value of each owner’s investment in the property.

Adherence to these regulations will ensure that the value of the apartments will increase consistently over time, and that the enjoyment of living in the building is maintained for all residents.

Air Conditioners

Any air conditioner must be approved by the Board prior to installation.

A split system condenser may only be installed in an open balcony and may not be affixed to any exterior part of the building, including any ledge. If you have an enclosed balcony, you will have to get Board permission to make changes to the balcony to accommodate the condenser. The condenser must be installed so that it cannot be seen above the level of the balustrades or the balcony.

Window mounted air conditioners are also acceptable and must be installed in line with all other window-mounted units in the building.

Air conditioners must be installed so that no condensate is dispersed from a balcony or down the side of the building. You may be forced to remove any air conditioner not correctly installed.

No air conditioner or condenser may be installed on any ledges outside your apartment or the roof of the building, nor may it traverse balconies.

Balconies

Nothing may be stored in a balcony that is visible above the height of the balustrade. This includes objets-d'art, clothing hung out to dry, etc. You should not keep glass-topped tables or lightweight furniture on your balcony as there is a risk that the glass top or the furniture will become airborne in a high wind.

Board permission must be obtained prior to fixing anything to the balcony. This especially applies to air conditioner condensers due to the danger of fire.

Note that if you raise the floor in the enclosed balcony, the distance between the floor and the bottom of the window ledge may become non-compliant with the Australian Building Code. In case of an accident, you could; therefore, face severe legal penalties. The Board strongly recommends that you do not raise the floor in an enclosed balcony, and if you have already raised the floor, that you restore the floor to its original height. You are also not permitted to remove the concrete edging between your apartment and the balcony, as this forms part of the structure.

Balconies cont'd

You must not allow water to flow over the edge of your balcony as this causes a nuisance to the neighbours below and can discolour the building's paintwork. If this occurs you will be charged for repainting the discolorations.

Bikes and the Bike Room

To store a bike in the bike room, you must complete a request form available on our website at www.edgewater Towers.com.au.

Bikes may be stored in the unused laundries on the hooks provided. You are encouraged to chain your bike to the hook for security, but you must remove the chain when you take the bike out of the laundry. Any chains left on an empty hook will be removed and disposed of. Please note that you use the hooks in the laundries at your own risk. The Board accepts no responsibility for any loss of, or damage to, your bike. You may not reserve a hook for your permanent use. If a hook is vacant, it may be used by anyone.

The bike rack outside the Spenser Street entrance is reserved for visitors. It should not be used by residents for permanent bike storage.

Bikes must not be stored in the stairwells, either on the ground floor or the space above the twelfth floor. Doing so contravenes fire regulations. Any bikes chained to the stair balustrades will be removed and disposed of without prior warning.

Any bikes left on common property, unless in a designated area, will be removed and disposed of without prior warning.

Car Park

The car park is common property, and as such, you cannot use your allocated car spot for storage of any kind without permission of the Board. You cannot place a skip on your car spot nor can you put a portable storage unit or container in your spot without permission. You cannot use the car park to store an unregistered vehicle.

Car Park cont'd

Park in Bays Only

You must ensure that your car is parked within the area allocated to your apartment. Please ensure that no part of your car is outside the lines delineating your spot. Large commercial vehicles, oversized vehicles, and tow bars that extend out beyond the car space, are not permitted in the car park.

You may **NOT** leave your car unattended in the driveway near the entrance. This is to ensure that you do not block someone else's car spot. Parking anywhere except in your car spot is a breach of the Service Agreement, and is grounds for denying you access to the car park. In cases of serious or persistent breaches, your right to a car spot may be revoked by the Board.

Motor Cycles

Motor cycles must be parked in your designated spot only and cannot be parked in any other part of the common areas. Motor cycles parked outside your car spot may be removed at the discretion of the Board.

Your bike must be stored upright and a bike stand spreader plate must be used to avoid damage to the asphalt.

Speed Limit

The speed limit in the car park, or when entering or leaving the car park is 5 kph.

Parking for Trades People

If you have trades people working in your apartment and they want to park in the car park, they can park in the spot allocated to your apartment. If you require more than one spot, you **MUST** ensure that the trades person leaves a visible contact phone number on their vehicle so that he or she can be called to move the vehicle if the spot is required by the owner.

Car Park cont'd

Maintenance

You must ensure that your vehicle does not leak oil onto the surface of the car park. If oil has leaked onto your car space, you must arrange to clean the asphalt. Leaked oil can degrade the surface of the car park and represents a safety risk to residents as it can become slippery and wash onto the path after rain. Should you fail to clean any oil spill, the Board will arrange for it to be cleaned, without prior notice, and the cost will be charged back to the owner of the apartment to which the space is allocated.

Common Areas

Common areas include the lobby, laundries, stairwells, service ducts, hallways, entrances, fences, gates, the car park, roof top, and the gardens.

You cannot store anything in the common areas without the permission of the Board. If anything is stored, even temporarily, in the common areas, without permission, the Board may, at its discretion, remove the item and dispose of it without any prior notice. This applies to articles stored in your car space, articles in the laundries, and key safes on any fence or gate.

Storage

Laundries are not to be used for storage of any kind. The sole exception is the storage of bicycles in the unused laundries on the special hooks provided. Any bike that is leant against a wall, or chained to a pipe, could, if it slips, block the fire door. In case of fires, the doors close automatically and it is a breach of the fire regulations if you prevent the door from closing. Any bicycle that is not on a hook, will be removed with no prior notice.

You cannot use the car park for storage of any kind without the permission of the Board. You cannot place a skip on your car spot nor can you put a portable storage unit or container in your spot without permission.

Common Areas cont'd

Smoking

Smoking is prohibited in all common areas, including the gardens, the car park, outside the front and back entrances to the building, and the roof top. If you smoke in your apartment, please do not throw cigarette butts from your windows or open balconies. Cigarette butts thrown from the building have, due to wind pressure, been forced into open windows and onto open balconies, and this poses an unacceptable fire risk. If you or your tenant smoke outside the entrance doors, and are identified from the security video footage, you will be charged for cleaning of discarded cigarette butts.

Smoking on your balconies can cause a nuisance to your neighbours and if complaints are received by the Board, you will be issued a breach notice.

Corridors

You are not permitted to hang any personal art work in the corridors or affix anything to common property walls without the permission of the Board. The exterior of your front door is maintained by the Board and you do not have the right to repaint it, or change the colour, without permission.

Please do not leave your screen doors open as this can impact egress in case of an emergency. Cleaning of the screen doors is the responsibility of the resident, and you are requested to maintain the door in a clean and tidy state.

Stairwells

Bikes must not be stored in the stairwells, either on the ground floor or the space above the twelfth floor. Doing so contravenes fire regulations. Any bikes chained to the stair balustrade will be removed and disposed of without prior warning.

Bikes and other large objects should not be transported down the stairwells. This causes unnecessary damage to the hand rails and the walls. You should use the lifts to transport these objects.

Items Left in the Lobby

It has become an Edgewater Towers' tradition for residents to leave unwanted items, such as books, magazines, and **small** electrical and electronic items on the bench on the east side of the letter boxes. Do not leave unwanted clothing, furniture or large items in the foyer. If you are identified from the security footage, you will be charged for any removal and cleanup costs.

Fire Service and Sprinklers

The Automatic Fire Detection System in Edgewater Towers is fully addressable and the location of any activated fire detector is displayed on the Fire Services Control Unit. Under Fire Regulations and as a condition of our Occupancy Certificate, each apartment must have a set of compliant sprinklers and a compliant fire detector. Severe penalties will be imposed on any owner of an apartment that does not have a compliant set of sprinklers and detectors. In addition, should there be any insurable event in a non-compliant apartment; the insurance company will seek to recover any payout from the offending owner.

Should any dust or smoke from renovations in your apartment be detected by the Automatic Fire Detection System, this will trigger an automatic call to the Melbourne Fire Brigade. The MFB charge a significant amount for call outs to a false alarm, and this cost will be passed on to the owner of the apartment causing the false alarm.

Sprinklers

Sprinklers have been installed so as to be compliant with Fire Regulations and the conditions of our Certificate of Occupancy. Any changes to the layout of your apartment may result in a requirement to add sprinklers, or to change their location. You will require Board approval for this kind of renovation and you will need to get the new sprinkler configuration certified, at your expense, by a Fire Services company.

Fire Door Closers

Your front doors are fire rated doors and it is a requirement of the Fire Regulations and our Certificate of Occupancy that your front door is fitted with an automatic closer. Whilst it is your responsibility to maintain the door and the closer, you may not replace them unless you have permission from the Board; and you must only replace them with an appropriate fire rated door and closer.

Fire Regulations also mandate that you do not leave your front door open, your screen door locked, and your apartment unattended.

Floor Coverings Insurance

The Service Company's insurance policy expressly excludes coverage for carpets, floating floors, and any other floor covering. It is your responsibility to ensure that you take out a policy that will provide you with appropriate cover for any carpets, floating floors, rugs, etc.

Garbage Chutes

The garbage chutes are for general household rubbish only – essentially kitchen and bathroom rubbish. All rubbish **MUST** be double bagged and tied before placing down the chute.

Please **do not** use the rubbish chute for the following:

- Hard waste and building material
- Pizza boxes (they unfold and get stuck in the chute)
- Open food containers
- Soiled nappies
- Products that can be recycled

These items should be taken down to the bin area and placed in the appropriate rubbish bins. Items for recycling should not be in plastic bags.

See: www.portphillip.vic.gov.au/residential_recycling_collection.htm

Garden

The front patio garden is available for use by all residents. Barbecuing is permitted, but please remove all bottles, cans and other rubbish after use.

Use of the front patio garden is not permitted after 10:00 pm. Please be considerate of your neighbours, especially the residents of Apartment GB (the apartment that fronts the patio garden).

Hard Rubbish

The Port Phillip Council schedules four hard rubbish collections each year. A schedule is posted on our website and on the notice board in the lobby.

If you put hard rubbish out at other times and we identify you from the security footage, any clean-up and removal costs incurred will be passed on to the person responsible for dumping the rubbish.

Laundry Use

Washing machines and dryers may be used at any time between the hours of 8:00 am and 10:00 pm.

After you have used the dryers, please clean the lint filter. Do not throw the lint onto the floor or out the window. Please dispose of it down the garbage chute. **Do not put the lint in the laundry trough as this will cause flooding in the laundry and the corridors.** Please leave the washing machine and dryer clean for the next user.

Please do not leave clothing in the sink while the washing machine is in use as this will also cause flooding.

Remove your washing or dried clothing in a timely manner so as to leave the washer and dryer free for use by others.

Unused Laundries

Unused laundries are not to be used for storage of anything except bicycles, which must be stored on the hooks. If you store your bike in a laundry, you must ensure that you do not block the fire door. In case of fires, the doors close automatically and it is a breach of the fire regulations if you prevent the door from closing. Any bicycle that blocks the operation of the fire door will be removed.

The cleaners will, from time to time, remove any items stored in laundries (except for bikes) and dispose of these items without any prior warning. They have the authority to break a chain or call in a locksmith to open any lock that has been used to secure an item to a pipe.

Lobby

Please do not leave unwanted items such as furniture or electrical items in the lobby in the “hope” that someone may want them. It is expensive to arrange for them to be sent to the tip and, if you are identified by our security cameras, you will be charged for the cost of removal of the items.

Important information will be displayed in the lobby notice board, which is behind the letter boxes. Notices will also be put up in the lifts. It is your responsibility to ensure that you read any notices. If the Body Corporate Manager has your email address, you may also receive notices by email. Notices may not always be mailed to owners and residents, however they will always appear on the notice board.

Junk mail can be placed in the recycle slot to the right of the letter boxes. Please don't leave it on the benches for someone else to clean up.

Bikes must be wheeled, and skateboards must be carried through the lobby. Please do not ride them. They pose a danger to other residents walking through the lobby and damage the sealed finish of the terrazzo floor.

Moving In or Out

You must make an appointment with the Body Corporate Manager to ensure that arrangements are made to keep the sliding doors open for you. This will make it easier for you to move your possessions in or out . It is important that you do not disturb the other residents when you move in or out.

Moving hours are Monday to Saturday from 10:00 am until 4:00 pm. Tying up the lifts before 10:00 am or after 4:00 pm will impede residents on the way to, or coming home from, work.

If you use a moving truck and you are blocking someone's car spot, ensure that the moving people leave a mobile phone number on the vehicle. If a resident wants to move their car into, or out of, a spot that is being blocked by the van, you must ensure that the driver moves the van to allow this.

Noise

The Service Agreement states that you cannot do anything that will be “a nuisance or annoyance” to your neighbours. This includes playing music at any time at an unreasonably loud volume. You are not permitted to play music that can be heard outside your apartment at the following times:

Monday to Friday	Before 7:00 am and after 10:00 pm (11:00 pm Friday)
Saturday	Before 8:00 am and after 11:00 pm
Sunday and public holidays	Before 9:00 am and after 10:00 pm

Building Work and Renovations

Noise caused by renovations, building works, or repairs to your apartment is not permitted at the following times:

Monday to Friday	Before 8:00 am and after 6:00 pm
Saturday	Before 8:00 am and after 12:00 pm (noon)
Sunday and public holidays	At any time

Noise caused by drilling and hammering on the walls or floors will travel throughout the building and can be heard many floors away from where the work is carried out. We ask you to be mindful of your neighbours when arranging for trades people to engage in any work in your apartment.

Footfalls and Impact Noise

The Service Agreement mandates that you must keep your floor “carpeted or sufficiently covered”. If you have a floating floor, you must also have a suitable acoustic underlay to ensure that you do not cause footfall or impact noise to your vertical neighbour. If you do not have an adequate acoustic underlay, you will be in breach of the Service Agreement and may be forced to replace your floor covering.

Pets

Irrespective of VCAT rulings, all owners and residents are bound by the terms of the Service Agreement, which states categorically that no animals are allowed in the building without the express permission from the Board (with the exception of service animals). The Board will generally not withhold permission, provided that:

- Pets are registered with the Body Corporate manager within one week of moving in.
- The animal weighs less than 10 kg.
- The animal is kept on a lead or carried through common areas (especially corridors, lifts , and the lobby).
- The animal does not make noise that can be heard outside the apartment (see **NOISE**).
- There are no complaints about the animal from neighbours.

Visitor's pets are not permitted.

Real Estate Boards

For Sale boards or **For Lease** boards, or any other real estate agents' boards, are not permitted on common property - including the front or the back fence or any balcony.

Renovations

You must get Board permission **in writing** for the following renovations:

- Enclosing an open balcony.
- Opening a previously enclosed balcony.
- Replacing any windows, whether in an enclosed balcony or common property windows. Common property windows are the wooden windows in the kitchen and the main bedroom.
- Replacing doors leading to a balcony.
- Installing an air conditioner, whether in-wall or split system.
- Any structural alterations, especially those requiring the removal, or part removal, of a wall – whether a supporting wall or not.
- Any plumbing work that requires access to either service duct (kitchen or bathroom).

If you are in doubt, request permission. Permission will generally be granted provided that the Building Guidelines are followed.

You can download a copy of the Building Guidelines from the Edgewater web site at www.edgewater Towers.com.au.

You must complete the letter of request that is included with the Guidelines and send it to the Body Corporate Manager, who will bring it to the Board for consideration.

If you renovate in breach of the guidelines, you will be in breach of the Service Agreement. Remedies available to the Board include legal action to force you to conform to the Building Guidelines, which apart from being expensive, may result in further expensive building works.

Renovations cont'd

Noise

Noise caused by renovations, building works, or repairs to your apartment is not permitted at the following times:

Monday to Friday	Before 8:00 am and after 6:00 pm
Saturday	Before 8:00 am and after 12:00 pm (noon)
Sunday and public holidays	At any time

Noise caused by drilling and hammering on the walls or floors will travel throughout the building and can be heard many floors away from where the work is carried out. We ask you to be mindful of your neighbours when arranging for trades people to engage in any work in your apartment.

Footfalls and Impact Noise

The Service Agreement mandates that you must keep your floor “carpeted or sufficiently covered”. If you have a floating floor, you must also have a suitable acoustic underlay to ensure that you do not cause footfall or impact noise to your vertical neighbour. If you do not have an adequate acoustic underlay, you will be in breach of the Service Agreement and may be forced to replace your floor covering.

Bathroom Exhausts

The Bathroom exhaust at Edgewater Towers is powered by centralised rooftop fans running 24 hours a day. You are not allowed to fit a fan over the exhaust grille in your bathroom, as this will cause the steam and smells from your apartment to discharge into your neighbour’s apartment.

Renovations cont'd

Removal of Building Material

Any building material or hard waste generated by your renovation may not be placed in the bins or stored in the corridors or laundries. You must arrange for the removal of all such waste immediately.

Sprinklers

Sprinklers have been installed so as to be compliant with Fire Regulations and the conditions of our Certificate of Occupancy. Any changes to the layout of your apartment may result in a requirement to add sprinklers, or to change their location. You will require Board approval for this kind of renovation and you will need to get the new sprinkler configuration certified, at your expense, by a Fire Services company.

Use of Power by Trades People

Your contractors are not allowed to access utilities from common areas (laundries, hallways, the lobby, etc.) to carry out their work. The use of power or water must be from your apartment unless you have written permission from the Board.

Use of the Lifts by Trades People

Trades people using the lift must provide adequate protection to vinyl tile flooring and lift car finishes.

Use of Common Property by Trades People

Trades people must not use internal areas of the common property to undertake works without adequate protection to floor and other finishes. If your trades-person works in the corridors and triggers a fire alarm, causing the MFB to attend, you will be charged the full callout fee. At the time of writing, the fee is in excess of \$3,000.

Roof Top

Safety considerations dictate that the following rules will be strictly enforced:

- Children under 18 must be accompanied and supervised by a responsible adult.
- No ball or racquet games allowed.
- No glass bottles or drinking glasses to be brought onto the roof top.
- No impact noise to the apartments below.
- No loose furniture that can be blown off the roof allowed.
- You must take all your rubbish with you when you leave the roof.

As in all other common areas, smoking is forbidden on all parts of the roof top.

In order to program your access device for roof access, a deposit may be required. Should you breach any of the above rules, your access will be revoked.

Security

Residents must not admit a stranger through the security doors unless they are convinced there is a valid reason for their admittance.

Loss of a security swipe card or fob must be reported to the Body Corporate Manager immediately so it can be deactivated.

Security doors, exterior fire-escape doors and rear stairwell doors must not be propped open at any time. At no time may laundry fire doors be obstructed and prevented from closing.

The building is monitored by many security cameras and CCTV footage will be provided to the police, if required, and will also be used by the Board to enforce these regulations.

Short-Term Lets

The Board has developed an agreement that specifically deals with short-term lettings. All short-term landlords must sign the agreement that specifically deals with short-term lettings. The agreement has been developed in co-operation with a short-term landlord, and has been designed specifically to respect the amenity of existing residents.

If the Board discovers any apartment being let on terms outside the Residential Tenancies Act without an agreement in place, it will immediately, without any notice, de-activate all access devices registered to that apartment. If this occurs, the Board will not sign an agreement, and access will not be restored until the owner can prove to the satisfaction of the Board, that long-term rental has commenced.

If you are considering letting your apartment on a short-term basis, you should be aware that the insurance premiums for the building may increase as a result of short-term rentals. Any such increase will be apportioned between all owners of short-term apartments, whether or not an agreement is in place.

Contractors Familiar with the Building

This list of contractors should NOT be taken as a recommendation by the Board as to their competence. It is provided simply as a guide to the familiarity of the contractor with the building.

Electricians

Atkins Electricians
(03) 9596 3806

Lifts

Refer to the lift for contractor details.

Please note that if you drop your keys into the left-well, you will be charged for the cost of retrieval.

Locksmiths

Ace Locksmiths
(03) 9534 0586

Plumbers

Gallant Plumbing
(03) 9576 5148

After Hours Emergency 0430 175 455

Please note that any emergency must relate to a problem within common property. If the problem is determined to be within your apartment, you will be charged the full cost of service.

Windows

Smyk Windows
0409 870 016
Contact Brett Smyk

Body Corporate Manager

Mr Tal Sahar

Tideways Pty Ltd
Suite 1, Level 3
521 Toorak Rd
Toorak, VIC 3142

03 9534 4614

Emergency After-Hours Contact Details

If there is an **after-hours** emergency relating to common property please use the following contacts. If there is an emergency within your apartment you should call any emergency numbers given to you by your landlord (if you are a tenant), or use your own trades people (if you are an owner).

If there is an emergency occurring the day, do not contact the trades people directly, contact Tideways who will arrange for the emergency to be dealt with.

You should be aware that if you call an emergency trades person, and it is determined that the emergency does not relate to common property, you will be on-charged the full cost of the call-out.

Electrician	Atkins Electricians (03) 9596 3806
Lifts	Refer to the contractor details in the lifts
Plumber	Gallant Plumbing After hours 0430 175 455

Website

www.edgewater Towers.com.au

