

## **JACKSONS LANDING COMMUNITY ASSOCIATION**

### **BY-LAW AND RULES FOR USE OF THE STATION**

**Updated September 2017**

There are three documents:

- 1) The by-law and rules apply to the booking and intended use of the Station for social functions, and for the particular use of the Resident Services Manager or any body delegated by the Community Association to approve bookings.
- 2) The Reservation Request Form is issued to and signed by residents applying to use the Station.
- 3) The checklist is to be given to residents by security as they are let into the Station for their function.

#### **COMMUNITY MANAGEMENT STATEMENT DP 270215 - BY-LAW 7. COMMUNITY FACILITIES**

1. The Community Association property includes a building located at 58 Bowman Street Pymont known as "The Station".
2. The Executive Committee of the Community Association may from time to time by majority resolution determine such Rules as it deems necessary for the proper, safe and orderly management of The Station and upon such determination must ensure the members of the Community Association are notified of the Rules.
3. Any owner or resident may apply in writing to the Executive Committee of the Community Association for consent to use The Station for an Approved Purpose provided that the owner or resident:
  - a. agrees to abide by any Rules, and
  - b. agrees to effect any additional insurance cover deemed necessary in the circumstances by the Managing Agent of the Community Association.
4. Any owner or resident who makes an application for consent to use The Station for an Approved Purpose is hereby deemed to have indemnified and to keep indemnified the Community Association for any injury, loss or damage which may be caused as a result of such use.
5. An Approved Purpose is determined in the rules as made by the Community Association from time to time.
6. If more than one owner or resident seeks consent to use The Station on identical dates, the Executive Committee of the Community Association must reasonably apply the rules made pursuant to this by-law in giving their consent.
7. The Executive Committee of the Community Association may from time to time delegate to the Estate Manager any of its decision-making functions under this by-law.

8. Notwithstanding anything contained in this by-law, Non-Occupying Owners cannot use The Station, Swimming Pool or Gym.
9. Restricted Users cannot use The Station or the Gym. (A Restricted User is an Owner or Occupier that uses their lot as a commercial office, restaurant or shop within the Community Plan.)

## **RULES**

1. These rules are made pursuant to the Community Management Statement DP 270215.
2. Any resident of Jacksons Landing may apply in writing to the Executive Committee of the Community Association, or to the Jacksons Landing Resident Services Manager if so delegated, for consent to use The Station for an Approved Purpose. The resident making the booking is responsible for ensuring compliance with the rules during the event and must be present at the event.
3. An Approved Purpose includes:
  - a. a meeting;
  - b. hosting by a Jacksons Landing resident of a gathering of invited guests;
  - c. an activity organised by a resident for which a trainer, tutor, speaker etc is engaged to provide a service to a group of Jacksons Landing residents and their guests. The service provider may or may not be a resident at Jacksons Landing. Service providers cannot themselves initiate, organise or advertise their services or activities at any facilities owned by the Jacksons Landing Community Association. It is the responsibility of the resident making the booking to ensure that the service provider carries relevant professional liability insurance.
  - d. an activity from which any net benefit once costs have been deducted is to be donated to a registered charity.
4. An Approved Purpose excludes:
  - a. the promotion or furtherance of any business or commercial venture or interest;
  - b. any activity which results in a financial benefit, other than as stated in 3 (c).
5. Applications must clearly state the name, postal address and telephone number of the applicant, the timing and purpose of the proposed use of The Station, and the number of guests expected.
6. Except in the case of Community Association and strata meetings, applicants must lodge a \$500 bond with their application. This bond will be used to cover any damage and/or additional cleaning costs incurred as a result of the function. If no costs are incurred, the bond will be returned within 5 working days of the function. If costs are incurred for cleaning and/or rectification of damage, these will be deducted from the bond, after which the balance of the bond (if any) will be returned.
7. Residents holding functions either provide their own cutlery, crockery and glasses, or pay a non-refundable hire charge of \$100 for use of equipment held in The Station storeroom. All users of the storeroom equipment are required to wash the items used and return them neatly to the appropriate stacks and shelves in the storeroom at the conclusion of the function.

8.
  - a. A limited quantity of 'free to use' glassware and other items are kept in the kitchen. This limited stock of items can be accessed by asking for the key to the kitchen cupboard prior to the event. They are intended to cover requirements for post meeting drinks, cups of tea etc for small meetings/functions where there is not a requirement for the use of the full catering facilities provided by clause 7. Users are required to wash up these items and return them to cupboards at the end of the function.
  - b. A small number of ready to use cups and drinking glasses are kept on the shelf above the kitchen bench for casual use at meetings. Users are required to wash and return these to the shelf after use.
9. Applications to use The Station for an Approved Purpose will be processed according to the following criteria:
  - a. Bookings can be made in advance for the following 12 months. The Community Association Executive Committee elected at each Annual General Meeting will honour bookings made during the term of the previously elected Executive Committee.
  - b. Block bookings can be made for a series of resident-organised activities to take place during the course of a calendar year.
  - c. The Community Association Executive Committee and its subcommittees and all Strata Plan Executive Committees have priority to book meetings for the calendar year ahead. A ballot may be held for functions on special dates. These dates are:
    - Melbourne Cup Day
    - Christmas Day
    - New Year's Eve
    - Any other date designated in advance by the Community Association Executive Committee.
10. When the Executive Committee (or the Resident Services Manager on its behalf) receives more than one application for an Approved Use of The Station on a particular date, preference will be given to the earliest received application provided it meets the criteria under the Rules.
11. Where there is a conflict concerning bookings, or a concern about whether a booking request complies with the Rules, the Resident Services Manager will notify the Secretary of the Community Association and the Convenor of the Community Association Assets Subcommittee. If time permits, the Convenor of the Community Association Assets Subcommittee will consult its members either in person or by email and make a recommendation to the Community Association office-bearers within 7 days of being notified of the conflict or concern; otherwise the Convenor will contact the office-bearers directly.
12. Where a ballot is to be held, the Resident Services Manager will conduct a ballot of applicants 3 months before the date required. All applicants will be notified of the result as soon as possible.
13. Hours of operation: The Station is available for use during the following hours:
  - Sunday to Thursday: 7am to 11pm
  - Friday & Saturday: 7am to 12midnight
  - New Year's Eve: 7am to 1am

The Station and its surrounding area must be vacated quietly by all guests no later than the times specified.

Station booking times are 7am to 3.30pm and 4.30pm to 11 or 12pm. Cleaning is to be done between 3.30pm and 4.30pm, unless other arrangements are negotiated between responsible residents. When there are daytime and evening dinners and parties over the weekend period, if a post-event inspection reveals that extra cleaning is required, a cleaning fee will be withheld from the bond.

14. Residents and their guests attending events at The Station may not place furniture or equipment on the paved area around the Gatehouse, as this is a public thoroughfare.
15. As per by-law 17.1 of the Community Management Statement, an owner or occupier must not create any noise on a lot, community property or subsidiary body property which might interfere with the peaceful enjoyment of another owner or occupier or permitted person. If it is deemed by the security guards that noise levels or behavioural issues are exceeding an acceptable level, security are under instruction to terminate an event immediately. This may result in future bookings being refused.

In particular,

- No bands requiring amplification are to be allowed.
  - No sound systems, including karaoke, are to be brought in from outside.
  - Only the Station's AV system is to be used.
  - A volume control limiter has been installed on the Station's AV system. This is now an integral part of the AV system and cannot be adjusted by users.
  - Windows and doors are to be closed after dark.
  - If the responsible resident does not behave appropriately, the guard may call the police, and will notify the Resident Services Manager advising that the responsible resident should be placed on the black list.
  - Residents adversely affected by noise should complain to Security on the night (who sends a report to the Resident Services Manager). They should wait to see if security can manage the problem. After, say, 15 minutes, they should ring the City Council Rangers (if on the waterfront, which is SHFA's responsibility); otherwise the Police.
16. No items are to be removed from The Station except, with agreement of the Community Association Executive Committee, for Community Association or strata events.
  17. These rules will be amended only after consulting the Jacksons Landing community.

Persistent or serious breaches of the rules may lead to a resident being unable to book The Station for a period of 12 months.