



Hart Estate Agents    T: 9371 8777    M: 0418 245 018  
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## **LEASE OF BRONTE HOUSE – IMPORTANT INFORMATION**

### **Introduction to Bronte House**

Bronte House's story begins in 1836 when William Mortimer Lewis, Colonial Architect, bought 42 acres of land at 'Nelson Bay' (the name given to the bay at Bronte Beach). He began building a house but when an economic depression hit in 1843, was forced to sell the property before its completion.

Robert Lowe, an English barrister and later NSW parliamentarian bought the property as a 'country residence' and finished the house in 1845. He and his wife Georgiana were some of the Bronte House's most charismatic inhabitants, despite only being in resident for four years.

The house change hands quickly over the next couple of years, until the Ebsworth family bought the property in 1882. They were the longest private owners of Bronte House; the family occupying the property over three generations. In 1948 the Ebsworths sold the house and its ground to Waverley Council.

The house is described as a Gothic style cottage with the large manicured garden merging beautifully into the Bronte Gully.

The land was listed on the Australian Heritage Commissions Register of the National Estate in 1978. In 1981 it was made the subject of a permanent Conservation Order under the Heritage Act 1977, and was listed on the State Heritage Register under the Heritage Act 1977 in 1999.

### **The leasing process**

Hart Estate Agents, on behalf of Waverley Council, is inviting applications for the lease of Bronte House as a residential premise.

All prospective tenants are required to submit to Hart Estate Agents a completed Expression of Interest form on or before 4pm on Friday 17 July 2015.

Prospective tenants should set out all information relevant to the Council's consideration of their application in the Expression of Interest form, including: the rent they are prepared to pay; their reasons for wanting to live in Bronte House; any reasons why they would be well suited to live in the property given its special nature; personal, business and rental references; what amendments or additions if any they seek to the Draft Lease Agreement; and any works they require to the property prior to commencement of the tenancy.

Interested parties should feel free to discuss with Hart Estate Agents any questions, requests, and/or proposed amendments to the Draft Lease Agreement prior to lodging their

Expression of Interest form. Hart Estate Agents will liaise with Waverley Council and, if possible and appropriate, provide guidance in relation to such matters prior to the date by which Expressions of Interest forms must be lodged.

All Expressions of Interest submitted within the permitted timeframe will be provided to Waverley Council for review. The final decision as to the lease of Bronte House will be made by Waverley Council.

Should a suitable tenant be found through the initial Expression of Interest process, Waverley Council expects to make a decision approving the tenant in mid-August 2015. Subject to finalisation of the Draft Lease Agreement and any other matters, the tenancy could commence shortly afterwards.

### **Terms of the tenancy**

The *Residential Tenancies Act 2010* (NSW) does **not** apply to Bronte House. The terms of the tenancy will be governed by a lease agreement prepared by Waverley Council (Draft Lease Agreement). Special terms and conditions apply, and are set out in the Draft Lease Agreement.

Given the heritage nature of the property, special conditions apply in relation to the tenant's use and enjoyment of the property, including the garden. These may place restrictions or obligations on the tenant that wouldn't normally apply in a residential tenancy. These are set out in detail in the Draft Lease Agreement.

The Draft Lease Agreement has provisions relating to matters including:

1. the requirement for the Tenant to provide a bank guarantee;
2. costs to be paid by the Tenant;
3. garden maintenance;
4. restrictions on use;
5. maintenance and repair;
6. alterations;
7. public open days; and
8. the property's heritage status.

In respect of garden maintenance, Council will undertake substantial responsibility. However, some responsibilities and costs will remain on the Tenant as set out in the Draft Lease Agreement.

Please review the terms of the Draft Lease Agreement prior to submitting an Expression of Interest. This is a draft document and subject to change. Prospective tenants who wish to propose amendments to the Draft Lease Agreement must provide details of these amendments in their Expression of Interest.

### **Important details relating to the property**

- The property is unfurnished. It is currently vacant.
- There is reverse cycle ducted air-conditioning.

### **Inspection of Bronte House**

Inspection of Bronte House is by appointment only. Please contact Alex Hart on 0418 245 018 or by email at [alex.h@hartestateagents.com.au](mailto:alex.h@hartestateagents.com.au) to make an appointment.



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## **LEASE OF BRONTE HOUSE – SUPPLEMENTARY INFORMATION**

### **Introduction**

This document provides further information and clarification on the proposed tenancy arrangements relating to 470 Bronte Road, Bronte ('Bronte House').

### **Residential tenancy**

- The arrangement will be a residential tenancy. The tenant is not permitted to earn money from the property or conduct a business on the property.

### **Light fittings**

- Light fittings are being installed in the next 7 days. If the tenant does not like them, he or she can install his or her own, store those already in place, and reinstall these when vacating.

### **Window coverings**

- The landlord will install window coverings but will wait until a tenant is selected to provide an opportunity for that tenant to discuss the matter further.

### **Ability to undertake internal cosmetic alternations**

- The tenant will be permitted to do some minor cosmetic alterations but only in consultation with the landlord as there are restrictions on what can be done (please refer to the Conservation Management Plan).

### **Security**

- The property is fenced.
- There is a working alarm system.

### **Air-conditioning/heating**

- There is a functioning reverse cycle air-conditioning system.

### **Additional showers and baths**

- The landlord does not anticipate installing additional showers or baths in the property.

### **Garden maintenance**

- The landlord will pay for regular garden maintenance and the Draft Lease will be amended to clarify this. However, the tenant will be required to undertake some garden maintenance, for example, watering the grass.

- There is an irrigation system on the property. However, this primarily operates through the garden beds.

#### **Water usage**

- The tenant will not be required to pay for water usage.

#### **Pest control**

- The landlord will be responsible for ongoing termite monitoring and treatment. Other pests will be the tenant's responsibility.

#### **Open days**

- The Draft Lease will be amended to specify a "maximum" of six Open Days per year...
- The areas open to the public on Open Days will be by negotiation between the tenant and the landlord. Historically, there has been more interest in the garden than the internal areas. However, at times part of the house will need to be open to the public.

#### **Painting the house upon vacating**

- The Draft Lease will be amended so that the tenant will not be required to paint the house upon vacating except for damage or issues that are not considered fair wear and tear.





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### **Lease of Bronte House – Expression of Interest**

Please complete all sections of the document. You may attach additional material if necessary.

Property Address: 470 Bronte Road, Bronte NSW

#### **Tenancy Details**

Length of Tenancy:	Rent:	Commencement Date:
Number of Occupants:	Number & Ages of Children:	Number & Types of Pets:

#### **Applicant Details**

Name:	Date of Birth:	Occupation:
Home Phone:	Work Phone:	Mobile Phone:
Personal Email:	Work Email:	
Drivers License Number/ Proof of age & state of issue:	Number of Vehicles:	
Passport Number & Country of Issue:	Car Registration:	

#### **Current Rental Details**

Address:		
Current Rent:	How long have you lived there?	Reason for leaving:
Agent/ Landlord:	Phone:	

#### **Previous Rental Details**

Address:		
Rent:	When & how long you lived there?	Reason for leaving:
Agent/ Landlord:	Phone:	

#### **Current Employment Details**

Employer/ Company:	Your Position/ Title:	
Length of Employment:	Net Income:	Full Time/ Part Time or Casual:
Contact Name:	Contact Position/ Title:	Contact Phone:

#### **Previous Employment Details**

Employer/ Company:	Your Position/ Title:	
Length & Year of Employment:	Net Income:	Full Time/ Part Time or Casual:
Contact Name:	Contact Position/ Title:	Contact Phone:



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### Emergency Contact Details

Name:	Relationship:	Contact phone:
Address:		

**Personal/Business References (Not Relatives):**

Name:	Occupation:	Contact phone:
Address:		

  

Name:	Occupation:	Contact phone:
Address:		

**Please set out your reasons for wanting to live in Bronte House**

This image shows a completely blank white rectangular area enclosed within a thin black border. There are no markings, text, or illustrations present on the page.



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**Having regard to the unique nature of Bronte House, please briefly explain why you think you would be an ideal tenant for the property**

**If you have any proposed amendments to the Lease Agreement, please set them out below. If no amendments are proposed here, it will be assumed that you are prepared to enter into the Draft Lease Agreement as proposed.**





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**If your Expression of Interest is subject to Waverley Council undertaking any work at the property, please provide details below**

**Please provide any further information that you believe will help Waverley Council assess your Expression of Interest**



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**Please provide us with 100 points of ID**

Driver license	40	Reference from previous LLD	30
Bank Statement	40	Copy of birth certificate	30
Passport	40	Invoice with current address	25
Last 4 pay slips	40	Letter of employment	25
Bankcard/Medicare	30	Student ID	10

**Declaration:**

I hereby offer to rent the property from the owner under a lease to be prepared by the agents. I acknowledge this Expression of Interest is subject to the approval of the owner/landlord. I declare that all information contained in this Expression of Interest is true and correct and given of my own free will. I declare that I have inspected the premises, reviewed the Draft Lease Agreement prepared by Waverley Council, and am not bankrupt. I declare that I understand that the Draft Lease Agreement is a draft document and subject to change.

I authorise the agent to obtain personal information from:

- (a) The owner or agent of my current or previous address;
- (b) My personal referees and employer/s;
- (c) Any record, listing or database of default tenants eg. TICA.

I am aware that the agent will use & disclose my personal information in order to:

- (a) Communicate with the owner and select a tenant;
- (b) Prepare lease/tenancy documents;
- (c) Allow organisations/tradespeople to contact me;
- (d) Refer to tribunals/courts & statutory authorities (where applicable);
- (e) Refer to the collection agents/lawyers (where applicable);
- (f) Contact and/or communicate with me regarding matters relevant to my tenancy from time to time.

I am aware that if the information is not provided or I do not consent to the uses to which personal information is put, the agent cannot provide me with the lease/tenancy of the premises. I am aware that the agent may access personal information using the details provided above.

I have inspected the property and I confirm that I am willing to enter into an agreement to lease the property in its current condition.

**Signed By the Applicant:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Holding deposit:**

The holding deposit can be accepted only after the Expression of Interest is approved. The holding deposit (not exceeding one week's rent) keeps the premises off the market for the prospective tenant(s) for 7 days (or longer by agreement). In consideration of the above holding deposit paid by the prospective tenant, the landlord's agreement acknowledges that:

- (i) The Expression of Interest has been approved by the landlord; and
- (ii) The premises will not be let during the above period, pending the making of a lease agreement; and
- (iii) If the prospective tenant(s) decide not to enter into such an agreement, the landlord may retain the whole deposit; and
- (iv) If a residential tenancy agreement is entered into, the holding deposit is to be paid towards rent for the residential premises concerned.
- (v) The whole of the deposit will be refunded to the prospective tenant if:
  - (a) The entering into of the lease agreement is conditional on the landlord carrying out repairs or other work and the landlord does not carry out the repairs or other work during the specified period.
  - (b) The landlord/landlord's agent has failed to disclose a material fact(s) or made misrepresentation(s) before entering into the lease agreement.

**Amount of holding deposit \$** \_\_\_\_\_ **( weeks rent)**

**Signed By the Applicant:** \_\_\_\_\_ **Date:** \_\_\_\_\_





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### TICA Privacy Disclosure Form

This form provides information about how your personal information is handled, as required by the Australian Privacy Principles in the Privacy Act 1988, and seeks your consent to disclosures to the TICA Group of companies (TICA) in specified circumstances. If you do not consent to the disclosure of your personal information to TICA we can not process your application. As a professional asset manager we collect personal information about you. The information we collect can be accessed by you by contacting our office.

#### Primary Purpose:

Before a tenancy is accepted we collect your information to assess the risk to our clients in providing you with a property you have requested to rent and if considered acceptable provide you with a tenancy for the property. In order to assess your application we disclose your personal information to: The Lessor / Owners for approval or rejection of your application, TICA Default Tenancy Control Pty Ltd and TICA Assist Pty Ltd to assess the risk to our clients and verify the details provided in your tenancy application, Referees to validate information supplied in your application and Other Real Estate Agents to assess the risk to our clients. The Agent may also take into account any information that is disclosed to us by TICA relating to attempts by Debt Collection Agencies, Credit Providers and related person to contact or locate you.

#### Secondary Purpose:

During and after the tenancy we may disclose your personal information to: Trades people to contact you for repairs and maintenance of the property, Tribunals or Courts having jurisdiction seeking orders or remedies, Debt Collection Agencies and affiliated industries, TICA Default Tenancy Control Pty Ltd to record details of your tenancy history, Lessors / Owners insurer in the event of an insurance claim and Future rental references to other asset managers / owners. In the event of a successful tenancy application the applicant's personal information may be recorded in the Agent's TICA Virtual Manager System, which will allow the Agent to be advised of any future tenancy applications you make. Information regarding our data deletion practices can be advised should you wish. The TICA Virtual Manager program will monitor your tenancy applications as part of our Risk Management procedures to protect our landlord's exposure. The monitoring of your tenancy applications is not a listing on the TICA Tenancy History database. This information is information that would be available to the Agent on a truthfully completed tenancy application form.

#### TICA Statement

As the TICA Group may collect personal information about you, the following information about the TICA Group is provided in accordance with the Australian Privacy Principles in the Privacy Act 1988. TICA Default Tenancy Control Pty Ltd (ABN 84 087400 379) is a tenancy database that records tenants personal information from its members including tenancy application inquiries and tenancy history. TICA Assist Pty Ltd (ABN 28137 488 503) is a database company that records information from mercantile agents and associated industries. In accordance with the Australian Privacy Principles you are entitled to have access to any personal information that we may hold on any of our databases. To obtain your information from the TICA Group proof of identity will be required and can be made by mail to: TICA Public Inquiries PO BOX 120, CONCORD NSW 2137 a fee of \$19.80

#### TICA Primary Purpose

The TICA Group collects information from its members and provides such information to other members as a risk management system for the purpose of assessing a tenancy application. The TICA Group does not provide any information that it collects to any other individual or organization other than its own group of companies for any other purpose other than assessing a tenancy application or risk management system or locating system other than government departments and or agencies allowed by law to obtain information from the TICA Group. The personal information that the TICA Group may hold is as follows: Name, date of birth, drivers license number, proof of age card number and or passport number (except Australian) and address at time of making a tenancy application, comments made by a TICA member in relation to your tenancy, which members you rented through and which members you applied to and which members are seeking you.

**Signed By the Applicant:** \_\_\_\_\_ **Date:** \_\_\_\_\_



### Utility Connection:

This is a free service that connects all your utilities

Direct Connect will make all reasonable efforts to contact you within 24 hours of the nearest working day on receipt of this application to confirm the information on this application and explain the details of the services offered. Direct Connect is a utility one stop connection service

#### Please tick utilities as required

☐ Electricity ☐ Gas ☐ Phone ☐ Internet ☐ Pay TV ☐ Insurance

**DECLARATION AND EXECUTION:** By signing this application, I/we: consent to Direct Connect arranging for the connection and disconnection of the nominated utility services and to providing information contained in this application to utility providers for this purpose; acknowledge having been provided with terms and Conditions of Supply of Direct Connect and having read and understood them together with the Privacy Collection Notice set out below; declare that all the information contained in this application is true and correct and given of their own free will; expressly authorise Direct Connect to provide any information disclosed in this application to a supplier or potential supplier of the Services in accordance with the Privacy Collection Notice and to obtain any information necessary in relation to the Services; expressly authorise Direct Connect to provide any information disclosed in this application to an information provider for the purpose of that information provider disclosing it to a supplier or potential supplier of the Services in accordance with the Privacy Collection Notice and to obtain any information necessary in relation to the Services; consent to Direct Connect contacting me by telephone or by SMS in relation to the marketing or promotion of all of the services listed under the heading "Utility Connections" above even if we/I have not applied for the connection of those services in this application. This consent will continue for a period of 1 year from the date of our/my execution of this application/until [28] days after we/I disconnect the last of the services in respect of which this application is made; acknowledge that this consent will permit Direct Connect to contact us/me even if the telephone numbers listed on this application form are listed on the Do Not Call Register; understand that under the requirements of the Privacy Act 1988, Direct Connect will ensure that all personal information obtained about me/us will be appropriately collected, used, disclosed and transferred and will be stored safely and protected against loss, unauthorised access, use, modification or disclosure and any other misuse; authorise the obtaining of a National Metering Identifier (NMI) for my residential address to obtain supply details; consent to Direct Connect disclosing my/our details to utility providers (including my/our NMI and telephone number); declare and undertake to be solely responsible for all amounts payable in relation to the connections and/or supply of the Services and hereby indemnify Direct Connect and its officers, servants and agents and hold them indemnified against any charges whatsoever in respect of the Services; acknowledge that, to the extent permitted by law, Direct Connect shall not be liable for any loss or damage (including consequential loss and loss of profits) to me/us or any other person or any property as a result of the provision of the services or any act or omission by the utility provider or for any loss caused by or in connection with any delay in connection, disconnection or provision of, or failure to connect or disconnect or provide, the nominated utilities; acknowledge that whilst Direct Connect is a free service I/we may be required to pay standard connection fees or deposits required by various utility providers; acknowledge that the Services will be provided according to the applicable regulations and that the time frames and terms and conditions of the nominated utility providers bind me/us and that after hours connections may incur additional service fees from utility providers; acknowledge that the real estate agent listed on this application form may receive a benefit from Direct Connect in connection with the provision of the service being provided to me/us by Direct Connect; and acknowledge the entitlement of Direct Connect and its associates, agent's and contractors, to receive a fee or remuneration from the utility provider and that such fee or remuneration will not be refunded to me as a rebate in connection with the provision of the utility connection services. By signing this application form, I warrant that I am authorised to make this application and to provide the consents, acknowledgements, authorisations and other undertakings set out in this application form on behalf of all applicants listed in this application form.

**Signed By the Applicant:** \_\_\_\_\_ **Date:** \_\_\_\_\_



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**Office use only:**

Date received:

Additional material attached: Yes/No If yes, specify:

TICA check complete? ☐

**Current Landlord/Agent:**

Current Rent: \$ \_\_\_\_\_ Lease Period: \_\_\_\_\_

Any arrears/termination notices served: \_\_\_\_\_

Condition of property: \_\_\_\_\_ Ledger received? ☐

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Previous landlord/agent (if applicable)**

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Current Employment:**

Length of employment \_\_\_\_\_ Income \_\_\_\_\_ Reliable \_\_\_\_\_

Name of employer and position: \_\_\_\_\_

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Previous Employment: (If applicable)**

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Personal reference:**

Notes: \_\_\_\_\_  
\_\_\_\_\_

**Personal reference:**

Notes: \_\_\_\_\_  
\_\_\_\_\_