

Annexure A to Consolidation/Change of By-laws for SP74602

79-81 Berry Street, North Sydney NSW 2060

- (a) drain and securely wrap your household garbage and put it in the garbage chute in the *common* property garbage chute room on your level of *The Alexander*;
- (b) leave your other garbage and recyclable materials in the *common property* garbage chute room on your level of *The Alexander*;
- (c) recycle your garbage according to instructions from the *owners corporation* and *Council*; and
- (d) drain and clean bottles and make sure they are not broken before *you* place them in the *common property* garbage chute room on your level of *The Alexander*; and
- (e) contact the *owners corporation* to remove (at your cost) your large articles of garbage, recyclable materials, liquids or other articles which *Council* will not remove as part of its normal garbage collection service.

15.1.3 Rules for Using Garbage

Chutes

You must not:

- (a) put bottles or glass in a garbage chute;
- (b) put liquids in a garbage chute;
- (c) put items that weigh more than 2.5 kilograms in a garbage chute; or
- (d) put boxes or large items in a garbage chute that might block it.

15.1.4 Garbage Storage Area

- (a) The *owners corporation* is responsible for the garbage storage area. The *owners corporation* must:
 - (i) organise the transportation of recyclable materials from the *common property* garbage chute rooms on each level of *The Alexander* to the *garbage storage area*; and
 - (ii) keep the *garbage storage area* clean and tidy.
- (b) *You* must not use or interfere with or leave garbage or recyclable materials in the *garbage storage area* without the prior consent of the *owners corporation*.

16 CARRYING OUT BUILDING WORKS

By-law 16.1 When do you need Consent?

Subject to the by-laws, *you* must have consent from the *owners corporation* to carry out *Building Works*. The *owners corporation* consent may include conditions.

If the proposed *Building Works* or other works affect *shared facilities* *you* must also obtain all necessary consents under the *Strata Management Statement*.

By-law 16.2 When is Consent Not Necessary?

You do not need consent from the *owners corporation* under this by-law to:

- (a) alter or remove an *Inter-Tenancy Wall* according to By-law 17;
- (b) carry out *Building Works* which *you* are entitled to carry out under an *Exclusive Use By-Law*. However, *you* must comply with By-Laws 16.3 to 16.5 when *you* erect the sign or carry out the *Building Works* (unless otherwise stated in an *Exclusive Use By-Law*).

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By-law 16.3 Procedures before you carry out Building Works

Before you carry out *Building Works* you must:

- (a) obtain necessary consents from the *owners corporation* and *Government Agencies*;
- (b) find out where service lines and pipes are located;
- (c) obtain consents from the *owners corporation* if you propose to interfere with or interrupt services; and
- (d) if you do not need consent to carry out the *Building Works* (e.g. if you are entitled to carry out the works under an *Exclusive Use By-law*), give the *owners corporation* a written notice describing what you propose to do. You must give the notice at least 14 days before you start the *Building Works*.

By-law 16.4 Procedures when you carry out Building Works

If you carry out *Building Works*, you must:

- (a) use qualified, reputable and, where appropriate, licensed contractors approved by the *owners corporation*;
- (b) carry out the *Building Works* in a proper manner and to the reasonable satisfaction of the *owners corporation*; and
- (c) repair any damage you (or persons carrying out the *Building Works* for you) cause to *common property* or the property of another owner or occupier.

By-law 16.5 Making Arrangements with the Owners Corporation

Before you carry out *Building Works* (including *Building Works* for which you do not require consent from the *owners corporation*), you must:

- (a) arrange with the *owners corporation* a suitable time and means by which to access *The Alexander* for purposes associated with those *Building Works*, and
- (b) comply with the reasonable requirements of the *owners corporation* about the time and means by which you must access *The Alexander*;
- (c) provide the *caretaker* with contact details and insurance particulars for the contractors and any persons involved in carrying out the *Building Works*; and
- (d) ensure that contractors and any persons involved in carrying out the *Building Works* comply with the reasonable requirements of the *owners corporation* about the times and means by which they must access *The Alexander*.

17 INTER-TENANCY WALLS

By-law 17.1 When may you Alter or Remove an Inter-Tenancy Wall?

17.1.1 Subject to this by-law, you may alter or remove an Inter-Tenancy Wall if:

- (a) you own the *apartments* separated by the *Inter-Tenancy Wall* or you have the consent of the owner of the adjoining *apartment*; and
- (b) it is not a structural wall;
- (c) before you carry out the work, you provide the *owners corporation* with a certificate from a qualified structural engineer reasonably acceptable to the *owners corporation* that the wall is not a structural wall and that the proposed work and the method of carrying out the work will not adversely affect *common property* or other *apartments* (including services to those *apartments*); and
- (d) you comply with the procedures in this by-law.

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Otherwise, *you* must have the consent of the *owners corporation* to alter or remove an *Inter-Tenancy Wall*.

By-law 17.2 What Consents are Necessary?

- (a) *You* do not need consent from the *owners corporation* to alter or remove an *Inter-Tenancy Wall* (provided that *you* are the relevant lot *owner* and comply with the requirements of this by-law). However, *you* must obtain all necessary consents from *Government Agencies* before *you* as the relevant lot *owner* alter or remove an *Inter-Tenancy Wall*.
- (b) *You* do need consent from the *owners corporation* to alter or interfere with the integrity of an *Inter-Tenancy Wall* in any way.

By-law 17.3 Owners Corporation must consider Noise Transmission

The *owners corporation* must consider in each application for consent under this by-law, (or By-Law 25.2 relating to *common property*) if it is appropriate to impose conditions on consent to avoid transmission of noise that might unreasonably disturb another *owner* or *occupier*.

By-law 17.4 What are the Conditions for carrying out the work?

It is a condition of *you* altering or removing an *Inter-Tenancy Wall* that *you*:

- (a) carry out the work in the method certified by the structural engineer under By-Law 17.1;
- (b) if appropriate, comply with section 14 of the *Development Act* and lodge any necessary building alteration plan with the Registrar General;
- (c) comply with By-Laws 16.3 to 16.5; and
- (d) acknowledge for yourself and future *owners* of your *apartment* that the *owners corporation* does not have to reinstate the *Inter-Tenancy Wall*.

18 EXCLUSIVE USE OF AIR CONDITIONING SERVICES

By-law 18.1 Exclusive Use By-Law

This is an *Exclusive Use By-Law*. The *owners corporation* may amend or cancel it only by special resolution and with the written consent of each *owner*. By-Laws 3.1.3 to 3.1.6 apply to this *Exclusive Use By-law*.

18.1.1 Exclusive Use Rights

- (a) Each *owner* has exclusive use of the *air conditioning services* which exclusively service their *apartment* (e.g. the fan coil unit for that *apartment*).
- (b) The *owners* jointly have exclusive use of *air conditioning services* which do not exclusively service an *apartment* (e.g. the chilled water system).

18.1.2 Obligations of the Owners Corporation

The *owners corporation* must:

- (a) operate, maintain, repair and, where necessary, replace all other components of the *air conditioning services* which are not for the exclusive use of an *apartment*; and