

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

### **79-81 Berry Street, North Sydney NSW 2060**

The *owners corporation* may:

- (d) exclude *you* from using that part of the *Common Property*; and
- (e) take reasonable steps to ensure that carparking spaces allocated under this by-law are kept free of unauthorised vehicles.

#### **By-law 28.3 Restricting Access to Common Property for Use by the Concierge**

The *owners corporation* may allow the *Caretaker* (and persons authorised by the *Caretaker*) to use part of the *Common Property* being:

- (a) approved areas and facilities in the foyer of *The Alexander* (including, for example, a *Concierge* desk and equipment) by the *owners corporation* from time to time; or
- (b) approved storage areas from time to time, to perform the *Concierge's* duties.

The *owners corporation* may exclude *you* from using that part of the *Common Property*.

#### **By-law 28.4 Display Area for Use of Owners**

The *owners corporation* may dedicate an area of *Common Property* to be used by *owners* to display "For Sale" or "For Lease" signs relating to their *apartments*. The *owners corporation* may delegate management of this display area to the *Caretaker*.

#### **By-law 28.5 Storage Space**

- (a) The *owners corporation* has the right to dedicate parts of *Common Property* for the exclusive use of nominated *owners* for storage purposes.
- (b) The *owners corporation* may allow the *Caretaker* (and persons authorised by the *Caretaker*) to use part of the *Common Property* allocated for storage space from time to time.

## **29 USING THE POOL AND GYM**

### **29.1 Using the Pool and Gym**

Each *owner* and *occupier* may use the *pool* and *gym* on the terms and conditions in this by-law.

### **29.2 Conditions for Using the Pool and Gym**

- (a) The *pool* and *gym* may be used by *owners* and *occupiers* and their visitors only during the hours nominated by the *owners corporation*.
- (b) *Owners* and *occupiers* must accompany their visitors at all times when their visitors use the *pool* or *gym*.
- (c) *Owners* and *occupiers* must:
  - i. ensure that an adult exercising effective control accompanies children who are under 12 who are in the care of the *owner* or *occupier* when the children use or are in the *pool* or *gym*; and
  - ii. be adequately clothed when they use or are in the *pool* or *gym*.

### **29.3 What are you Prohibited from doing?**

*Owners* and *occupiers* must not:

- (a) bring glass (i.e. drinking glasses) or sharp objects into or around the *pool* or *gym*;

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- (b) do anything that might be dangerous when they use or are in the *pool* or *gym* (for example, running near the *pool* and/or playing with *gym* equipment);
- (c) make noise or behave in a way that might unreasonably interfere with the use and enjoyment of the *pool* or *gym* by another *owner* or *occupier*;
- (d) bring food or drink into the *pool* or *gym* without consent from the *owners corporation*. However, *you* do not need consent to bring non-alcoholic drinks in shatter proof containers into the *pool* or *gym*; or
- (e) hold parties or other functions (e.g. swimming classes or exercise classes) in the *pool* or *gym* without consent from the *owners corporation*; or
- (f) interfere with, operate or adjust settings of pumps or other equipment servicing the *pool*; and
- (g) interfere with, operate or adjust the settings of equipment in the *gym* (other than to operate and adjust the exercise equipment according to the instructions of the manufacturer).

#### **29.4 Rights of an Occupier**

An *owner* may allow an *occupier* of their lot to exercise the rights of the *owner* under this by-law. However, the *owner* remains responsible to the *owners corporation* and *Government Agencies* to perform the functions and comply with the obligations of the *owner* under this by-law.

#### **29.5 Rights and Obligations of the Owners Corporation**

- (a) The *owners corporation* may restrict access to the *pool* and *gym* by *Security Key*. The *owners corporation* must provide *owners* and *occupiers* with a *Security Key* for the *pool* and *gym* according to the relevant by-law/s.
- (b) The *owners corporation* may make *rules* about using the *pool* and *gym* and, in particular, about the number of visitors an *owner* or *occupier* may bring into the *pool* or *gym* at the same time. *Owners* and *occupiers* must comply with those *rules*.

### **30 SPECIAL PRIVILEGE OF THE DEVELOPER FOR REFURBISHMENT**

NOT USED IN 2023

### **31 RULES**

#### **By-law 31.1 Powers of the Owners Corporation**

In addition to its powers under the *Management Act* the *owners corporation* has the power to make *Rules* about the security, control, management, operation, use and enjoyment of *The Alexander* and, in particular, the use of *Common Property*.

#### **By-law 31.2 Amending the Rules**

The *owners corporation* may add to or change the *Rules* at any time.

#### **By-law 31.3 What are your Obligations?**

*You* must comply with the *Rules*.