

Welcome to 121 Newton Road

Living close together with shared common areas, it is important that residents comply with a number of basic rules, which were established when the development was completed (under the Unit Titles Act). The purpose is to ensure that we live together happily and that a quality environment is maintained for all. The rules apply to all residents, both owners and tenants.

Summary of Body Corporate Rules

Complex Rules

Body Corporate 210059 – 121 Newton Road

To ensure that the development remains a high quality environment in which to live, certain rules must be adhered to. Below is a summary of the more important and more commonly broken rules. Please read them carefully.

Use of Unit

- Units must not be used for any purpose other than as a private residence, without the approval of the Body Corporate.
- No one may hold an auction or garage sale without permission from the Body Corporate.
- No one may have more than two permanent residents per bedroom.

Use of Common Area

- No one shall store or leave anything on the common area. The common area should not be used for any activity or behaviour that may cause offence to other people within the development.
- No obstruction or hindrance may be caused to the entrances, exits or any part of common property.
- Lobbies and stairwells are designated smoke free areas – This is a no smoking building.

- Each Resident shall ensure no debris of any kind to be placed on common property or in view of or creating a nuisance to other Units/Residents.
- When upon common property be adequately clothed and not use language or behave in a manner likely to cause offence or embarrassment to another resident or to any person lawfully using common property.
- Any damage caused to common areas as a result of shifting will be made good by those concerned.
- Take all reasonable steps to ensure that invitees do not behave in a manner likely to interfere with the peaceful enjoyment of the proprietor or occupier of another unit or any person lawfully using common property and in particular whilst visiting or leaving any unit.

Exterior of Units

- An occupier shall not erect external blinds or awnings. It is not permitted to hang any clothing, bedding or any other articles including signs (unless approved by the Body Corporate Committee) on or from the outside or inside of the windows and or balconies of the unit.
- No one shall erect an external aerial or satellite dish on his or her unit without the permission of the Body Corporate.
- No one shall hang or display any item that can be visible from the common area or roadway that may detract from the quality appearance of the development. This includes washing lines, burglar alarms and air-conditioning units that do not have specific permission

Noise

- Keeping noise down so as not to disturb your neighbours is appreciated. Music should be turned down or off by 10:00pm.
- Please avoid loud discussions and late parties as the noise travels throughout the complex. Please be considerate of others.
- Persons leaving or entering the complex must do so quietly, particularly after 10.00pm.
- Otherwise Auckland City Council noise control can be called and will attend 09 3010101.

Windows

- All windows shall be kept clean and if broken or cracked shall be promptly replaced by the owner / occupier of the unit at the expense of the owner or tenant.

- Any Curtains or Blinds visible from the outside of the unit must have a backing of such colour and design that shall be approved by the Body Corporate. In giving such approval the Body Corporate shall ensure that curtain backing used in all units presents a uniform and orderly appearance when viewed from the outside of the unit development.

Security

- When entering and leaving the building, please do not allow unknown people to enter, including trades people and couriers. This is to ensure maximum safety and security for all residents.
- Owners and tenants need to keep a look out for any suspicious people on site.
- Residents are encouraged to keep all doors and windows locked when the Unit is unoccupied.
- Residents are responsible for the security of the building at all times. Please ensure you do not allow people in to the building that you do not know. If you lose your swipe tag, notify Constant Building Management immediately.

Animals

No pets allowed.

Rubbish

- An owner/occupier will not allow any waste, rubbish or litter to accumulate in or on the Unit, Accessory Unit or on the Common Property.
- There is to be no dumping of rubbish of any sort, out of the front of the complex or on the roadway.
- Rubbish needs to be put into the bins provided in B1. (General waste and Recycling bins available)
- Do not litter in common areas of the building. Do not leave rubbish outside your apartment, keep it inside or take it directly to the rubbish area. Please ensure your rubbish is not dripping – if it is it must be double bagged.

Lift

- The lift is a disable access lift only. It is not designed to be used many times a day.

If you discover a fire

- Activate the nearest fire alarm;
- **Phone the Fire Service – dial (outside line)“111”;**
- Evacuate the building using the nearest safe fire exit;
- Use fire-fighting equipment only if no danger is involved;
- Do not use water extinguishers or fire hoses on fires involving electrical equipment.

If the alarm sounds or you are instructed to evacuate

- Evacuate the building immediately using the nearest safe fire exit;
- Do not linger to collect personal belongings;
- Make sure that visitors evacuate with you;
- Assist any persons with disabilities;
- Do not carry food or drinks when evacuating;
- Do not use the lifts to evacuate;
- **Proceed to your assembly area outside the Complex**
- **Keep well away from the entrances to the building to give the Fire Service clear access;**
- Do not re-enter the building until the Fire Service has given the “All Clear”.

As part of normal routine please ensure that

- Exit doors and corridors are kept clear of obstacles at all times.
- Exit doors leading to exit ways are not locked, barred or blocked as to prevent occupants from leaving the building and doors can be easily opened from the inside without the means of a key.
- Smoke control and fire stop doors are kept closed at all times unless fitted with “hold open devices” which comply with the building code.
- Stairways and passageways which are designed specifically for means of escape from fire are not used as places of storage or places where refuse is allowed to accumulate.
- Flammable liquids or materials are not stored near, or within, any part of the building used as a means of escape from a fire.

Moving In or Out

- Please advise Constant Building Management at least 48 hours prior to moving into and out of the complex. The lift is NOT to be used to move furniture
helpme@cbm.co.nz 09 390 05500



View Instrument Details

Instrument No. 9204772.1
Status Registered
Date & Time Lodged 09 Oct 2012 10:36
Lodged By O'Regan, John Gerard
Instrument Type Unit Titles Act 2010 - Notice/Change of Rules - s105 &106

Toitu te
Land whenua
Information
New Zealand



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|------------------------------------|----------------------|
| Affected Computer Registers | Land District |
| NA138B/106 | North Auckland |

Annexure Schedule: Contains 6 Pages.

Signature

Signed by John Gerard O'Regan as Applicant Representative on 09/10/2012 10:34 AM

*** End of Report ***

Notice of change to body corporate operational rules

(Section 106, Unit Titles Act 2010)

Unit Plan: 210059
Body Corporate Number: 210059
Supplementary Record Sheet: NA138B/106

Notice

The body corporate gives notice that the body corporate operational rules are changed as specified in the schedule of amendments.

The changes have been made in accordance with an ordinary resolution at the body corporate general meeting held on 19 September 2012 following a special resolution at the same meeting that section 106 of the Unit Titles Act 2010 ("the Act") shall apply to the body corporate with immediate effect and that section 105 of the Act shall apply to the body corporate from the date that this notice is registered with Land Information New Zealand.

Schedule of Amendments

See attached Schedule.

Date: 14 / 10 /2012

Signature of body corporate:

SIGNED by the Chairperson of Body Corporate 210059 before me:

A member of the Committee of Body Corporate 210059

Full name of witness: Nick Wolfe

Address of witness: 104/121 Newton Rd, Eden Terrace Auckland 1048

Occupation of witness: Office Manager

SCHEDULE

BODY CORPORATE 210059

(121 Newton Road, Eden Terrace, Auckland)

OPERATIONAL RULES

The existing Rules of the body corporate, registered with Land Information New Zealand under number 8671425.1, are repealed and the following Rules (which are in lieu of the operational rules set out in Schedule 1 of the Unit Titles Regulations) are adopted as the operational rules of the body corporate.

1. **Interpretation of terms, and rules binding on owners, occupiers, employees, agents, invitees, licencees and tenants**
 - (a) Terms defined in the Unit Titles Act 2010 ("Act") have the same meaning in these rules as they have in the Act, unless the context otherwise requires.
 - (b) These rules are binding on all owners and occupiers of units in the unit title development as well as the employees, agents, invitees, licencees and tenants of all owners and occupiers of units in the unit title development.
 - (c) "owner" has the same meaning in these rules as it has in the Act, and for the purposes of these rules it also includes occupiers of a unit in the unit title development and the employees, agents, invitees, licencees and tenants of all owners and occupiers of units in the unit title development, unless the context otherwise requires.
2. **Interference and obstruction of common property**

An owner of a unit must not interfere with the reasonable use or enjoyment of the common property by other owners or obstruct any lawful use of the common property by other owners.
3. **Damage to common property and exterior surfaces**
 - (a) An owner of a unit must not damage or deface the common property.
 - (b) An owner of a unit must not, without the prior written consent of the body corporate, penetrate the exterior surfaces of walls for the purpose of installation of wires or cables or for the purpose of affixing anything to the exterior of a unit or for any other purpose whatsoever; and if consent is given, the owner must strictly comply with any conditions of consent imposed by the body corporate.
4. **Use of facilities, assets and improvement with the common property**
 - (a) An owner of a unit must not use any facilities contained with the common property, or any assets and improvements that form part of the common property, for any use other than the use for which those facilities, assets or improvements were designed and constructed and must comply with any conditions of use for such facilities, assets or improvements set by the Body corporate from time to time.
 - (b) Any part of the common property that is used as an entrance or accessway to the unit title development and any easement areas giving access to the unit title development shall not be used by any owner for any other purpose than for entering or leaving the unit title development.

5. Vehicle parking

- (a) An owner of a unit must not park a vehicle or permit a vehicle to be parked on any part of the common property unless the Body corporate has designated it for vehicle parking or the Body corporate has given prior written consent.
- (b) An owner of a unit that is designated for use as a vehicle park must:
 - i) only use the vehicle park for the purpose of parking vehicles;
 - ii) ensure the vehicle park is kept tidy and free of litter;
 - iii) not use the vehicle park or permit it to be used for storage; and
 - iv) ensure that any vehicle parked in the vehicle park is parked within the boundaries of the vehicle park.
- (c) The Body corporate may remove a vehicle from the unit title development that the Body corporate considers is parked in such a manner that is in breach of this rule 5 at the expense of the owner of the vehicle concerned, and the Body corporate shall not be liable for any resulting damage, loss or costs.

6. Aerials, satellite dishes and antennae

An owner of a unit must not erect, fix or place any aerial, satellite dish, antenna or similar device on or to the exterior of a unit or on or to common property without the prior written consent of the Body corporate which shall not be unreasonably or arbitrarily withheld. The consent of the Body corporate may be withheld, varied or revoked if the rights of another owner are adversely affected by the exterior aerial, satellite dish, antenna or similar device.

7. Signs and notices

An owner of a unit must not, without the prior written consent of the Body corporate, erect, fix, place or paint any signs or notices of any kind on or to the common property or on or to any external part of a unit.

8. Contractors

An owner of a unit who carries out any repair, maintenance additions, alterations or other such work on a unit must ensure that any contractors or other such persons employed by the owner cause minimum inconvenience to all other owners and ensure that such work is carried out in a proper workmanlike manner.

9. Rubbish and pest control

An owner of a unit:

- (a) must not leave rubbish or recycling material on the common property except in areas designated for rubbish collection by the body corporate, and where such material is left in a designated rubbish collection area it must not be left in such a way that interferes with the enjoyment of the common property by other owners;
- (b) must dispose of rubbish and recycling material promptly, hygienically and tidily using properly secured and sealed rubbish bags and ensure such disposal does not adversely affect the health, hygiene or comfort of other owners;
- (c) must not burn any rubbish anywhere on the common property or in any unit; and
- (d) shall keep the unit free of any vermin, pests, rodents and insects.

10. **Cleaning and garden maintenance**

An owner of a unit must ensure the unit is kept clean at all times and any gardens, grounds, yards or paved areas within the unit are kept neat and tidy and are regularly maintained.

11. **Cleaning and replacing glass**

- (a) An owner of a unit must keep clean all glass contained in windows or doors of a unit, and replace any cracked or broken glass as soon as possible with glass of the same or better weight and quality.
- (b) Where exterior glass is not able to be cleaned from an interior of an apartment, the body corporate will arrange to have the glass cleaned at a minimum of twice per year at the cost of the body corporate.

12. **Lawns and gardens on common property**

An owner of a unit must not damage any lawn, garden, tree, shrub, plant or flower being part of or situated on the common property or, except with the consent of the body corporate, use any part of the common property as garden for their own purposes.

13. **Use of water services**

- (a) All things required for the provision of water supply, drainage, wastewater and sewage services to units or common property and all things attached to and used in relation to such services, including but not limited to pipes, drains, taps, faucets, toilets, baths, showers, sinks, sink insinkers and dishwashers, must only be used for the purpose for which they were designed and constructed. If any owner causes or permits any damage, loss or costs to be incurred due to misuse or negligence that owner shall pay for such damage, loss or costs.
- (b) An owner of a unit shall not waste water unnecessarily and shall ensure that all taps in the unit are turned off after use.

14. **Washing**

An owner of a unit:

- (a) shall not, without the prior written consent of the Body corporate which shall not be unreasonably or arbitrarily withheld, erect or fix any washing lines, poles or other such drying apparatus for a similar purpose (either temporary or permanent) ("drying apparatus") outside a unit or outside any building contained in a unit, or on or to the exterior of a unit or on or to the exterior of any building contained in a unit; and
- (b) shall not hang any clothes, washing, bedding, towels or other items outside a unit or outside any building contained in a unit, other than on any drying apparatus for which body corporate consent has been obtained in accordance with rule 14 (a); and
- (c) shall not hang any clothes, washing, bedding, towels or other items on the common property other than on parts of the common property designated by the body corporate as washing line areas, and such items may only be hung for a reasonable period.

15. **Security, ventilation and fire protection equipment**

- (a) An owner of a unit shall comply at all times with the operating and maintenance instructions of any security, fire alarm, air conditioning or ventilation equipment in the unit.

- (b) An owner of a unit must not, except with the consent of the body corporate, disconnect or tamper with any sprinkler, fire extinguisher, smoke detector or any other fire protection equipment whether in the unit or in the common property.

16. Floor coverings

Except in kitchen, laundry, toilet or bathroom areas of a unit, an owner of a unit must ensure that all floor space in a unit is covered or otherwise treated to an extent sufficient to prevent noise transmission from the unit that is likely to disturb the quiet enjoyment that could reasonably be expected by the owner of another unit.

17. Noise, behaviour and conduct

An owner of a unit shall not make or permit any noise or carry out or permit any conduct or behaviour, in any unit or on the common property, which is likely to interfere with the use and enjoyment of the unit title development by other owners.

18. Pets

- (a) An owner of a unit must not, without the prior written consent of the Body corporate, bring or keep any animal or pet in any unit or the common property. Consent of the body corporate shall not be unreasonably or arbitrarily withheld and may be revoked upon written notice if the rights or interests of any other owner are adversely affected by any animal or pet.
- (b) Notwithstanding Rule 18(a), any owner of a unit who relies on a guide, hearing or assistance dog may bring or keep such a dog in a unit, and may bring such dog onto the common property.
- (c) The owner of any animal or pet permitted under rule 18(a) or any dog permitted under rule 18(b) must ensure that any part of a unit or the common property that is soiled or damaged by the animal, pet or dog must promptly be cleaned or repaired at the cost of the owner.

19. Security

An owner of a unit must:

- (a) keep the unit locked and all doors and windows closed and securely fastened at all times when the unit is not occupied, and do all things reasonably necessary to protect the unit from fire, theft or damage;
- (b) take all reasonable steps to ensure any electronic security cards, security keys or security codes to a unit or common property are not lost, destroyed or stolen or given to anyone other than a registered proprietor, occupier or tenant of the unit to which the security card, security key or security code relates;
- (c) not duplicate or permit to be duplicated any electronic security cards, security keys or security codes to a unit or common property; and
- (d) notify the Body corporate as soon as reasonably practicable if rules 19(b) or (c) are breached.

20. Moving and installing heavy objects

An owner of a unit must not, without the prior written consent of the Body corporate, bring onto or through the common property or any unit, or erect, fix, place or install in any unit, any object of such weight, size, nature or description that could cause any damage.

weakness, movement or structural defect to any unit or common property, and any such damage caused or contributed to shall be paid for by the owner responsible.

21. **Lifts**

An owner of a unit must comply at all times with any notice or instruction displayed in any lift in the unit title development. If any lift in the unit title development, other than a goods lift, is to be used for carrying anything other than passengers, lift protection equipment supplied by the body corporate must be used.

22. **Hazards, insurance and fire safety**

An owner of unit must not bring onto, use, store, or do, in a unit or any part of the common property anything that:

- (a) increases the premium on or is in breach of any Body corporate insurance policy for the unit title development; or
- (b) is in breach of any enactment or rule of law relating to fire, insurance, hazardous substances or dangerous goods, or any requirement of any Territorial Authority; or
- (c) creates a hazard of any kind; or
- (d) affects the operation of fire safety devices and equipment or reduces the level of fire safety in the unit title development.

23. **Emergency evacuation drills and procedures**

An owner of a unit must cooperate with the Body corporate during any emergency evacuation drills and must observe and comply with all emergency evacuation procedures.

24. **Notice of damage, defects, accidents or injury**

Upon becoming aware of any damage or defect in any part of the unit title development including its services, or any accident or injury to any person in the unit title development, an owner of a unit must immediately notify the Body corporate. Any cost to repair any such damage or defect shall be paid by the owner that caused or permitted the damage or defect.

25. **Leasing a unit**

An owner of a unit must:

- (a) provide a full copy of these rules and a full copy of all future amendments to these rules to any tenant or occupier of the unit; and
- (b) provide the Body corporate with written notice of the full name, landline phone number, cell phone number, email address and address for service for the purposes of the Act for the owner and for all tenants or occupants of the unit, and promptly notify the Body corporate in writing of any changes to such details.