



NOTICE OF CHANGE OF RULES

To: The District Land Registrar
Canterbury Registry

NOTICE IS HEREBY GIVEN that the rules of Body Corporate Number 394768 were on the 2nd day of October 2007 duly amended in the manner set out in the First and Second Schedules below.

DATED at Christchurch this 2nd day of October 2007

EXECUTED by the registered)
proprietor H & H Dakota Limited by)
it's the Directors **MICHAEL**)
DESMOND HANN and **JAMES**)
VINCENT HAILES:)

FIRST SCHEDULE

SECOND SCHEDULE RULES

(Rules that may be amended by unanimous resolution)

1 DUTIES OF PROPRIETOR

1.1 A proprietor shall:

- 1.1.1** permit the Body Corporate (or its agents or servants) at all reasonable hours to enter into and upon his or her unit for any of the following purposes, that is to say:
 - 1.1.1.1** view any specific part of the unit in respect of which the Body Corporate believes is being unreasonably used or maintained in respect of which a written notification specifying the complaint has been made at least twenty-four hours prior to the inspection being made;
 - 1.1.1.2** maintaining, repairing or renewing any pipes, conduits, wires, cables or ducts for the time being in, upon, or passing through his or her unit and capable of being used in connection with the enjoyment of any other unit or common property, provided the work is essential as confirmed by a qualified person in the relative field, and that the unit is repaired and returned to its original condition and state at the cost of the Body Corporate;
 - 1.1.1.3** maintaining, repairing or renewing any common property, painting and refurbishing the exterior of the unit and surrounding walls; and
 - 1.1.1.4** ensuring that the Rules are being observed; and
 - 1.1.1.5** to allow the repair of any paved area which may form part of an accessory unit where such repair needs to be carried out in conjunction with repair to any adjoining area which may form part of the common property.

- 1.1.2 comply in all respects with all Acts, by-laws and regulations for the time being in force in the area in which his or her unit is situated in so far as they relate to the use, occupation, or enjoyment of his or her unit;
- 1.1.3 forthwith and at all times carry out all work that may be ordered by any competent local authority or public body in respect of his or her unit to the satisfaction of that authority or body;
- 1.1.4 duly and punctually pay all rates, taxes, charges, and other outgoings from time to time payable in respect of his or her unit to any local authority or public body, and all sums properly levied in respect of his or her unit by the Body Corporate;
- 1.1.5 repair and maintain his or her unit and keep it in sufficiently good order, repair and condition to ensure that no damage, harm, or diminution in the value or enjoyment shall ensue to the common property or any other unit;
- 1.1.6 make no additions or structural alterations to the unit, including any alteration to gas, water, or electrical installations, and including the installation of air-conditioning or television aerial, or in any way alter the external appearance or decoration of the unit without the written consent of the Body Corporate;
- 1.1.7 observe and comply and procure the observance and compliance by visitors, agents, and servants of the proprietor with the Rules from time to time in force of the Body Corporate relating to the control, management, safety, care, operation, and use of the building of which the units form part and the common property;
- 1.1.8 keep and maintain the interior of the unit of that proprietor in good condition and, in the event of the interior of the unit being damaged in any manner, immediately repair and reinstate the same in a proper and workmanlike manner to ensure that no damage, harm, or diminution in the value or enjoyment shall ensue to the common property or any other unit.
- 1.2 A proprietor shall not:-
 - 1.2.1 except with the approval in writing of the committee of the Body Corporate first obtained, place, store or leave upon any area (including any common area) or part of any unit or auxiliary unit which shall be outside of any building any object or material for the purpose of storage PROVIDED THAT, but subject to clause 1.7 of the Third Schedule hereof, nothing in this clause shall limit any right that a proprietor, his employees or invitees may otherwise have to bring onto and park in any unit, auxiliary unit or the common area any motor vehicle.
 - 1.2.2 use or permit to be used his unit or auxiliary unit (if any) for any of the following purposes:
 - 1.2.2.1 the mechanical repair or maintenance of motor vehicles
 - 1.2.2.2 panel beating
 - 1.2.2.3 car or vehicle wrecking

- 2.2.4 enter into any agreement with a proprietor or an occupier of any unit for the provision of amenities or services by it to the unit or to the proprietor or occupier;
- 2.2.5 grant to a proprietor of a unit or to anyone claiming through him or her any special privilege not being a lease in respect of the enjoyment of part or parts of the common property provided that any such grant shall be determinable by special resolution;
- 2.2.6 repair any apparatus or equipment referred to in clause 1.1.1 hereof and the cost attributable to such repairs shall be paid by the proprietor thereof to the Body Corporate upon demand where such repairs are directly or indirectly occasioned by an act or omission of the said proprietor;
- 2.2.7 settle and approve schemes for the exterior colour of the units and for signs erected or painted on the units or common property as shall be determinable by special resolution from time to time;
- 2.2.8 levy and require payment solely from a defaulting unit proprietor without the necessity of making an application pursuant to section 33 of the Unit Titles Act 1972 or apportioning the liability to the unit proprietors as a whole for any fees, costs or expenditure incurred in the recovery of the contribution or of a lawful payment from such defaulting unit proprietor: for the purposes of this paragraph a defaulting unit proprietor shall mean a proprietor whose unit or units substantially benefit from the repair, work or act carried out by the Body Corporate in pursuance of the Unit Titles Act 1972 or by or under any other Act and the proprietor did not pay the share or expenditure allocated to him or her by the Body Corporate, and also includes a proprietor whose negligent act or omission or breach or that of his or her tenant, lessee, licensee, or invitee necessitates any repair or act to be carried out by the Body Corporate.;
- 2.2.9 should any levy not be paid within fourteen days of demand, then the levy will increase by an interest rate equal to 1.5 times the body corporate banker's overdraft rate for commercial overdraft for the period from the due date of payment of a levy until the date of actual payment.

3 COMMITTEE OF BODY CORPORATE

- 3.1 The powers and duties of the Body Corporate shall be exercised and performed by a committee subject to any restriction imposed or direction given at a general meeting of the Body Corporate provided that any expenditure of over \$1000, not being expenditure which the Body Corporate is legally obliged or previously authorised to incur, shall be referred to a general meeting, and if the share of the proprietor or proprietors of any principal unit in any expenditure that is referred to a general meeting exceeds \$500, that expenditure shall not be incurred unless it is approved by at least a three-quarters majority of votes.
- 3.2 Until the first annual general meeting of the Body Corporate the proprietors of all units shall constitute the committee. Thereafter the committee shall consist of such number of proprietors, not being fewer than three, as fixed by the Body Corporate at an annual general meeting.
- 3.3 The members of the committee shall be elected at each annual general meeting to hold office until the next annual general meeting provided that, unless the committee consists of all the proprietors, the Body Corporate may

by resolution at an extra-ordinary general meeting remove any member of the committee before the expiration of his or her term of office and appoint another proprietor in his or her place to hold office until the next annual general meeting.

- 3.4 Any casual vacancy on the committee may be filled by the remaining members of the committee.
- 3.5 The quorum necessary for the transaction of the business of the committee may be fixed by the committee, and unless so fixed shall be two if there are not more than five members, and three otherwise.
- 3.6 If the number of committee members is reduced below the number which constitute a quorum, the remaining members may act for the purpose of increasing the number of members to that number or of summoning a general meeting of the Body Corporate, but for no other purpose.
- 3.7 At meetings of the committee all matters shall be determined by a simple majority of votes. In the case of equality of votes the chairman for the time being of the meeting shall have a casting vote as well as a deliberative vote.
- 3.8 Subject to any restriction imposed or direction given at a general meeting, the committee may:
 - 3.8.1 meet for the conduct of business, adjourn and otherwise regulate its meetings as it thinks fit provided that it shall meet when any member of the committee gives to the other members not less than seven days' notice of a meeting proposed by him or her specifying the reason for calling the meeting;
 - 3.8.2 employ for and on behalf of the Body Corporate such agents and servants as it thinks fit in connection with the control, management and administration of the common property, and the exercise and performance of the powers and duties of the Body Corporate;
 - 3.8.3 from time to time elect one of its members to act as convenor of the committee;
 - 3.8.4 delegate to one or more of its members such of its powers and duties as it thinks fit and at any time revoke such delegation;
 - 3.8.5 whenever it thinks fit convene an extra-ordinary general meeting of the Body Corporate.
- 3.9 The committee shall:
 - 3.9.1 keep minutes of its proceedings;
 - 3.9.2 cause minutes to be kept of general meetings of the Body Corporate and include therein a record of all unanimous resolutions and distribute the same within sixty days of such meeting;
 - 3.9.3 cause proper books of account to be kept in respect of all sums of money received and expended by it and the matters in respect of which all such income and expenditure is received or incurred;
 - 3.9.4 prepare proper accounts relating to all money of the Body Corporate including its income and expenditure: a copy of such accounts shall be sent to each proprietor at least fourteen days before each annual general meeting of the Body Corporate: it shall not be necessary for

1.2.2.4 spray painting

- 1.3 Except with the approval in writing of the manager of the body corporate first obtained, place any shipping container on the area marked common area 1 on the plan attached and, if such approval is obtained in writing from the manager of the body corporate, not to leave such shipping container on common area 1 for longer than 48 hours from the time the shipping container is placed on common area 1. If the proprietor fails to remove the container within 48 hours from the time the shipping container is placed on common area 1 then, the manager of the body corporate may either at the election of the manager remove the shipping container and charge the proprietor the costs of such removal and any storage incurred for storage of the shipping container or may charge the proprietor \$1000.00 plus GST per day for each day that the shipping container remains on common area 1 without approval of the body corporate.

2 POWERS AND DUTIES OF BODY CORPORATE

2.1 The Body Corporate shall:

- 2.1.1 repair and maintain all the exterior of the building and all accessory units and common areas including (without limitation) all chattels, fixtures and fittings (including stairs, lift, fire escapes and security systems) used or intended, adapted, or designed for use in connection with the common property or the enjoyment thereof;
- 2.1.2 repair and maintain all pipes, wires, cables, ducts, and all other apparatus and equipment of whatsoever kind and wheresoever situate which may be reasonably necessary for the enjoyment of an incidental right which may from time to time exist by virtue of section 11 of the Unit Titles Act 1972;
- 2.1.3 on request produce to any unit proprietor, or a registered mortgagee of any unit, or any person authorised in writing, by any unit proprietor, or registered mortgagee of any unit all policies of insurance effected by the Body Corporate under the provisions of section 15 of the Unit Titles Act 1972, and the receipt for the last premium paid in respect thereof;
- 2.1.4 insure and keep insured the buildings and other improvements on the land to the replacement value thereof, including demolition costs and architects' fees against fire and such risks as are set out in section 15(1)(b) of the Unit Titles Act 1972.

2.2 The body corporate may:

- 2.2.1 borrow any money necessary to enable it adequately to perform its duties or exercise its powers, subject to such borrowing having been approved at an annual general meeting or a special general meeting called for this purpose and approved by special resolution;
- 2.2.2 invest any money for the time being held by it (whether in a fund established under section 15 of the Unit Titles Act 1972 or otherwise) in any of the modes of investment for the time being authorised by law for the investment of trust funds;
- 2.2.3 establish such accounts at such banks as it sees fit, and nominate for the purpose of this paragraph three persons (including the secretary) of whom any two may operate this account;

such accounts to be audited by an independent auditor, unless any proprietor at any general meeting of the Body Corporate requires that the accounts be audited, in which case it shall be obligatory that an audit be completed forthwith at the expense of the Body Corporate;

- 3.9.5 prepare a financial budget for the ensuing year of all moneys proposed to be expended by the Body Corporate, a copy of such budget to be sent to each proprietor at least fourteen days before each annual general meeting of the Body Corporate;
 - 3.9.6 on application by a proprietor or a mortgagee of a unit or any person authorised in writing by either of them make the books of account and all minutes available for inspection at all reasonable times;
 - 3.9.7 upon a requisition in writing made by at least half of the proprietors entitled to exercise a vote in accordance with the provisions of section 41 of the Unit Titles Act 1972, convene an extra-ordinary general meeting of the Body Corporate.
- 3.10 Except as provided in clause 3.6 of these Rules, no act or proceeding of the committee or of any person acting as a member of the committee shall be invalidated as a consequence of there being a vacancy in the number of the committee at the time of that act or proceeding or of the subsequent discovery that there was some defect in the election or appointment of any person so acting, or that he or she was incapable of being or had ceased to be such a member.

4 GENERAL MEETINGS OF A BODY CORPORATE

- 4.1 A general meeting of the Body Corporate to be called the annual general meeting shall, in addition to any other meeting, be held at least once in every calendar year, and not more than fifteen months after the holding of the last preceding annual general meeting. The first annual general meeting of the Body Corporate shall be held within six months after the date of completion of the units.
- 4.2 All general meetings of the Body Corporate other than annual general meetings shall be called extra-ordinary general meetings.
- 4.3 At least seven days' notice of every general meeting of the Body Corporate specifying the place, date and hour of the meeting, and the proposed agenda, shall be given to all persons entitled to exercise a vote in accordance with the provisions of section 41 of the Unit Titles Act 1972 and of clause 23 of these Rules provided that accidental omission to give such notice to anyone so entitled shall not invalidate any proceedings at any such meeting.
- 4.4 Any notice required to be given under clause 4.3 of these Rules shall be sufficiently given if delivered personally to the person concerned, or if left or sent by letter posted to the person concerned at the last address of that person notified to the Body Corporate, or if no such address has been so notified at that person's last known place of residence provided that, if a proprietor advises the Body Corporate in writing that he requires notice to be sent to him or her by post to be sent by registered post, a notice thereafter sent to him by post shall not be sufficiently given unless it is sent by registered post.
- 4.5 At a general meeting of the Body Corporate the persons entitled on an ordinary resolution to exercise the voting power in respect of not less than one third of the units shall constitute a quorum.

- 4.6 Save as otherwise provided in these Rules, no business shall be transacted at any general meeting of the body corporate unless the quorum is present at the time.
- 4.7 If within half an hour from the time appointed for a general meeting of the Body Corporate a quorum is not present, the meeting shall stand adjourned to the same day in the next week at the same place and time, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the number of persons present and entitled to vote at the expiration of that half hour shall constitute a quorum.
- 4.8 At a general meeting of the Body Corporate the chairman shall normally be the convenor of the committee if he is present. If there is no convenor, or if the convenor is not present or is unwilling to act, a chairman shall be elected at the commencement of the meeting.
- 4.9 Save as otherwise provided by the Unit Titles Act 1972 or these Rules, all matters at a general meeting of the Body Corporate shall be determined by a simple majority of votes. In the case of equality of votes, the chairman for the time being of the meeting shall have a casting vote as well as a deliberative vote.
- 4.10 Subject to the provisions of section 41 of the Unit Titles Act 1972, at any general meeting of the Body Corporate:
- 4.10.1 where a unanimous resolution is required each person who is a proprietor shall be entitled to exercise one vote;
- 4.10.2 in all other cases one vote shall be exercised in respect of each principal unit and no separate vote may be exercised in respect of any accessory unit.
- 4.11 At any meeting of the Body Corporate any person present and entitled to vote on the matter that is under consideration may demand a poll thereon which shall be taken in such manner as the chairman thinks fit.
- 4.12 The result of the poll shall be deemed to be the resolution of the meeting at which it was demanded. Where a poll is not demanded, a declaration by the chairman that a resolution has been carried out shall be conclusive evidence of that fact without proof of the number or proportion of votes recorded for or against the resolution.
- 4.13 Any vote to be cast at a general meeting of the Body Corporate may be exercised personally or by proxy. Where two or more persons are jointly entitled to exercise one vote and wish to do so by proxy, that proxy shall be jointly appointed by them and may be one of them. A proxy shall be appointed in writing. If only one of those persons is present at a general meeting and they have not appointed a proxy as aforesaid, he or she may exercise the vote.
- 4.14 Where a poll is demanded or a special resolution is before the meeting, each vote shall correspond in value with the unit entitlement of the principal unit and accessory unit, if any, in respect of which it is exercised. In all other cases each vote shall be of equal value.
- 4.15 Except where a unanimous resolution is required, a power of voting in respect of a unit shall not be exercised unless all amounts accrued due and payable under the Unit Titles Act 1972 to the Body Corporate in respect of the unit in respect of which the vote is exercisable has been duly paid.

- 4.16 If there is no committee the responsibility for the matters set out in clause 3.9 of these Rules, except clause 3.9.1 and the powers given to the committee by clause 3.8 of these Rules, except clause 3.8.1 shall be those of the Body Corporate, and unless the context otherwise requires, every reference in these Rules to the committee shall be read as a reference to the Body Corporate.
- 4.17 A secretary, who may or may not be a proprietor, and may be a duly appointed representative of one of the proprietors of any principal unit, shall be appointed by the Body Corporate. The secretary may be appointed for such term and at such remuneration and upon such conditions as the Body Corporate may approve. Any secretary so appointed may be removed by the Body Corporate either at a subsequent annual general meeting or at an extraordinary meeting called for that purpose. At any such meeting the secretary shall have the right to attend and to be heard.
- 4.18 The function of the secretary shall be to keep proper books of account in which shall be kept full, true and complete accounts of the affairs and transactions of the Body Corporate and to carry out such other functions as may from time to time be delegated to him or her by the Body Corporate.
- 4.19 The secretary shall in each year prepare a balance sheet showing the Body Corporate's financial dealings during that year and shall, prior to each annual general meeting, send a copy of the latest balance sheet to every proprietor.
- 4.20 The common seal of the Body Corporate shall not be used without the authority of the committee of the Body Corporate. Whenever the seal is affixed to an instrument that Instrument shall be attested by at least two members of the committee.
- 4.21 For the purposes of these Rules, a special resolution means a resolution proposed at a general meeting of the Body Corporate of which at least fourteen days' notice specifying the intention to propose the resolution as a special resolution has been given.
- 4.22 Where a resolution is proposed as a special resolution the vote of the meeting shall be taken in the same way as if it had been proposed as an ordinary resolution and a poll had been demanded, provided that a special resolution shall be deemed not to be carried unless persons entitled to exercise not less than three fourths of the value of the votes and not less than three fourths of the number of the votes exercisable in respect of all the units vote in favour of it.
- 4.23 Any proprietor that is an incorporated body shall:
- 4.23.1 appoint from time to time by deed an actual person as its representative and at least one alternative to represent it at meetings under these Rules; and
 - 4.23.2 shall keep the committee informed of its registered address, giving at least seven days' advance notice of any change of address; and
 - 4.23.3 shall reimburse the Body Corporate any costs and expenses incurred as a result of its failure to comply with subsection (a) or (b).
- 4.24 The committee may from time to time specify the contributions towards insurance, local authority rates, and all other outgoings referred to in the Unit Titles Act 1972, and such contributions shall be payable annually in advance within 14 days of invoice.

- 4.25 Such contributions shall be payable by cheque or automatic bank authority to such accounts as the committee shall decide.
- 4.26 The committee shall obtain from a registered valuer a valuation for insurance purposes prior to each renewal of the Body Corporate insurance, and the costs incurred in connection with such valuation shall be deemed part of the insurance premium for the purpose of recovery of the same by the Body Corporate.
- 4.27 The exterior of the buildings and structures comprised in the principal units, accessory units and common property shall be fully redecorated and/or repaired by the proprietors whenever the committee considers that such redecoration and/or repair is necessary. The committee may retain a firm of architects to prepare designs and to advise on redecoration and/or repair and the architects' decisions as to colours and/or the nature of the repairs and all aspects of budgeting for the works and carrying out such works shall be binding on all proprietors. All costs shall be borne proportionately by the proprietors of the units which require redecoration and/or repair.
- 4.28 A proprietor shall not in any way alter, add to, change, or in any way detract from the external appearance of his or her unit, and in particular, but not by way of limitation, shall not alter colour schemes, change or alter doors, windows or letter boxes, or add to or demolish fences or walls without the previous written consent of the Body Corporate.
- 4.29 The secretary shall in the name of, and on behalf of the Body Corporate give certificates pursuant to section 36 of the Unit Titles Act 1972 to any person authorised in writing by any proprietor to request such certificate.
- 4.30 Where, in the opinion of the Body Corporate, it is necessary to undertake any work which is substantially for the benefit of one unit only, or is substantially for the benefit of some of the units only, the Body Corporate may apportion the amount payable to the proprietors of any units, having regard to the relative values of such work, notwithstanding that the amount so apportioned may be greater or less than the unit entitlement assigned to that unit or those units, without the necessity of making an application pursuant to section 33 of the Act, but this Rule shall be without prejudice to the rights of any proprietor pursuant to that section.

SECOND SCHEDULE

THIRD SCHEDULE RULES

(These Rules and any additions thereto or amendments thereof may be added to, amended or repealed by resolution of the Body Corporate at a general meeting.)

- 1 A proprietor or occupier of any unit shall not:
 - 1.1 use or permit the unit to be used for any purpose or in such a manner which is illegal or may be injurious to the reputation of the premises, or which may interfere with the peaceful enjoyment of other occupiers or their licensees or invitees;
 - 1.2 keep any animal in the unit or on the common property without the prior consent of the committee of the Body Corporate (which consent may at any time be withdrawn);
 - 1.3 create any unreasonable noise likely to interfere with the peaceful enjoyment of the proprietor or occupier of any other unit or of any person lawfully using the common property;
 - 1.4 allow trees or roots to encroach under, upon or above any other unit or a common property;
 - 1.5 deposit or throw upon the property any rubbish, dirt, dust or other material likely to interfere with the peaceful enjoyment of the proprietor or occupier of another unit, or of any person lawfully using the common property;
 - 1.6 except with the approval in writing of the committee, use or store upon the unit or upon the common property any inflammable chemical, liquid or gas or other inflammable material other than that in the fuel tank of a motor vehicle PROVIDED HOWEVER that the registered proprietor or occupant for the time being of unit 1 shall be entitled to store such items in the dangerous goods store constructed specifically for that purpose and FURTHER PROVIDED that the registered proprietor or occupant for the time being of unit 1 shall, in all respects, comply with any appropriate licensing requirements of the Christchurch City Council with regard to storage of dangerous goods."
 - 1.7 park or allow any other person to park any motor car or other vehicle upon common property except for the purposes of loading or unloading; proprietors and occupiers vehicles are to be parked in the places so provided;
 - 1.8 use the accessory unit or permit the accessory unit to be used for other than vehicle parking;
 - 1.9 damage any lawn, garden, tree, shrub, plant or flower situated upon the common property;
 - 1.10 erect any partition or do anything whereby the access, light, or air relating to adjoining units may be diminished or interfered with or lost;
 - 1.11 apply for a building permit or make any structural alteration to any unit, including erecting any fence, television aerial, shed, temporary structure, or alter colour schemes, letter boxes, windows, doors, gas, water, electrical and air-conditioning installations without the prior consent in writing of the Body Corporate;

- 1.12 waste water or use any part of the plumbing system including toilets, waste pipes and drains, for any purpose other than those for which they are constructed or designed, or deposit any sweepings or rubbish or other unsuitable substances therein: any damage or blockage resulting to such plumbing installations from misuse or negligence shall be borne by the proprietor whether caused by the actions of that proprietor or those of the lessees, tenants, visitors, agents and servants of that proprietor: a proprietor or occupier of the unit shall give the committee of the Body Corporate prompt notice of any accident to or defect in any plumbing or electrical installations which comes to the knowledge of that proprietor and the committee or the Body Corporate may, having regard to the urgency involved, examine and organise such repairs or renovations as is deemed necessary for the safety and preservation of the building;
 - 1.13 cause or permit any loss or damage to the common property including interior and exterior walls, fittings, lawn, garden, trees and plants situated upon the common property by reason of the use of such proprietor, tenant, or occupier or any servant, agent, contractor, guest or invitee;
 - 1.14 allow any fire or incinerator to be ignited in or on the unit, the accessory unit or the common property;
 - 1.15 directly instruct any contractors or workmen employed by the Body Corporate unless authorised to do so;
 - 1.16 affix or exhibit or permit to be affixed or exhibited any sign on the exterior of the building or on the common property without the written approval of the Body Corporate but such approval shall not be reasonably withheld in respect of signage describing the proprietor's business or advertising the sale of the proprietor's unit: if approved, the signage shall be secured in a proper manner so as not to cause damage and on removal of the sign the proprietor shall make good any damage occasioned thereby;
 - 1.17 mark, paint, drive nails or screws or the like into or otherwise damage or deface any structure that forms part of the common property without the approval in writing of the committee;
- 2 A proprietor or occupier of any unit shall:
- 2.1 take all reasonable steps to ensure that his invitees do not behave in a manner likely to interfere with the peaceful enjoyment of the proprietor or occupier of another unit or of any person lawfully using the common property;
 - 2.2 keep clean all glass windows and doors on the boundary of the unit including so much thereof as is common property;
 - 2.3 promptly replace any broken or cracked windows or glass or doors with fresh glass of the same quality, colour and weight;
 - 2.4 on the prospective sale of a unit the proprietor shall advise the Body Corporate in writing of the name of the new proprietors and their address.
- 3 The committee may from time to time make regulations that will remain in effect until the next annual general meeting or extra-ordinary general meeting, at which the regulations made by the committee shall be put before the Body Corporate to either be adopted as an amendment to the Third Schedule to the Unit Titles Act 1972, or, alternatively, rejected, in which case such regulation shall have no further force or effect. The committee may pursuant to the foregoing power make regulations for all or any of the following purposes:-

- 3.1 regulating the use or enjoyment of the common property and its amenities;
 - 3.2 ensuring or enhancing the use and enjoyment by the proprietors of their respective units;
 - 3.3 prohibiting practices likely to cause damage to or misuse of the common property and promoting practices that are likely to preserve and improve buildings, installations, equipment and apparatus comprised or contained in the common property;
 - 3.4 maintaining good relations between proprietors and occupiers.
 - 3.5 maintaining the grounds and gardens of the common property in a neat and tidy condition and preserving and enhancing the character and appearance of the premises.
- 4 The committee shall retain a firm of solicitors and/or architects as the committee deems appropriate to advise the committee when it makes a regulation pursuant to clause 3.
- 5 Regulations made by the committee under clause 3 shall have the same status and effect as rules established under the Third Schedule to the Unit Titles Act 1972. Notwithstanding the foregoing regulations made by the committee pursuant to clause 3 shall not overrule any other rules established under the Second and Third Schedules of the Unit Titles Act 1972.
- 6 All differences and disputes which may arise between the proprietors and/or occupiers, or between proprietors and/or occupiers and the committee touching or concerning these Rules, any act or thing to be done, suffered or omitted in pursuance hereof, or touching or concerning the construction of these Rules, except as otherwise expressly provided, shall be referred to the arbitration of a single arbitrator agreed upon by the parties, or, failing agreement, by an arbitrator appointed by the President for the time being of the Canterbury District Law Society, or his nominee, with such arbitrator to reach a determination on the dispute in accordance with the provisions of the Arbitration, Act 1996, or any amendment thereto, or any enactment therefor for the time being in force. The decision of the arbitrator shall bind all parties to the dispute.- The arbitrator shall be entitled to levy costs against particular proprietors and/or against the Body Corporate as is determined by the arbitrator in his or her sole discretion.