
Schedule E – BYLAWS

1 Introduction

1.1 *Rules-* These Bylaws are those adopted by Huka Falls Resort Residents' Association under the provisions of the Rules.

1.2 *Interpretation-* Terms and expressions used in these Bylaws are defined and guidelines for interpretation are set out in the Rules. All references to Member(s), in these Bylaws, is deemed to include reference to Occupier(s) and Invitee(s) unless the context otherwise requires.

1.3 *Application of the Bylaws-*The Bylaws apply to:

1.3.1 The Huka Falls Resort, and

1.3.2 All Members and Occupiers of, and Invitees to the Huka Falls Resort, but

1.3.3 With regards to Unit Owner Members, the Operational Bylaws of the Body Corporate(s) are paramount, and in the event of any inconsistency between the Bylaws and the Operational Bylaws of the Body Corporate(s), the Operational Bylaws of the Body Corporate(s) shall prevail.

2 Conduct in Huka Falls Resort

2.1 *Considerate Behaviour-* Members will use the Member's Lot or Unit and the Common Facilities only for the purposes for which they were designed. Members will behave in a considerate manner, and will avoid any activity which may become a nuisance or cause unreasonable embarrassment, disturbance or annoyance to other Members in the use and enjoyment of their Lot or Unit.

2.2 *No Obstruction-* Members will not prevent or prohibit the use of any Common Facility by any other member, or any contract or engaged by the Huka Falls Residents' Association.

2.3 *Insurance-* Members will ensure that they act in a manner that will not prejudice or add to the premium payable in respect of any policy of insurance for the Common Facilities.

2.4 *Social Gatherings-* When holding a social gathering within a Member's property, noise and music must be kept to a reasonable level, in consideration of ones neighbours. Noise levels will be reduced after 12 midnight. Any functions held within the designated commercial areas approved by the Huka Falls Resort Residents' Association, must comply with this Bylaw. Social Functions held on any part of the Common Areas are at the discretion of the Association Committee, and will be for those for the benefit of all Members.

Use of horns, bells and whistles is prohibited within the Huka Falls Resort development. Security devices used exclusively to protect the Member's property are allowed.

2.5 *Vehicle Repairs-* Any vehicle repairs to Member's personal vehicles must be conducted within the Member's property boundaries.

2.6 *Litter-* Litter must be disposed of in the appropriate receptacles, within a member's property.

2.7 *Temporary Structures-* The placing of structures such as sheds, kennels, marquees, or tents must be at the approval of the Association Committee.

2.8 *Signs and placards-* No sign, placard, banner or emblem of any kind may be kept or placed on any property or mounted, painted or attached to any part of the property, fence or other improvement on

such property so as to be visible from public view other than real estate signs directly associated with the sale of a Members property, or approved by the Association Committee.

- 2.9 *Business Operation*- Operation of a business/commercial activity from within a Members property can only be conducted with express written approval from the Association Committee.
- 2.10 *Consumption of Alcohol*- If intoxicating liquor is consumed within Huka Falls Resort, the Member will ensure all laws governing the consumption of intoxicating liquor are complied with.
- 2.11 *Bonfires, fireworks etc.* - There are to be no exterior fire in Huka Falls Resort, except for barbeque fires, in contained receptacles, adequately designed for such purpose and located on a Member's property. No Member will burn any material or substance within Huka Falls Resort, or light or display any fireworks or domestic explosives of any kind, or do anything which may create a fire hazard or contravenes fire regulations.
- 2.12 *No dangerous substances*- No Member will permit anything to be done, nor bring nor keep anything in the property which may create a fire hazard or which may contravene the fire regulations or the rules, regulations, ordinances, or bylaws of any authority.
- 2.13 *Auctions*- Auctions will be permitted to take place for the sole purpose of selling the Member's properties. Any other auction, sale, garage sale or similar activity is not allowed.
- 2.14 *Family Pets*- Domestic cats, dogs, and other approved household pets can be kept on the property, for the purposes of providing companionship for the Member's family only.
- 2.15 *Control and supervision*- All permitted pets must be under constant control and supervision of the Member, and for this purpose:
- 2.15.1 All dogs will be restrained on a lead when outside the boundaries of a Member's property.
- 2.15.2 All pet debris and droppings will be immediately picked up and disposed of;
- 2.15.3 Pet noise will be controlled to prevent the same from becoming an annoyance or disturbance to others;
- 2.15.4 All pets will be maintained in a healthy condition, and all laws and regulations relating to the keeping of pets are complied with; and
- 2.15.5 All pets must be properly tagged for identification.
- 2.16 *Number of pets*- Member(s) may keep 1 large/medium breed dog or 2 small/toy breed dogs and/or 2 domestic cats within the Member's property. (The Residents' Association Committee may allow additional pets upon request, and with a multiple permit being presented.)
- 2.17 *Eviction*- Huka Falls Resort Residents Association reserves the right to exclude or evict from the Huka Falls Resort any person who in the opinion of Huka Falls Resort Residents' Association is under the influence of intoxicating liquor, drugs or other substances or who in any manner shall wilfully do any act in violation of these Rules or who shall be in the opinion of Huka Falls Resort Residents Association a nuisance to other persons within the Huka Falls Resort.
- 2.18 *Pests and Illness*-
- 2.18.1 Each member shall keep its Lot free of rodents and pests generally. If the Member shall not strictly and promptly comply with this Rule Huka Falls Resort Residents' Association shall be entitled to engage pest exterminators and charge all costs to the Member and collect in the same as unpaid levies.
- 2.18.2 The Member shall promptly bring to the attention of the Manager the presence of any notifiable illness.
- 2.19 *Statements*-The Member will not issue statements, verbal or written to the media in respect of the Huka Falls Resort.
-

2.20 *Machinery*-The Member will not interfere with or attempt to control any part of the services or machinery installed in Huka Falls Resort or in the Members Lot or Unit.

3 Building Appearance, Design Controls, and Construction

3.1 *Attractive Appearance*- Each Member has a duty to keep its Lot or Unit and all improvements on it in a premium condition and in an attractive condition, and will not permit the accumulation of unsightly rubbish, equipment, implements or materials on the Lot or Unit.

3.2 *Building Standards*-No building may be erected, altered or maintained on a property unless it applies with all applicable standards and the Design Controls and with the requirements of the Design Board who must provide their approval in writing.

3.3 *Building Construction Period* – The development, construction or alteration of a building and landscaping on a Lot will be completed with six months of commencement of the development, construction, alteration or landscaping.

3.4 *Construction Rules*- during the construction period mentioned in the Bylaw 3.3 the Member will:

3.3.1 comply with all statutes, regulations, bylaws and other requirements affecting the development on the Lot and procure that its contractors do the same;

3.3.2 ensure that its contractors provide portable toilet facilities and keep building materials and the Lot in an orderly manner and within the boundary of the Lot;

3.3.3 comply with any direction from the Association Committee or Manager requiring compliance with this Bylaw.

3.5 *Building Colour* - No member is to alter the colour and exterior appearance of the building erected on the property except in accordance with the Design Controls and with the written permission of the Design Board.

3.6 *Repair of Broken Windows*- All windows are to be kept clean and if broken or cracked shall be promptly replaced by the Member at his/her expense with fresh glass of the same or better quality and weight as at present.

3.7 *Seasonal Decorations*- Outdoor seasonal decorations must be in working order, good repair and unobtrusive.

3.8 *Air-conditioning* - No air-conditioning apparatus is to be installed on the exterior front wall or window of any property. No evaporative cooler is to be installed on the front wall or window of any property.

3.9 *Clean Exteriors* – Each Member is to ensure that the exteriors of the property are kept in a clean and well maintained condition at all times.

3.10 *Washing etc.* - All clothing, bedding or other articles must be hung on an approved washing line. Any addition of external washing lines must be submitted to the Design Board for approval when the building design is approved.

4 Garden Maintenance

4.1 *Grass and Weeds*- All grass, hedges, shrubs, vines and planting of any type is to be kept trimmed and at regular intervals, mowed, trimmed, and cut so as to maintain the same in a neat and attractive manner. Trees, shrubs, vines and plants that die are to be removed and replaced with comparable plants. No weeds, vegetation or waste materials are to be placed or permitted to accumulate on any part of the property.

4.2 *Trees* - Are to be kept trimmed and maintained to ensure that they do not interfere with neighbouring properties. The Association Committee or Manager in its discretion can require a Member to remove any overgrown or poorly maintained vegetation or any tree over the height of 2 metres and having a trunk diameter of more than 8cms.

- 4.3 *Fences* - No fence, or wall may be erected or maintained on (that part of a) property except with the approval of the Association Design Board.

5 Use of Private Roads

- 5.1 *Private Roads*- The private roads, access ways, tracks, walkways and footpaths within Huka Falls Resort will only be used for the purpose of access by Members to their properties, any commercial properties in Huka Falls Resort open to the public or the Members, and the Common Facilities.

- 5.2 *Parking*- No Members will park any vehicle on the roads, tracks, paths or any other parts of the Common Facilities, other than in spaces specified by the Association (as suitable for that purpose.) The public parking spaces are not to be used for Members to permanently park vehicles.

Private vehicles are to be housed in the Members garaging or other such appropriate parking areas provided within their properties. No camper vans, vans, trucks over one ton, recreational vehicles (including boats, watercraft, jet skis, motorhomes, travel trailers) buses, aircraft, motorcycles, motor scooters, motorised gardening equipment, garden implements, equipment or tools may be kept on any property unless the same is fully enclosed within the garage located on the property, or when shielded from the street frontage and public view by hedging or foliage. This Bylaw does not apply to:

- 5.2.1 commercial vans and pick-ups, service and delivery vehicles temporarily visiting a property during normal business hours, or acting under instructions from the Manager;

- 5.2.2 vehicles and equipment temporarily parked on a property in connection with the maintenance of a property, and remaining for such period of time as is necessary to provide a service or to make the delivery to a property or the Common Facilities. Any vehicle, boat or equipment kept stored or parked in breach of this Bylaw may be towed, without notice, by or on behalf of the Association and at the owner's cost and expense.

- 5.3 *Speed Restrictions*- Vehicle (s) will travel at or below 30km per hour within Huka Falls Resort except in the case of emergency.

- 5.4 *Restrictions void upon vesting*- The restrictions referred to in clauses 5.1 to 5.3 are only applicable while the roads and access ways within Huka Falls Resort are owned by the Developer or required to be maintained by the Huka Falls Resort Residents' Association. Once any or all private roads and access ways within Huka Falls Resort which are to vest in Taupo District Council have been so vested in Taupo District Council, these restrictions will be null and void.