



MINUTES OF THE ANNUAL GENERAL MEETING

BODY CORPORATE 169774

2 Alpers Avenue, Epsom, Auckland

The Annual General Meeting of Body Corporate 169774 was held at APM, Gillies Room, 145 Manukau Road, Epsom, Auckland on Thursday, 23 July 2020 commencing at 05:30 PM.

Present:

Lot #	Unit #	Attendance	Owner Name/Representative
1	A	Yes	Ravindra Telang
2	B	Yes	Channa Weerasinghe
4	D	Yes	David Bainbridge & Cathy Dew
7	G	Yes	Sajeev Kuttan
8	H	Yes	Barry Northcott
9	I	Yes	Florence Anang
12	L	Yes	Richard Geary
13	M	Yes	Dellisse Moleta
18	R	Yes	Phuoc Thanh Trinh

In attendance: Jessica Dellow, Body Corporate Manager, Auckland Property Management
David Clifton, Project Manager, CS&R
Liza Fry-Irvine, Lawyer, Pidgeon Law

Minutes:

1 Appointment of Chairperson for Meeting

RESOLVED THAT Jessica Dellow be elected chairperson of the meeting.
MOVED: Ravi Telang
SECONDED: Channa Weerasinghe
MOTION CARRIED UNANIMOUSLY

2 Proxies and Voting Papers

There were no proxies received.

Postal voting forms were received from units: E, F & Q

RESOLVED THAT the proxies and voting forms be received.

MOVED: Sajeev Kuttan
SECONDED: Ravi Telang
MOTION CARRIED UNANIMOUSLY

3 Building Remediation

Building Remediation Discussion

David Clifton, Project Manager from CS&R gave a brief update on the remediation works and then answered any queries owners had. The following items were noted:

- Building consent not yet obtained from Auckland Council but very close.
- Building/Construction items (containers) beginning to be delivered to site.
- How do owners go about internal unit renovations (referred to as Additional Works) through Forme Reclad? David Clifton advised that Forme Reclad will circulate a list of the 'Additional Works' items which include such things as Bathroom upgrades, Kitchen upgrades, Carpet upgrades, Heat pump installations etc. If owners wish to take up any of the items listed then they simply complete the form and liaise directly with Forme Reclad. These 'Additional Works' will be levied to each unit over

and above their Building Remediation levies and will have to be paid for in full before work commences on them. Forme Reclad will issue these costs as variations to the contract, David Clifton will then instruct Auckland Property Management to on-charge the variations to the units that they relate to. Owners will sign off on the 'Additional Works' and costs directly with Forme Reclad before any on-charges are issued.

- It was noted that the 'Additional Works' list from Forme Reclad had been emailed to the BC Manager just prior to the AGM. The BC Manager advised that following the AGM she would circulate this list to all owners so you will be able to begin discussions with Forme Reclad.
- It was noted that prior to any works commencing in a unit Forme Reclad will undertake a Photographic Schedule of every unit. This provides photographic evidence of the unit prior to contractors being in each unit in case there is a dispute about any damage.
- If you have any items that can't be removed i.e. a new kitchen, you should identify this to Forme Reclad and David Clifton by email as you may like extra protection to be added to these items. This may come at an extra cost.
- David Clifton will provide monthly updates during the remediation however he did note that the first few months there will be little to report on as it will be the erection of scaffolding, shrink wrap, and demolition.
- It was noted that once demolition is underway owners will be given the opportunity to go to site (at an advised date and time) to do a walk through and see the damage caused due to the defects.
- It was noted that prior to handing the site back to owners (after the works are complete) owners will get the opportunity to do an inspection of their unit.
- It was noted that one owner had received correspondence from their bank requesting confirmation that an Escrow Account was in place for the remediation works. No other owners had received this feedback to date. The Manager to urgently email all owners following the AGM to request if any other owners had received this feedback from their banks.
- David Clifton advised owners to email him with any questions.

David Clifton left the meeting at 6.15pm.

Section 74 Scheme

Liza Fry-Irvine, Partner from Pidgeon Law addressed the meeting. Liza referred to the section 74 scheme documentation circulated with the notice of meeting. Liza then read through and explained each of the following motions to ensure owners had a good understanding.

Resolution 1

RESOLVED BY ORDINARY RESOLUTION THAT the section 74 scheme to be applied for by the Body Corporate will include the following provision for the allocation of the cost of the Project:

7.1: Allocation of Project costs and Scheme costs: *Subject to clause 7.2, all costs associated with the Project (including costs associated with lodging a redevelopment plan if required under clause 4.3) and all costs associated with settling this Scheme and any amendment to this Scheme will be allocated to Owners in proportion to their respective Utility Interest.*

7.2: Exceptions to clause 7.1: *The following are exceptions to clause 7.1 and the Consultants shall determine when an exception under this clause applies:*

- (a) *The Body Corporate shall pay for the cost to install new fixtures and fittings on a like for like basis where:*
 - (i) *any fixtures and fittings within a Unit are removed in order to repair damage resulting from the failure of the external envelope of the Building or to address a lack of fire safety or structural compliance; and*
 - (ii) *those fixtures and fittings have been damaged as a result of the failure of the external envelope of the Building (including water damage) and are unsuitable to be reinstated.*
- (b) *The Unit Owner shall pay the cost to install new fixtures and fittings where:*
 - (i) *any fixtures and fittings within a Unit are removed in order to repair damage resulting from the failure of the external envelope of the Building or to address a lack*

of fire safety or structural compliance; and

- (ii) those fixtures and fittings are unsuitable to be reinstated but clause 7.2(a) does not apply.*
- (c) Where work is required to fix water leaks in a Unit's bathroom (such as the repair or replacement of a toilet, shower, pipes or any other items within that Unit's bathroom or elsewhere within that Unit that relate to or serve that Unit only), the Unit Owner shall pay the cost of that work.*
- (d) Where work is required to fix water leaks in a Unit's bathroom, and the repairs are to pipes or other items that relate to or serve more than one Unit, the Body Corporate shall pay the cost of that work.*
- (e) Where the cost of any work relates to the repair of damage associated with the failure of fixtures and fittings within a Unit, the cost shall be paid by the Owner of the Unit in which the failure occurred.*
- (f) Where the cost is for Additional Work to a Unit either requested by an individual Owner under clause 4.8 or offered as an option by the Body Corporate, the cost shall be paid by the Owner of the Unit.*

MOVED: Ravi Telang

SECONDED: Sajeew Kuttan

MOTION CARRIED UNANIMOUSLY

Resolution 2

RESOLVED BY ORDINARY RESOLUTION THAT the draft Scheme be approved, as distributed to owners prior to the general meeting and including the cost allocation provision approved by the Body Corporate, and an application be made to the High Court for an order to settle the Scheme pursuant to section 74 of the Unit Titles Act 2010, subject to any non-material amendments to the Scheme recommended by the legal advisors acting for the Body Corporate and approved by the Body Corporate Committee.

MOVED: Ravi Telang

SECONDED: Sajeew Kuttan

MOTION CARRIED UNANIMOUSLY

Resolution 3

RESOLVED BY ORDINARY RESOLUTION THAT the Chairperson of the Body Corporate is authorised to provide (or appoint another suitable person to provide) an affidavit in support of the application which addresses the matters required for the application, as recommended by the legal advisors to the Body Corporate.

MOVED: Channa Weerasinghe

SECONDED: Ravi Telang

MOTION CARRIED UNANIMOUSLY

Resolution 4

RESOLVED BY ORDINARY RESOLUTION THAT the Body Corporate Committee is authorised to request that any other person provide an affidavit in support of the application as recommended by the legal advisors to the Body Corporate.

MOVED: Richard Geary

SECONDED: Ravi Telang

MOTION CARRIED UNANIMOUSLY

Resolution 5

RESOLVED BY ORDINARY RESOLUTION THAT the Body Corporate Committee is authorised to act on advice from and instruct Pidgeon Law and Katerina Wendt (barrister) appointed for the Body Corporate in respect of the conduct of the High Court proceeding to determine the section 74 application.

MOVED: Richard Geary
SECONDED: Ravi Telang
MOTION CARRIED UNANIMOUSLY

Liza Fry-Irvine left the meeting at 6.50pm.

4 Confirm Minutes of Previous Annual General Meeting

RESOLVED THAT the minutes of the last meeting, held 07/05/2019, be confirmed as a true and accurate record of that meeting.

MOVED: Richard Geary
SECONDED: Ravi Telang
MOTION CARRIED UNANIMOUSLY

5 Election of Chairperson of Body Corporate

The Manager advised that a nominee for the Body Corporate Chairperson had not been received prior to the circulation of the notice of meeting. Owner, Cathy Dew nominated the incumbent BC Chairperson, Ravi Telang. Mr Telang addressed the room advising that due to work commitments he would prefer another owner step up and take on the role of BC Chairperson this year. There were no further nominations or owners willing to stand. In the absence of any other nominees, Mr Telang agreed to take on the role though made it very clear to the meeting that this would be his last year.

Motion put: That a nominee be elected as Chairperson of the Body Corporate in accordance with section (10)1 of the Regulations.

MOVED: Cathy Dew
SECONDED: Sajeev Kuttan

Amendment to motion put: That the wording 'a nominee' be amended to read 'Ravi Telang'.

MOVED: Cathy Dew
SECONDED: Sajeev Kuttan
FOR: 11 AGAINST: 0 ABSTAIN: 1 (Unit M)
MOTION CARRIED

RESOLVED THAT Ravi Telang be elected as Chairperson of the Body Corporate in accordance with section (10)1 of the Regulations.

MOVED: Cathy Dew
SECONDED: Sajeev Kuttan
FOR: 11 AGAINST: 0 ABSTAIN: 1 (Unit M)
MOTION CARRIED

6 Committee Number & Quorum

RESOLVED THAT until otherwise resolved by the Body Corporate in terms of the Unit Titles Act 2010, the Committee shall comprise of up to six (6) members. The Committee shall meet and conduct business in accordance with the requirements of the Unit Titles Act 2010 and the Unit Titles Regulations 2011 not less than one time in each year. The quorum necessary for the transaction of the business of the Committee shall be four (4).

MOVED: Ravi Telang
SECONDED: Cathy Dew
MOTION CARRIED UNANIMOUSLY

7 Election of Committee

The Manager advised that there were no nominations for the Body Corporate Committee prior to the circulation of the notice of meeting. Ravi Telang addressed the room advising that the incumbent Committee members had all been doing this for a number of years now and wanted to make way for new members to step forward. There were no further nominations or owners willing to stand. In the absence of any other nominations the incumbent Committee members agreed to stand for another year.

Motion put: That the following nominees be elected to the Committee.

MOVED: Cathy Dew
SECONDED: Ravi Telang

Amendment to motion put: That the motion be amended to read as follows:

That the following nominees be elected to the Committee.

- Ravi Telang, Unit A
- Channa Weerasinghe, Unit B
- Cathy Dew, Unit D
- Sajeev Kuttan, Unit G
- Barry Northcott, Unit H
- Richard Geary, Unit L

MOVED: Cathy Dew

SECONDED: Sajeev Kuttan

MOTION CARRIED UNANIMOUSLY

RESOLVED THAT the following nominees be elected to the Committee.

- Ravi Telang, Unit A
- Channa Weerasinghe, Unit B
- Cathy Dew, Unit D
- Sajeev Kuttan, Unit G
- Barry North, Unit H
- Richard Geary, Unit L

MOVED: Cathy Dew

SECONDED: Sajeev Kuttan

MOTION CARRIED UNANIMOUSLY

8 General Delegation of Powers and Duties

RESOLVED THAT the Body Corporate shall indemnify the Committee and the Chairperson, for any liability incurred by either, in respect of any matter undertaken in good faith by them in exercise of their delegated powers for the Body Corporate, in terms of the Unit Titles Act 2010 ("the Act"). Without limitation to the above, the Body Corporate shall indemnify the Chairperson and/or the Committee for any liability incurred in respect of any certificate given in good faith under Section 147(3) (b) of the Act.

MOVED: Sajeev Kuttan

SECONDED: Florence Anang

MOTION CARRIED UNANIMOUSLY

RESOLVED BY SPECIAL RESOLUTION THAT the duties of the Body Corporate Chairperson as set out in Regulation (11)1, sub-paragraphs (a) to (m) inclusive of the Unit Titles Regulations 2011 be delegated to the Committee.

MOVED: Sajeev Kuttan

SECONDED: Florence Anang

MOTION CARRIED UNANIMOUSLY

RESOLVED BY SPECIAL RESOLUTION THAT in accordance with the provisions of Section 108(1) of the Unit Titles Act 2010, all the powers and duties of the Body Corporate be delegated to the Body Corporate Committee, save those powers reserved to the Body Corporate by Section 108(2).

MOVED: Sajeev Kuttan

SECONDED: Florence Anang

MOTION CARRIED UNANIMOUSLY

9 Re-Appointment of Body Corporate Manager

RESOLVED THAT the Body Corporate re-appoint Auckland Property Management Ltd as Manager for the following year to carry out the duties delegated to the Committee in terms of Section 108(2) of the Unit Titles Act 2010 and Regulation 11(1) of the Unit Titles Regulations 2011.

MOVED: Richard Geary

SECONDED: Ravi Telang

MOTION CARRIED UNANIMOUSLY

10 Insurance Discussion

RESOLVED THAT the renewed NZI/24 month indemnity, insurance policies for the period 02/03/20 to 02/03/21 be confirmed.

MOVED: Ravi Telang

SECONDED: Richard Geary

MOTION CARRIED UNANIMOUSLY

Managers Note:

Owners are asked to ensure they are familiar with the cover in place and the terms of this cover. These details can be found on <https://bodycorp.aucklandproperty.net/> under the insurance folder, including a claim form.

RESOLVED THAT the Committee of the Body Corporate or the Body Corporate Manager be authorised to obtain quotations and renew the insurance policies for the coming year. The Body Corporate shall consider the need for insurance cover for:

- (i) The building and other site improvements;
- (ii) Loss of rents; Alternative Accommodation
- (iii) General Liability;
- (iv) Statutory Liability; and
- (v) Association Liability/ Office Bearers' cover

MOVED: Channa Weerasinghe

SECONDED: Ravi Telang

MOTION CARRIED UNANIMOUSLY

**11 Approval of Financial Statements
(Attached)**

RESOLVED THAT the Financial Statements prepared by the Body Corporate as a non-reporting entity, which include the Statements of Income and Expenditure and Assets and Liabilities for the year ended 31/01/2020, be approved.

MOVED: Richard Geary

SECONDED: Ravi Telang

MOTION CARRIED UNANIMOUSLY

12 Appointment of Auditor - If Required

RESOLVED BY SPECIAL RESOLUTION THAT in accordance with Section 132(8) of the Unit Titles Act 2010, no audit, review or verification is required on the financial statements for the previous financial year.

MOVED: Richard Geary

SECONDED: Ravi Telang

MOTION CARRIED UNANIMOUSLY

Managers note:

Auckland Property Management adopts the Best Practice model in relation to Financial Management:

- i) Auckland Property Management Ltd advises that as part of our internal controls and procedures, all transactions are made through the Trust account of the Manager and are subject to a quarterly audit.*
- ii) Auckland Property Management Ltd is a strong advocate of Industry Best Practice and promotes good governance principles in relation to financial management and reporting. As such we recommend that all managed Unit Plans undertake an annual audit of their Financial Statements by a qualified independent auditor.*

13 Discussion of Long Term Maintenance Plan

RESOLVED THAT the Committee shall arrange a formal review of the Long Term Maintenance Plan in accordance with the requirements of Regulation 30 (2) of the Unit Titles Regulations 2011.

MOVED: Barry Northcott

SECONDED: Richard Geary

MOTION CARRIED UNANIMOUSLY

Meeting note: It was agreed by the meeting to undertake the formal review after the remediation works have been completed.

**14 Health & Safety
Health & Safety Report**

RESOLVED THAT the Body Corporate has a Health & Safety report and Hazard Register on file for the complex which requires reviewing and updating annually to ensure any previous hazards noted that have subsequently been removed or minimized are amended and that any new hazards that may have occurred during the year are noted.

MOVED: Richard Geary

SECONDED: Ravi Telang

MOTION CARRIED UNANIMOUSLY

Please note: All owners are required under the Act to ensure they have read and understand the Health & Safety report and have supplied a copy to any tenants, visitors or contractors to ensure they are aware of any hazards onsite.

Asbestos

Motion put: That the Body Corporate commission an Asbestos Management Plan (AMP) to ensure that the Body Corporate and any other person responsible complies with the requirements of the Health & Safety at Work Act (Asbestos) Regulations 2016.

MOTION FAILED

Meeting note: It was agreed that given the construction of the complex that the likelihood of asbestos present would be slim. It was agreed not to undertake a full inspection on the whole building but to take a prudent approach that if any building work was required that asbestos testing and any necessary management be undertaken as and when work is done in consultation with the contractor engaged to ensure safety was relevant.

**15 Approval of Administration Fund Budget
(Approved Budget Attached)**

The Manager reminded owners that due to the Covid-19 lockdown the AGM for BC169774 was deferred. As a result of this and in order for the Body Corporate to meet its on-going financial obligations the Body Corporate Committee approved the Proposed Budget for the period 01/02/20 to 31/01/21. This was undertaken at a Committee meeting held 27/03/20 and minutes of this meeting were circulated to all owners on the 01/04/20.

The Administrative Fund Budget was approved at \$73,000 incl. GST.

RESOLVED THAT the Administrative Fund budget be approved.

MOVED: Ravi Telang

SECONDED: Channa Weerasinghe

MOTION CARRIED UNANIMOUSLY

16 Approval of Long Term Maintenance Fund Budget

RESOLVED THAT the Long Term Maintenance Fund budget be determined and approved at \$nil.

MOVED: Ravi Telang

SECONDED: Sajeev Kuttan

MOTION CARRIED UNANIMOUSLY

17 Striking of Levies and Number of Levy Instalments

RESOLVED THAT the operating budget shall be raised according to utility and/or ownership interest in four unequal instalments as follows:

Instalment 1 of 4 (40%)	Due: 01/05/20
Instalment 2 of 4 (20%)	Due: 01/08/20
Instalment 3 of 4 (20%)	Due: 01/11/20
Instalment 4 of 4 (20%)	Due: 01/01/21

The Body Corporate Manager shall issue invoices not less than 30 days prior to the due date for each instalment.

MOVED: Richard Geary

SECONDED: Ravi Telang

MOTION CARRIED UNANIMOUSLY

18 Recovery of Body Corporate Levies, Penalty Interest Rates & Debt Administration Fees

RESOLVED THAT Auckland Property Management Ltd be authorised to recover any unpaid levies or other outstanding expense items owed to the Body Corporate, through the Tenancy Tribunal or otherwise, and to levy interest at the rate of 10% per annum as provided for in Section 128 of the Unit Titles Act 2010 on any monies outstanding. All costs, debt administration fees and expenses involved in the recovery shall be charged against the defaulting proprietor in full. A lawyer appointed by the Committee, shall act as duly appointed agents for the Body Corporate, where required, for debt collection.

MOVED: Richard Geary

SECONDED: Barry Northcott

MOTION CARRIED UNANIMOUSLY

Auckland Property Managements levy collection process is as follows:

Owners will be notified by email to the email address recorded with Auckland Property Management of all levies and/or charges due. The same email address will be used for all notifications regarding the collection of money owed to the Body Corporate unless a request is made otherwise. If an owner does not have an email address, all correspondence will be posted to the postal address recorded with APM. It is the responsibility of the owner to ensure that APM is notified of any change to either email or postal addresses.

Levies are typically raised within 14 days of the Annual General Meeting unless otherwise instructed by the Chairperson of the body corporate. Our standard collection process for unpaid levies is detailed below:

- 30 days prior to levies being due, a levy notice is sent to advise owners of the levy instalment due. The due date for the first instalment can be sooner by resolution at the AGM.
- 5 days prior to the due date of the levy instalment, an email reminder is sent to owners as a courtesy, reminding them that the levy is due for payment.
- **Stage 1 debt recovery.** 10 days after the due date of the levy instalment, a reminder is sent that the levy instalment is past due. Interest at the rate of 10% per annum accrues from the due date.
- **Stage 2 debt recovery.** 40 days after the due date of the levy instalment, if payment is still outstanding, a final notice is sent to the registered owner. A debt administration fee of \$75.00 + GST is charged to the unit.
- **Stage 3 debt recovery.** 70 days after the due date of the levy instalment, APM will attempt to contact the owner by an alternative contact method. If contacting the owner is unsuccessful and/or payment is not forthcoming, a notice to commence legal action is served, notifying the owner that their file will be referred to our legal department for further action should payment not be received within seven days. A debt administration fee of \$150.00 + GST will be charged to the unit. Any legal costs incurred are payable by the registered owner.

The above process is to be used as a guide only and is subject to change depending upon individual requirements of the Body Corporate.

Subject to acceptance by the Body Corporate committee, the owner may request to pay the levy by instalments at an agreed payment plan. This will include interest at the rate of 10% per annum for any period where there are monies outstanding. Failure to meet obligations to the agreed payment plan will result in the debt recovery process commencing.

19 General Business

There were no items of general business discussed.

Body Corporate Website

At Auckland Property Management we try and be environmentally friendly so have put all your important documents relating to your body corporate online please visit <https://bodycorp.aucklandproperty.net/> to view these at any time. If you have forgotten your login details please contact your manager Jessica Dellow directly on the following email jessica.dellow@aucklandproperty.net and they will assist.

CLOSURE: There being no further business, the chairperson thanked all those who had attended and declared the meeting closed at 07:33 PM.



Date:
Building Name:
Building Manager:
Body Corporate:
Report Type:

07/07/2020
Alpers Ave
Anand Prakash
BC169744
Annual General Meeting



GENERAL COMMENT/REVIEW

Active Building Management is proud to be managing Alpers since last year's AGM meeting.

Anand from Active, Manages the complex on a week to week basis with help from an assistant and a groundsman.

For any common area maintenance, health and safety or related issues please contact us on;

Email: Anand@buildingmanagers.co.nz

Phone: 093778483

MAINTENANCE WORKS COMPLETED

- Inorganic collection notices given to all residents.
- Pedestrian gate keypad issues fixing arranged with Mr gate.

- Common antenna fixing was arranged as it was broken.
- Access provided to Mr Door for garage door fixing and quote.
- Rubbish room door lock was not working. Fixing arranged with All locks.
- Contractors sign in new forms installed on site for Covid 19 Contact tracing.
- Assisted a resident to Water leak in a car park.
- Leak from Unit N balcony. Inform to BC.
- Assisted to Unit D for water leak .
- Access provided to roof contractors.
- 2 tubes in the lift ceiling were replaced.
- On site access is provided to Engineers and architects.
- Assisted to Alex roof contractor for Unit O leak issues.
- Inform BC for Broken gutter from top floor.
- Access provided to Compliance guys for Annual BWOF.
- Access provides to Fire guys for Annual inspection.
- Access is provided to Lift guys for lift service and inspection.
- On site access to Jason for property valuation.
- Assisted to 2G owner for Bathroom fan issues.
- Fan fixing arranged with All spark electrical.
- Fan fixing quote provided to BC.
- Car parking lights fixing quote and fining arrange with All Spark electrical.
- Automatic gate fixing arranged.
- Chorus contractors have been supervised by Active for the installation of Fibre in some apartments.
- Automatic Gate repair arranged more than 3 times.
- Car park and common area lights fixing done by Active.
- Assisted to Residents for Garage remotes purchase.
- Covid 19 Level 3 Guidelines installed in the building on notice board.
- Assisted to Residents for Stain on stairs from rubbish dragging.

GROUNDS WORKS

- Active continue to undertake the grounds contract which includes garden trimming and grounds cleaning.
- Inform to BC about trees issues.

UPCOMING INITIATIVES

- Inorganic Collection



MINUTES OF THE ANNUAL GENERAL MEETING

BODY CORPORATE 169774

2 Alpers Avenue, Epsom, Auckland

The Annual General Meeting of Body Corporate 169774 was held at APM, Gillies Room, 145 Manukau Road, Epsom, Auckland on Tuesday, 20 April 2021 commencing at 05:30 PM.

Present:

Lot #	Unit #	Attendance	Owner Name/Representative
1	A	Yes	Ravindra Telang
2	B	Yes	Channa Weerasinghe
4	D	Yes	David Bainbridge & Ming (Cathy) Zhu
7	G	Yes	Sajeev Kuttan
8	H	Yes	Barry & Caroline Northcott
9	I	Yes	Florence Hueng
12	L	Yes	Richard Geary
13	M	Yes	Dellisse Moleta
15	O	Apology	Hui Yan Cheng
17	Q	Yes	Kenneth & Patricia Graham
18	R	Yes	Phuoc Thanh Trinh - Proxy: Thai Duy Mike Cao (Mike)

In attendance: Jessica Dellow, Body Corporate Manager, Auckland Property Management
David Clifton, Project Manager, CS&R

Minutes:

1 Appointment of Chairperson for Meeting

RESOLVED THAT Jessica Dellow be elected chairperson of the meeting.

MOVED: Ravi Telang

SECONDED: Cathy Zhu

MOTION CARRIED UNANIMOUSLY

2 Proxies and Voting Papers

Proxies were received as follows:

Unit R, Phuoc Thanh Trinh in favour of Thai Duy Mike Cao (Mike)

There were no postal voting forms received.

RESOLVED THAT the proxies and voting forms be received.

MOVED: Ravi Telang

SECONDED: Channa Weerasinghe

MOTION CARRIED UNANIMOUSLY

3 Building Remediation

Please refer to the attached remediation update from David Clifton at CS&R.

A couple of points noted:

- Revised completion date currently 16th September 2021
- Budget update will be provided by CS&R in 1-2 months but they were comfortable at this stage that the budget was looking ok.
- Main gas line concern: There are very minor leaks on the main gas line. David Clifton advised that he had contacted Vector numerous times about this Health & Safety concern however Vector have

not been willing to do anything about it perhaps because the gas line is currently disconnected. He noted that once the gas line is reconnected (at completion of the remedial works) Vector may be forced into rectifying the concerns.

Dave Clifton left the meeting at 6.30pm.

4 Confirm Minutes of Previous Annual General Meeting

RESOLVED THAT the minutes of the last meeting, held 23/07/2020, be confirmed as a true and accurate record of that meeting.

MOVED: Ravi Telang

SECONDED: Richard Geary

MOTION CARRIED UNANIMOUSLY

5 Election of Chairperson of Body Corporate

RESOLVED THAT Ravi Telang be elected as Chairperson of the Body Corporate in accordance with section (10)1 of the Regulations.

MOVED: Richard Geary

SECONDED: Sajeev Kuttan

For: 0 Against: 0 Abstain: 1 (Unit M)

MOTION CARRIED

6 Committee Number & Quorum

RESOLVED THAT until otherwise resolved by the Body Corporate in terms of the Unit Titles Act 2010, the Committee shall comprise of up to six (6) members. The Committee shall meet and conduct business in accordance with the requirements of the Unit Titles Act 2010 and the Unit Titles Regulations 2011 not less than one time in each year. The quorum necessary for the transaction of the business of the Committee shall be four (4).

MOVED: Ravi Telang

SECONDED: Sajeev Kuttan

MOTION CARRIED UNANIMOUSLY

7 Election of Committee

RESOLVED THAT the following nominees be elected to the Committee.

Unit A Ravi Telang

Unit B Channa Weerasinghe

Unit D Cathy Dew

Unit G Sajeev Kuttan

Unit H Barry Northcott

Unit L Richard Geary

MOVED: Patricia Graham

SECONDED: Thai Duy Mike Cao

MOTION CARRIED UNANIMOUSLY

8 General Delegation of Powers and Duties

RESOLVED THAT the Body Corporate shall indemnify the Committee and the Chairperson, for any liability incurred by either, in respect of any matter undertaken in good faith by them in exercise of their delegated powers for the Body Corporate, in terms of the Unit Titles Act 2010 ("the Act"). Without limitation to the above, the Body Corporate shall indemnify the Chairperson and/or the Committee for any liability incurred in respect of any certificate given in good faith under Section 147(3) (b) of the Act.

MOVED: Channa Weerasinghe

SECONDED: Ravi Telang

MOTION CARRIED UNANIMOUSLY

RESOLVED BY SPECIAL RESOLUTION THAT the duties of the Body Corporate Chairperson as set out in Regulation (11)1, sub-paragraphs (a) to (m) inclusive of the Unit Titles Regulations 2011 be delegated to the Committee.

MOVED: Channa Weerasinghe

SECONDED: Ravi Telang

MOTION CARRIED UNANIMOUSLY

RESOLVED BY SPECIAL RESOLUTION THAT in accordance with the provisions of Section 108(1) of the Unit Titles Act 2010, all the powers and duties of the Body Corporate be delegated to the Body Corporate Committee, save those powers reserved to the Body Corporate by Section 108(2).

MOVED: Channa Weerasinghe

SECONDED: Ravi Telang

MOTION CARRIED UNANIMOUSLY

9 Re-Appointment of Body Corporate Manager

RESOLVED THAT the Body Corporate re-appoint Auckland Property Management Ltd as Manager for the following year to carry out the duties delegated to the Committee in terms of Section 108(2) of the Unit Titles Act 2010 and Regulation 11(1) of the Unit Titles Regulations 2011.

MOVED: Richard Geary

SECONDED: Cathy Zhu

MOTION CARRIED UNANIMOUSLY

10 Insurance Discussion

RESOLVED THAT the renewed NZI/36 month indemnity, insurance policies for the period 02/03/21 to 02/03/22 be confirmed.

MOVED: Richard Geary

SECONDED: Ravi Telang

MOTION CARRIED UNANIMOUSLY

Meeting note:

It was queried whether the Office Bearers policy covered the Body Corporate or just the Body Corporate Committee. The Manager to enquire with the insurance broker following the meeting and advise the Committee.

Managers Note:

Owners are asked to ensure they are familiar with the cover in place and the terms of this cover. These details can be found on <https://bodycorp.aucklandproperty.net/> under the insurance folder, including a claim form.

RESOLVED THAT the Committee of the Body Corporate or the Body Corporate Manager be authorised to obtain quotations and renew the insurance policies for the coming year. The Body Corporate shall consider the need for insurance cover for:

- (i) The building and other site improvements;
- (ii) Loss of rents; Alternative Accommodation
- (iii) General Liability;
- (iv) Statutory Liability; and
- (v) Association Liability/ Office Bearers' cover

MOVED: Barry Northcott

SECONDED: Ravi Telang

MOTION CARRIED UNANIMOUSLY

**11 Approval of Financial Statements
(Attached)**

RESOLVED THAT the Financial Statements prepared by the Body Corporate as a non-reporting entity, which include the Statements of Income and Expenditure and Assets and Liabilities for the year ended 31/01/2021, be approved.

MOVED: Richard Geary

SECONDED: Ravi Telang

MOTION CARRIED UNANIMOUSLY

12 Appointment of Auditor - If Required

RESOLVED BY SPECIAL RESOLUTION THAT in accordance with Section 132(8) of the Unit Titles Act 2010, no audit, review or verification is required on the financial statements for the previous financial year.

MOVED: Ravi Telang

SECONDED: Richard Geary

MOTION CARRIED UNANIMOUSLY

Auckland Property Management adopts the Best Practice model in relation to Financial Management:

- i) Auckland Property Management Ltd advises that as part of our internal controls and procedures, all transactions are made through the Trust account of the Manager and are subject to a quarterly audit.*
- ii) Auckland Property Management Ltd is a strong advocate of Industry Best Practice and promotes good governance principles in relation to financial management and reporting. As such we recommend that all managed Unit Plans undertake an annual audit of their Financial Statements by a qualified independent auditor.*

13 Discussion of Long Term Maintenance Plan

RESOLVED THAT the Committee shall arrange a formal review of the Long Term Maintenance Plan in accordance with the requirements of Regulation 30 (2) of the Unit Titles Regulations 2011.

MOVED: Barry Northcott

SECONDED: Ravi Telang

MOTION CARRIED UNANIMOUSLY

Meeting note:

It was agreed to undertake the formal review after the remediation works have been completed. An allowance has been allocated in this year's budget.

14 Discussion of Common Maintenance Matters

Common Area Gardening

It was raised that the common area gardens may require some work at the conclusion of the remedial works. Owners were asked if they agreed for the Committee to approve expenditure from the Contingency line item in the annual budget for the reinstatement of the gardens at the conclusion of the remedial works. All owners present were in agreement.

15 Health & Safety

Health & Safety Report

RESOLVED THAT the Body Corporate Committee commission a professional review of the Health and Safety report to ensure that the body corporate is in compliance with the requirements of the Health and Safety at Work Act 2015 and any related Regulations.

MOVED: Barry Northcott

SECONDED: Ravi Telang

MOTION CARRIED UNANIMOUSLY

Meeting note:

It was agreed to undertake the professional review after the remediation works have been completed. An allowance was added into this year's annual budget.

Please note: All owners are required under the Act to ensure they have read and understand the Health & Safety report and have supplied a copy to any tenants, visitors or contractors to ensure they are aware of any hazards onsite.

Motion Withdrawn: That the Body Corporate has a Health & Safety report and Hazard Register on file for the complex which requires reviewing and updating annually to ensure any previous hazards noted that have subsequently been removed or minimized are amended and that any new hazards that may have occurred during the year are noted.

Asbestos

Motion Put: That the Body Corporate commission an Asbestos Survey to ensure that the Body Corporate and any other person responsible complies with the requirements of the Health & Safety at Work Act (Asbestos) Regulations 2016.

MOTION FAILED

Managers note: At the beginning of the remedial works some asbestos testing was undertaken onsite at the request of the contractor Forme Reclad. The results were negative. The Manager to request a copy of the report for the BC file.

**16 Approval of Administration Fund Budget
(Approved Budget Attached)**

It was agreed to add:

- (152004) Health & Safety Plan for \$2,500

It was agreed to increase:

- (164400) Contingency from \$2,500 to \$15,000

The Administrative Fund Budget was approved at \$77,902.36 with levies to be raised of \$51,231.76.

RESOLVED THAT the Administrative Fund budget be determined and approved.

MOVED: Channa Weerasinghe

SECONDED: Ravi Telang

MOTION CARRIED UNANIMOUSLY

**17 Approval of Long Term Maintenance Fund Budget
(Approved Budget Attached)**

The Long Term Maintenance Fund Budget was approved at \$Nil.

RESOLVED THAT the Long Term Maintenance Fund budget be determined and approved.

MOVED: Ravi Telang

SECONDED: Richard Geary

MOTION CARRIED UNANIMOUSLY

18 Striking of Levies and Number of Levy Instalments

RESOLVED THAT the operating budget shall be raised according to utility and/or ownership interest in four equal instalments due for payment on the 1st June 2021, 1st August 2021, 1st November 2021 & 1st January 2022. The Body Corporate Manager shall issue invoices not less than 30 days prior to the due date for each instalment.

MOVED: Ravi Telang

SECONDED: Sajeev Kuttan

MOTION CARRIED UNANIMOUSLY

19 Recovery of Body Corporate Levies, Penalty Interest Rates & Debt Administration Fees

RESOLVED THAT Auckland Property Management Ltd be authorised to recover any unpaid levies or other outstanding expense items owed to the Body Corporate, through the Tenancy Tribunal or otherwise, and to levy interest at the rate of 10% per annum as provided for in Section 128 of the Unit Titles Act 2010 on any monies outstanding. All costs, debt administration fees and expenses involved in the recovery shall be charged against the defaulting proprietor in full. A lawyer appointed by the Committee, shall act as duly appointed agents for the Body Corporate, where required, for debt collection.

MOVED: Ravi Telang

SECONDED: Sajeev Kuttan

MOTION CARRIED UNANIMOUSLY

Auckland Property Managements levy collection process is as follows:

Owners will be notified by email to the email address recorded with Auckland Property Management of all levies and/or charges due. The same email address will be used for all notifications regarding the collection of money owed to the Body Corporate unless a request is made otherwise. If an owner does not have an email address, all correspondence will be posted to the postal address recorded with APM. It is the responsibility of the owner to ensure that APM is notified of any change to either email or postal addresses.

Levies are typically raised within 14 days of the Annual General Meeting unless otherwise instructed by the Chairperson of the body corporate. Our standard collection process for unpaid levies is detailed below:

- 30 days prior to levies being due, a levy notice is sent to advise owners of the levy instalment due. The due date for the first instalment can be sooner by resolution at the AGM.

- **Stage 1 debt recovery.** 10 days after the due date of the levy instalment, a reminder is sent that the levy instalment is past due. Interest at the rate of 10% per annum accrues from the due date.
- **Stage 2 debt recovery.** 40 days after the due date of the levy instalment, if payment is still outstanding, a final notice is sent to the registered owner. A debt administration fee of \$75.00 + GST is charged to the unit.
- **Stage 3 debt recovery.** 70 days after the due date of the levy instalment, APM will attempt to contact the owner by an alternative contact method. If contacting the owner is unsuccessful and/or payment is not forthcoming, a notice to commence legal action is served, notifying the owner that their file will be referred to our legal department for further action should payment not be received within seven days. A debt administration fee of \$150.00 + GST will be charged to the unit. Any legal costs incurred are payable by the registered owner.

The above process is to be used as a guide only and is subject to change depending upon individual requirements of the Body Corporate.

Subject to acceptance by the Body Corporate committee, the owner may request to pay the levy by instalments at an agreed payment plan. This will include interest at the rate of 10% per annum for any period where there are monies outstanding. Failure to meet obligations to the agreed payment plan will result in the debt recovery process commencing.

20 **General Business**

Body Corporate Website

At Auckland Property Management we try and be environmentally friendly so have put all your important documents relating to your body corporate online please visit <https://bodycorp.aucklandproperty.net/> to view these at any time. If you have forgotten your login details please contact your manager Jessica Dellow directly on the following email jessica@apm.kiwi

CLOSURE: There being no further business, the chairperson thanked all those who had attended and declared the meeting closed at 07:00 PM.

power installed

- Bracing required for Level three is underway
- Fire rating steel posts and beams with two layers of gib is underway.
- External wall packing for RAB has begun
- Weather line RAB level 1-2 west is underway



Bathroom IT walls prior to timber remediation



Roof level IT walls



Level 3 Framing and packing out



Level 2 Framing around corner steel posts



Framing around window openings level 3



Level 3 packing and framing



MINUTES OF THE ANNUAL GENERAL MEETING

BODY CORPORATE 169774

2 Alpers Avenue, Epsom, Auckland

The Annual General Meeting of Body Corporate 169774 was held at APM, Gillies Room, 145 Manukau Road, Epsom, Auckland AND Zoom on Thursday, 21 April 2022 commencing at 05:30 PM.

Present:

Lot #	Unit #	Attendance	Owner Name/Representative
1	A	Yes	Ravindra Telang
2	B	Yes	Channa Weerasinghe
4	D	Yes	David Bainbridge & Cathy Zhu
5	E	Yes	Jiying Duan - Postal voting form
6	F	Yes	Jin Zheng - Postal voting form
7	G	Yes	Sajeev Kuttan
8	H	Yes	Barry & Caroline Northcott
9	I	Yes	Florence Huang
12	L	Yes	Richard Geary
13	M	Yes	Dellisse Moleta
14	N	Yes	Yoshiko Isshiki
16	P	Yes	Lina Hu - Zoom
18	R	Yes	Phuoc Thanh Trinh - Zoom

In attendance: Jessica Dellow, Body Corporate Manager, Auckland Property Management
David Clifton, Project Manager, CS&R

Minutes:

1 Appointment of Chairperson for Meeting

RESOLVED THAT Jessica Dellow be elected chairperson of the meeting.

MOVED: Ravi Telang

SECONDED: Sajeev Kuttan

MOTION CARRIED UNANIMOUSLY

2 Proxies and Voting Papers

Postal voting forms were received from units E & F.

There were no proxies to be received.

RESOLVED the proxies and voting forms be received.

MOVED: Ravi Telang

SECONDED: Sajeev Kuttan

MOTION CARRIED UNANIMOUSLY

3 Building Remediation

3(a) Update from David Clifton, Project Manager/Engineer to Contract

- Lift update: The lift is now approx. 20 years old. The lift was decommissioned during the remedial works. When it was reinstated it initially worked then the power board blew up. TK Elevators the incumbent lift maintenance contractor has tried to repair the power board however it is obsolete tech/parts. Recommended the Body Corporate contact Ben Kersten at About Lifts to assist with the best option moving forward (either partial repairs or full replacement). David Clifton noted that the lift will likely need to be operational in order to get CCC.
- Final inspection for the CCC will be in a week or two. CCC can take 4 months to be issued.

- Increase in levy required: it was discovered that the cost of the electrical upgrades due to the units that opted for the new bathroom layouts had not yet been on charged to those owners. These costs will be on charged to the applicable units as well as levy required below.
- It was noted that this should be the final levy for the remedial works (excluding possible further lift costs).

3(b) Building Remediation Levy

(Please refer to the attached updated schedule)

Further owner additional on charges (as per the attached schedule) will be issued alongside the below levy.

Motion Put: That Body Corporate 169774 approve to raise a final Building Remediation levy of \$239,000.00 including GST for the final remedial costs. Such sum shall be levied on a utility interest basis to all owners in one instalment due for payment on the 1st June 2022. Interest of 10% per annum (accruing on a daily basis from the due date for payment) will be charged on any late or unpaid levy. The adopted recovery process for these levies will apply. Please refer to the resolution passed at the last Annual General Meeting.

MOVED: Richard Geary

SECONDED: Ravi Telang

Amendment to Motion Put: That '1st June 2022' be amended to read '20th May 2022'.

MOVED: Richard Geary

SECONDED: Ravi Telang

MOTION CARRIED UNANIMOUSLY

RESOLVED THAT Body Corporate 169774 approve to raise a final Building Remediation levy of \$239,000.00 including GST for the final remedial costs. Such sum shall be levied on a utility interest basis to all owners in one instalment due for payment on the 20th May 2022. Interest of 10% per annum (accruing on a daily basis from the due date for payment) will be charged on any late or unpaid levy. The adopted recovery process for these levies will apply. Please refer to the resolution passed at the last Annual General Meeting.

MOVED: Richard Geary

SECONDED: Ravi Telang

MOTION CARRIED UNANIMOUSLY

4 **Confirm Minutes of Previous Annual General Meeting**

RESOLVED THAT the minutes of the last meeting, held 20/04/2021, be confirmed as a true and accurate record of that meeting.

MOVED: Ravi Telang

SECONDED: Channa Weerasinghe

MOTION CARRIED UNANIMOUSLY

RESOLVED THAT the minutes of the EGM held 13/10/2021, be confirmed as a true and accurate record of that meeting.

MOVED: Ravi Telang

SECONDED: Sajeev Kuttan

MOTION CARRIED UNANIMOUSLY

5 **Election of Chairperson of Body Corporate**

RESOLVED THAT Richard Geary be elected as Chairperson of the Body Corporate in accordance with section (10)1 of the Regulations.

MOVED: Ravi Telang

SECONDED: Cathy Zhu

MOTION CARRIED UNANIMOUSLY

6 **Committee Number & Quorum**

RESOLVED THAT until otherwise resolved by the Body Corporate in terms of the Unit Titles Act 2010, the Committee shall comprise of up to six (6) members. The Committee shall meet and conduct business in accordance with the requirements of the Unit Titles Act 2010 and the Unit Titles Regulations 2011 not less than one time in each year. The quorum necessary for the transaction of

the business of the Committee shall be four (4).

MOVED: Ravi Telang

SECONDED: Cathy Zhu

MOTION CARRIED UNANIMOUSLY

7 Election of Committee

RESOLVED THAT the following nominees be elected to the Committee.

Unit A Ravi Telang

Unit D Cathy Dew

Unit G Sajeev Kuttan

Unit L Richard Geary

Unit M Dellisse Moleta

MOVED: Channa Weerasinghe

SECONDED: Barry Northcott

MOTION CARRIED UNANIMOUSLY

Meeting note:

It was agreed for the Committee to invite Unit I & R along to committee meetings.

8 General Delegation of Powers and Duties

RESOLVED THAT the Body Corporate shall indemnify the Committee and the Chairperson, for any liability incurred by either, in respect of any matter undertaken in good faith by them in exercise of their delegated powers for the Body Corporate, in terms of the Unit Titles Act 2010 ("the Act"). Without limitation to the above, the Body Corporate shall indemnify the Chairperson and/or the Committee for any liability incurred in respect of any certificate given in good faith under Section 147(3) (b) of the Act.

MOVED: Ravi Telang

SECONDED: Cathy Zhu

MOTION CARRIED UNANIMOUSLY

RESOLVED BY SPECIAL RESOLUTION THAT the duties of the Body Corporate Chairperson as set out in Regulation (11)1, sub-paragraphs (a) to (m) inclusive of the Unit Titles Regulations 2011 be delegated to the Committee.

MOVED: Ravi Telang

SECONDED: Cathy Zhu

MOTION CARRIED UNANIMOUSLY

RESOLVED BY SPECIAL RESOLUTION THAT in accordance with the provisions of Section 108(1) of the Unit Titles Act 2010, all the powers and duties of the Body Corporate be delegated to the Body Corporate Committee, save those powers reserved to the Body Corporate by Section 108(2).

MOVED: Ravi Telang

SECONDED: Cathy Zhu

MOTION CARRIED UNANIMOUSLY

9 Re-Appointment of Body Corporate Manager

RESOLVED THAT the Body Corporate re-appoint Auckland Property Management Ltd as Manager for the following year to carry out the duties delegated to the Committee in terms of Section 108(2) of the Unit Titles Act 2010 and Regulation 11(1) of the Unit Titles Regulations 2011.

MOVED: Barry Northcott

SECONDED: Ravi Telang

MOTION CARRIED UNANIMOUSLY

10 Insurance Discussion

RESOLVED THAT the renewed insurance policies for the period 02/03/22 to 02/03/23 be confirmed.

MOVED: Ravi Telang

SECONDED: Channa Weerasinghe

MOTION CARRIED UNANIMOUSLY

Managers Note:

Owners are asked to ensure they are familiar with the cover in place and the terms of this cover.

These details can be found on <https://bodycorp.aucklandproperty.net/> under the insurance folder,

including a claim form.

RESOLVED THAT the Committee of the Body Corporate or the Body Corporate Manager be authorised to obtain quotations and renew the insurance policies for the coming year. The Body Corporate shall consider the need for insurance cover for:

- (i) The building and other site improvements;
- (ii) Loss of rents; Alternative Accommodation
- (iii) General Liability;
- (iv) Statutory Liability; and
- (v) Association Liability/ Office Bearers' cover

MOVED: Ravi Telang

SECONDED: Richard Geary

MOTION CARRIED UNANIMOUSLY

11 Approval of Financial Statements

RESOLVED THAT the Financial Statements prepared by the Body Corporate as a non-reporting entity, which include the Statements of Income and Expenditure and Assets and Liabilities for the year ended 31/01/2022, be approved.

MOVED: Channa Weerasinghe

SECONDED: Ravi Telang

MOTION CARRIED UNANIMOUSLY

12 Appointment of Auditor - If Required

RESOLVED BY SPECIAL RESOLUTION in accordance with Section 132(8) of the Unit Titles Act 2010, no audit, review or verification is required on the financial statements for the previous financial year.

MOVED: Dellisse Moleta

SECONDED: Ravi Telang

MOTION CARRIED UNANIMOUSLY

Auckland Property Management adopts the Best Practice model in relation to Financial Management:

- i) Auckland Property Management Ltd advises that as part of our internal controls and procedures, all transactions are made through the Trust account of the Manager and are subject to a quarterly audit.*
- ii) Auckland Property Management Ltd is a strong advocate of Industry Best Practice and promotes good governance principles in relation to financial management and reporting. As such we recommend that all managed Unit Plans undertake an annual audit of their Financial Statements by a qualified independent auditor.*

13 Discussion of Long Term Maintenance Plan

RESOLVED THAT the Committee shall arrange a formal review of the Long Term Maintenance Plan in accordance with the requirements of Regulation 30 (2) of the Unit Titles Regulations 2011.

MOVED: Ravi Telang

SECONDED: Channa Weerasinghe

MOTION CARRIED UNANIMOUSLY

Meeting note:

David Clifton recommended using Property Reserve Planning for the LTMP.

14 Discussion of Common Maintenance Matters

The following items were noted for the Committee to discuss further following the AGM. Items will be actioned based on priority and available funds (as decided by the Committee):

- Gardens
- Painting of the front wall
- Jacaranda tree trimming
- Enviro pods
- Garage door maintenance
- Surveillance system
- Gate

- Glass by the lift - it was noted that this is very exposed. Suggested to either get some frosting on the glass or plant a hedge outside.

15 Health & Safety

Health & Safety Report

RESOLVED THAT the Body Corporate Commission commission a professional review of the Health and Safety report to ensure that the body corporate is in compliance with the requirements of the Health and Safety at Work Act 2015 and any related Regulations.

MOVED: Richard Geary

SECONDED: Ravi Telang

MOTION CARRIED UNANIMOUSLY

Please note: All owners are required under the Act to ensure they have read and understand the Health & Safety report and have supplied a copy to any tenants, visitors or contractors to ensure they are aware of any hazards onsite.

Asbestos

Motion Put: That the Body Corporate commission an Asbestos Survey and Asbestos Management Plan (if required) to ensure that the Body Corporate and any other person responsible complies with the requirements of the Health & Safety at Work Act (Asbestos) Regulations 2016.

MOTION FAILED

Managers note:

At the beginning of the remedial works some asbestos testing was undertaken onsite at the request of the contractor, Forme Reclad. The results were negative. It was therefore agreed not to undertake a full Asbestos inspection on the building but to take a prudent approach that if any building work was required that asbestos testing and any management be undertaken as and when work was done in consultation with the contractor engaged to ensure safety was relevant for all parties. The committee would monitor this and undertake any work required.

16 Approval of Administration Fund Budget (Approved Budget Attached)

The Administrative Fund budget was approved at \$112,717.00 with levies to be raised of \$73,840.00.

RESOLVED THAT the Administrative Fund budget be determined and approved.

MOVED: Cathy Zhu

SECONDED: Ravi Telang

MOTION CARRIED UNANIMOUSLY

17 Approval of Long Term Maintenance Fund Budget

The Long Term Maintenance Fund budget was approved at \$nil.

RESOLVED THAT the Long Term Maintenance Fund budget be determined and approved.

MOVED: Richard Geary

SECONDED: Channa Weerasinghe

MOTION CARRIED UNANIMOUSLY

18 Striking of Levies and Number of Levy Instalments

RESOLVED THAT the operating budget shall be raised according to utility and/or ownership interest in four instalments due for payment on the:

- 1st June 2022
- 1st August 2022
- 1st October 2022
- 1st December 2022

The Body Corporate Manager shall issue invoices not less than 30 days prior to the due date for each instalment.

MOVED: Barry Northcott

SECONDED: Richard Geary

MOTION CARRIED UNANIMOUSLY

19 Recovery of Body Corporate Levies, Penalty Interest Rates & Debt Administration Fees

RESOLVED THAT Auckland Property Management Ltd be authorised to recover any unpaid levies or other outstanding expense items owed to the Body Corporate, through the Tenancy Tribunal or otherwise, and to levy interest at the rate of 10% per annum as provided for in Section 128 of the Unit Titles Act 2010 on any monies outstanding. All costs, debt administration fees and expenses involved in the recovery shall be charged against the defaulting proprietor in full. A lawyer appointed by the Committee, shall act as duly appointed agents for the Body Corporate, where required, for debt collection.

MOVED: Richard Geary

SECONDED: Ravi Telang

MOTION CARRIED UNANIMOUSLY

Auckland Property Managements levy collection process is as follows:

Owners will be notified by email to the email address recorded with Auckland Property Management of all levies and/or charges due. The same email address will be used for all notifications regarding the collection of money owed to the Body Corporate unless a request is made otherwise. If an owner does not have an email address, all correspondence will be posted to the postal address recorded with APM. It is the responsibility of the owner to ensure that APM is notified of any change to either email or postal addresses.

Levies are typically raised within 14 days of the Annual General Meeting unless otherwise instructed by the Chairperson of the body corporate. Our standard collection process for unpaid levies is detailed below:

- *30 days prior to levies being due, a levy notice is sent to advise owners of the levy instalment due. The due date for the first instalment can be sooner by resolution at the AGM.*
- **Stage 1 debt recovery.** *10 days after the due date of the levy instalment, a reminder is sent that the levy instalment is past due. Interest at the rate of 10% per annum accrues from the due date.*
- **Stage 2 debt recovery.** *40 days after the due date of the levy instalment, if payment is still outstanding, a final notice is sent to the registered owner. A debt administration fee of \$75.00 + GST is charged to the unit.*
- **Stage 3 debt recovery.** *70 days after the due date of the levy instalment, APM will attempt to contact the owner by an alternative contact method. If contacting the owner is unsuccessful and/or payment is not forthcoming, a notice to commence legal action is served, notifying the owner that their file will be referred to our legal department for further action should payment not be received within seven days. A debt administration fee of \$150.00 + GST will be charged to the unit. Any legal costs incurred are payable by the registered owner.*

The above process is to be used as a guide only and is subject to change depending upon individual requirements of the Body Corporate.

Subject to acceptance by the Body Corporate committee, the owner may request to pay the levy by instalments at an agreed payment plan. This will include interest at the rate of 10% per annum for any period where there are monies outstanding. Failure to meet obligations to the agreed payment plan will result in the debt recovery process commencing.

20 General Business

Body Corporate Website

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CLOSURE: There being no further business, the chairperson thanked all those who had attended and declared the meeting closed at 08:15 PM.

Privacy Policy: In order for Auckland Property Management to provide services to the Body Corporate and assist the Body Corporate in meeting the requirements of the Unit Titles Act 2010 and Unit Titles Regulations 2011, we are required to collect and hold personal information. We do so in accordance with our Privacy Policy which is published on our website. Please see <https://www.aucklandproperty.net/auckland-property-management-privacy-policy/>

