

Auckland Property Management Ltd

Licensed (REAA 2008), MREINZ

145 Manukau Road, Epsom
PO Box 28510 Remuera
Auckland, New Zealand
P: 64-9-638 2500
F: 64-9 639 0873
rentals@aucklandproperty.net
www.aucklandproperty.net



MINUTES OF THE ANNUAL GENERAL MEETING

BODY CORPORATE 169171

15 Sarawia Street, Newmarket Auckland 1052

The Annual General Meeting of Body Corporate 169171 was held at Unit 5, 15 Sarawia St, Newmarket, Auckland 1052 on Monday, 08 March 2021 commencing at 06:00 PM.

Present:

Lot #	Unit #	Attendance	Owner Name Representative
1	A	Yes	John Phibbs & Scott Macindoe
3	C	Yes	Andrew Stanton & Sarah Davies
5	E	Yes	Apaksha Patel
6	F	Yes	Shraddha Patel

In attendance: Melissa Wharerau, Body Corporate Manager, Auckland Property Management.

Minutes:

1 Appointment of Chairperson for Meeting

RESOLVED THAT the Manager be elected chairperson of the meeting.

MOVED: Sarah Davies

SECONDED: Apaksha Patel

MOTION CARRIED UNANIMOUSLY

2 Proxies and Voting Papers

Withdrawn: That the proxies and voting forms be received.

The Manager noted that no proxies or voting forms were received.

3 Confirm Minutes of Previous Annual General Meeting

RESOLVED THAT the minutes of the last meeting, held 24/03/2020, be confirmed as a true and accurate record of that meeting.

MOVED: Apaksha Patel

SECONDED: Scott Macindoe

MOTION CARRIED UNANIMOUSLY

4 Election of Chairperson of Body Corporate

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

MOVED: Scott Macindoe

SECONDED: Sarah Davies

MOTION CARRIED UNANIMOUSLY

DISCLAIMER
This document has been obtained on behalf of the client and is made available to customers for general information purposes only. Neither Barfoot & Thompson nor their client warrant the accuracy, completeness or currency of this document. All customers should obtain their own documents and legal advice. All customers should pay attention to their own documents and legal advice.

5 Committee Number & Quorum

Motion put: That until otherwise resolved by the Body Corporate in terms of the Unit Titles Act 2010, the Committee shall comprise of 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: Sarah Davies
SECONDED: Shraddha Patel

Amendment to motion put: That the wording 'comprise of SIX (6) members' be amended to read 'comprise of all owners'.

MOVED: Sarah Davies
SECONDED: Shraddha Patel

RESOLVED THAT until otherwise resolved by the Body Corporate in terms of the Unit Titles Act 2010, the Committee shall comprise of all owners. 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: Sarah Davies
SECONDED: Shraddha Patel
MOTION CARRIED UNANIMOUSLY

6 Election of Committee

Motion put: That SIX (6) of the following nominees be elected to the Committee.

MOVED: Sarah Davies
SECONDED: Shraddha Patel

Amendment to motion put: That the wording 'SIX (6) of the following nominees be elected to the Committee' be amended to read 'all owners be elected to the Committee'.

MOVED: Sarah Davies
SECONDED: Shraddha Patel

RESOLVED THAT all owners be elected to the Committee

MOVED: Sarah Davies
SECONDED: Shraddha Patel
MOTION CARRIED UNANIMOUSLY

7 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: Graeme Stanton
SECONDED: Scott Macindoe
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: Sarah Davies

SECONDED: Apaksha Patel

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: Sarah Davies

SECONDED: Scott Macindoe

MOTION CARRIED UNANIMOUSLY

8 Appointment of Body Corporate Manager

RESOLVED THAT Auckland Property Management Ltd be appointed agent for the Body Corporate for the preparation and filing of tax and/or GST returns. Auckland Property Management Ltd has authority to act on behalf of and obtain information from Inland Revenue Department through all channels, including electronic ones, on behalf of the Body Corporate.

MOVED: Graeme Stanton

SECONDED: Apaksha Patel

MOTION CARRIED UNANIMOUSLY

9 Insurance Discussion

RESOLVED THAT the renewed insurance policies for the period 01/04/2020 to 01/04/2021 be confirmed.

MOVED: Graeme Stanton

SECONDED: Scott Macindoe

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: Shraddha Patel

SECONDED: Apaksha Patel

MOTION CARRIED UNANIMOUSLY

Meeting note: It is our understanding that Orion, the BC's current broker, only provide insurance for Crocker's clients. Owners discussed whether to approach Crombie Lockwood or Marsh Ltd for a full insurance review. Owners deliberated and decided to engage Marsh Ltd for a full insurance review.

10 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 31/01/2021, be approved.

MOVED: Scott Macindoe

SECONDED: Graeme Stanton

MOTION CARRIED UNANIMOUSLY

11 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: Shraddha Patel

SECONDED: Scott Macindoe

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.

12 Discussion of Long Term Maintenance Plan

RESOLVED THAT the Committee shall commission and establish a Long Term Maintenance Plan in accordance with the requirements of Section 116 (1) of the Unit Titles Act 2010.

MOVED: Graeme Stanton

SECONDED: Apaksha Patel

MOTION CARRIED UNANIMOUSLY

13 Discussion of Common Maintenance Matters

Roof Leak Repairs

RESOLVED THAT the Body Corporate approve Quote 9588 for Access and Investigation of Roof Leaks and undertake minor repairs.

MOVED: Graeme Stanton

SECONDED: Shraddha Patel

MOTION CARRIED UNANIMOUSLY

Meeting Note: Quote may not include repairs to unit 4. The owners asked if when approving quote, that they have the whole roof inspected and minor repairs undertaken. If there is a change to the quoted price this will be run past the Chairperson for approval.

Front Door Eave

It has been advised that the front door eave is dropping, could be caused by eave gutter. Request for inspection and repair has been received. This may be addressed along with roof repairs. APM will include instruction to the contractor regards this. It was noted that this issue may be due to poor design. Sarah will liaise with the contractor further regards this issue and quotes for repair will be presented to the Chairperson for approval.

Gate Repair

Request for gate that leads to rubbish rooms to be repaired. Manager will obtain quotes.

Gardening

All weeding of pathway to rubbish bin area to be taken care of as part of the current gardening contract.

14 Health & Safety

Health & Safety Report

RESOLVED THAT the Body Corporate Commission a Health and Safety report to ensure that the body corporate and any other person responsible complies with the requirements of the Health and Safety at Work Act 2015 and any related Regulations.

MOVED: Graeme Stanton

SECONDED: Shraddha Patel

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.

MOVED: Graeme Stanton

SECONDED: Shraddha Patel

MOTION FAILED

Managers note: It was agreed not to undertake a full Asbestos inspection on the building as a whole 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.

15 Approval of Administration Fund Budget (Approved Budget Attached)

The following amendments to the Proposed Budget were agreed at the meeting:

- Reduce budget line 178400 for Lawns and Gardening from \$6,500.00 to \$5,000.00

The Administrative Fund Budget was approved at \$29,200.00 including GST.

RESOLVED THAT the Administrative Fund budget be determined and approved.

MOVED: Apaksha Patel

SECONDED: Graeme Stanton

MOTION CARRIED UNANIMOUSLY

16 Approval of Long Term Maintenance Fund Budget (Approved Budget Attached)

The Long Term Maintenance Fund Budget was approved at \$4,000.00 including GST.

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

MOVED: Sarah Davies

SECONDED: Shraddha Patel

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 Annual instalment/s due for payment on the 1st of May 2021. The Body Corporate Manager shall issue invoices not less than 30 days prior to the due date for each instalment.

MOVED: Graeme Stanton

SECONDED: Shraddha Patel

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: Shraddha Patel

SECONDED: Apaksha Patel

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.

19 Change of Address for Service

RESOLVED THAT the Body Corporate register Auckland Property Management, as Manager of the Body Corporate, as the address for service for the Body Corporate, in accordance with Section 205 of the Unit Titles Act 2010 and Section 18 of the Unit Titles Regulations 2011, the physical address being 145 Manukau Road, Epsom, Auckland 1023, the postal address being PO Box 28 510, Remuera, Auckland 1541 and the email address being reception@aucklandproperty.net

MOVED: Shraddha Patel

SECONDED: Sarah Davies

MOTION CARRIED UNANIMOUSLY

21 General Business

APM Service Agreement and Form 16

Apaksha to make a time to come into APM offices to sign the APM Service Agreement and Form 16 for Change of Address for Service. Noted that a Committee Member must accompany her.

LINZ Notice

Sarah Davies has volunteered to go through the notice received from LINZ regards adjoining owner and advise the rest of the Committee if any action required.

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 Melissa Wharerau directly on the following email melissa@aucklandproperty.net and they will assist.

Melissa Wharerau
Body Corporate Manager

CLOSURE: There being no further business, the chairperson thanked all those who had attended and declared the meeting closed at 07:15 PM.



MINUTES OF THE RECONVENED ANNUAL GENERAL MEETING

BODY CORPORATE 169171

15 Sarawia Street, Newmarket Auckland 1052

The Annual General Meeting of Body Corporate 169171 was held at Via Video Conferencing on Wednesday, 23 March 2022 commencing at 06:00 PM.

Present:

Lot #	Unit #	Attendance	Owner Name Representative
1	A	Yes	John Phibbs & Scott Macindoe
3	C	Yes	Andrew Stanton & Sarah Davies
4	D	Yes	Xiaoqing (Shirley) Sun & Minhua Chen (Postal Vote)
5	E	Yes	Apaksha Patel
6	F	Yes	Shraddha Patel

In attendance: Lize Pieterse, Body Corporate Manager, Auckland Property Management.

Minutes:

1 Appointment of Chairperson for Meeting

RESOLVED THAT Lize Pieterse be elected chairperson of the meeting.

Postal Vote: In favour - Unit 4

MOTION CARRIED UNANIMOUSLY

2 Proxies and Voting Papers

Postal Voting from received as follows:

Unit D - Xiaoqing (Shirley) Sun & Minhua Chen

RESOLVED THAT the proxies and voting forms be received.

Postal Vote: In favour - Unit 4

MOTION CARRIED UNANIMOUSLY

3 Confirm Minutes of Previous Annual General Meeting

RESOLVED THAT the minutes of the last meeting, held 08/03/2021, be confirmed as a true and accurate record of that meeting.

Postal Vote: In favour - Unit 4

MOTION CARRIED UNANIMOUSLY

4 Election of Chairperson of Body Corporate

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

Postal Vote: In favour - Unit 4

MOTION CARRIED UNANIMOUSLY

5 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 all 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).

Postal Vote: In favour - Unit 4

MOTION CARRIED UNANIMOUSLY

6 Election of Committee

RESOLVED THAT all owners be elected to the Committee.

Postal Vote: In favour - Unit 4

MOTION CARRIED UNANIMOUSLY

7 General Delegation of Powers and Duties

7(a) 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.

Postal Vote: In favour - Unit 4

MOTION CARRIED UNANIMOUSLY

7(b) 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.

Postal Vote: In favour - Unit 4

MOTION CARRIED UNANIMOUSLY

7(c) 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).

Postal Vote: In favour - Unit 4

MOTION CARRIED UNANIMOUSLY

8 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.

Postal Vote: In favour - Unit 4

MOTION CARRIED UNANIMOUSLY

9 Insurance Discussion

9(a) RESOLVED THAT the renewed insurance policies for the period 01/04/2021 to 01/04/2022 be confirmed.

Postal Vote: In favour - Unit 4

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.

9(b) 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

Postal Vote: Abstain - Unit 4

MOTION CARRIED

10 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.

Postal Vote: In favour - Unit 4

MOTION CARRIED UNANIMOUSLY

11 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.

Postal Vote: Abstain - Unit 4

MOTION CARRIED

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*

12 Discussion of Long Term Maintenance Plan

RESOLVED THAT the Committee shall review the Long Term Maintenance Plan in accordance with the requirements of Section 116 (1) of the Unit Titles Act 2010.

Postal Vote: Against - Unit 4

MOTION CARRIED

13 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.

Postal Vote: Abstain - Unit 4

MOTION CARRIED

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.

**14 Approval of Administration Fund Budget
(Proposed Budget Attached)**

The Administrative Fund budget was approved at \$29,200.00 including GST, with levies of \$29,200.00 including GST to be raised.

RESOLVED THAT the Administrative Fund budget be determined and approved.

Postal Vote: Abstain - Unit 4

MOTION CARRIED

**15 Approval of Long Term Maintenance Fund Budget
(Proposed Budget Attached)**

The Long Term Maintenance Fund budget was approved at \$7, 101.00 including GST, with levies of \$7, 101.00 including GST to be raised.

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

Postal Vote: Against - Unit 4

MOTION CARRIED

16 Striking of Levies and Number of Levy Instalments

Motion put: That the operating budget shall be raised according to utility and/or ownership interest in Annual instalment/s due for payment on the 1st of May 2022. The Body Corporate Manager shall issue invoices not less than 30 days prior to the due date for each instalment.

It was suggested that the annual instalment/s due for payment be changed from annually to six-monthly due to the substantial capital outlay owners had experienced recently with the roofing project.

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

- 1st May 2022
- 1st November 2022

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

MOTION CARRIED

17 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.

Postal Vote: Abstain - Unit 4

MOTION CARRIED

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.

18 General Business

18(a) Insurance Valuation quotation

A quotation for the by-annual insurance valuation was circulated to the Committee for consideration and approval. It was agreed that the quotation, in the amount of \$644 (Incl GST) be accepted.

18(b) Gate repairs

It was reported that the sensors and wiring to the gate requires replacement due to wear and tear. It was agreed that the manager may request to contractor, that attended to the previous call out, to carry out the necessary repairs.

18(c) Garden Maintenance

Sarah raised a concern regarding the level of service from the garden maintenance company. Apaksha mentioned that the scaffolding was hindering their access but their service on the remainder of the property remained unsatisfactory. Apaksha undertook to obtain quotations from other garden maintenance companies for consideration by the Committee.

18(d) Leaking of bathtubs

Shraddha (Unit 6) advised that the bathtub in her unit was leaking, and the problem was found to be the pipe at the back. Apaksha (Unit 5) reported to have the same problem in her unit and that she will have it repaired together with Unit 6. Apaksha has also approach the Insurer to ascertain whether a possible claim could be registered for damage. Owners were invited to contact Shraddha should they require the details of the contractor that is undertaking the repairs at her unit.

18(e) Ceiling damage

Sarah advised that some of the internal ceilings required repair after the re-roofing project. Apaksha undertook to assist with a quotation for the repairs.

18(f) Apology and Thank you

Scott, Apaksha and Shraddha apologized for not attending the AGM that was scheduled for the 15th of March.

Sarah was thanked by the owners present for all her efforts with the re-roofing project.

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 Lize Pieterse directly on the following email lize@apm.kiwi and they will assist.

Lize Pieterse
Body Corporate Manager

CLOSURE: There being no further business, the chairperson thanked all those who had attended and declared the meeting closed at 06:45 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/>



MINUTES OF THE ANNUAL GENERAL MEETING

BODY CORPORATE 169171

15 Sarawia Street, Newmarket, Auckland 1052

The Annual General Meeting of Body Corporate 169171 was held at via Zoom on Tuesday, 21 March 2023 commencing at 06:00 PM.

Present:

Lot #	Unit #	Attendance	Owner Name/Representative
3	C	Yes	Andrew Stanton & Sarah Davies
5	E	Yes	Apaksha Patel
1	A	Yes	John Phibbs & Scott Macindoe
6	F	Yes	Shraddha Patel
4	D	Apology	Xiaoqing (Shirley) Sun & Minhua Chen

In attendance: Sandy Lack, Body Corporate Manager, Auckland Property Management

Minutes:

1 Appointment of Chairperson for Meeting

Resolved: That [Sandy Lack](#) be elected Chairperson of the meeting.

MOVED: S Davies

SECONDED: S Patel

MOTION CARRIED

2 Proxies and Voting Papers

Resolved: That the proxies and voting forms be received.

Xiaoqing (Shirley) Sun & Minhua Chen appointed Apaksha Patel Unit E to be their Proxy for the purposes of the meeting.

MOVED: S Davies

SECONDED: S Patel

MOTION CARRIED

3 Confirm Minutes of Previous Annual General Meeting

Resolved: That the minutes of the last meeting, held 23rd March 2022, be confirmed as a true and accurate record of that meeting.

MOVED: S Macindoe

SECONDED: S Patel

MOTION CARRIED

4 Election of Chairperson of Body Corporate

Resolved: That [Apaksha Patel](#) be elected as Chairperson of the Body Corporate in accordance with Section (10)1 of the Regulations.

MOVED: S Patel

SECONDED: S Davies

MOTION CARRIED

Manager's Note:

As it is a requirement under the Unit Titles Act to have a Chairperson appointed, a change to the standard motion under "General Delegation of Powers and Duties" has been made to reflect. If an owner wishes to consider standing for the role during the financial year, they are requested to make contact with the BC Manager to discuss further.

5 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 **all** 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: A Patel

SECONDED: S Davies

MOTION CARRIED

6 Election of Committee

Resolved : That all owners be elected to the Committee.

MOVED: S Patel

SECONDED: S Macindoe

MOTION CARRIED

7 General Delegation of Powers and Duties

Resolved (a): 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: S Davies

SECONDED: A Patel

MOTION CARRIED

(b) 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: S Patel

SECONDED: A Patel

MOTION CARRIED

(c) 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: S Davies

SECONDED: S Patel

MOTION CARRIED

8 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: A Patel

SECONDED: S Davies

MOTION CARRIED

9 Insurance Discussion

Resolved (a): That the renewed insurance policies for the period 01/04/2023 to 01/04/2024 be confirmed.

MOVED: S Patel

SECONDED: A Patel

MOTION CARRIED

(b) 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: A Patel
SECONDED: S Patel
MOTION CARRIED

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.

10 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 31st January 2023, be approved.

MOVED: A Patel
SECONDED: S Davies
MOTION CARRIED

11 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: A Patel
SECONDED: S Patel
MOTION CARRIED

Managers note:

If the above motion fails, then the Committee will arrange an audit of the financial statements for the previous financial year as per Section 132 of the Unit Titles Act and an agreed figure for the audit will be added to the Administrative Fund budget.

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.*

12 Discussion of Long Term Maintenance Plan

Resolved: That the Committee shall review the Long Term Maintenance Plan in accordance with the requirements of Section 116 (1) of the Unit Titles Act 2010.

MOVED: A Patel
SECONDED: S Macindoe
MOTION CARRIED

13 Health & Safety

Health & Safety Report

To consider the motion: That the Body Corporate Committee commission a professional review of the Health and Safety report from Solutions in Engineering for a professional safety report at a cost of \$398 (incl. GST) 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.

MOTION WITHDRAWN

Managers 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

To consider the motion: That the Body Corporate commission an Asbestos Survey and a 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 WITHDRAWN

Managers Note:

Owners who may be conducting repairs, remedial works and/or renovations within their principal units are encouraged to discuss with their contractors the possibility of asbestos being present. If asbestos is discovered, the owner must report this immediately to the Committee and await their approval to proceed with the works, which approval would be conditional upon ensuring that an appropriate professional contractor is engaged to handle the removal/management of the asbestos in line with all legal requirements.

14 Approval of Administration Fund Budget Resolved (Approved Budget Attached)

Resolved: That the Administrative Fund budget be determined and approved.

MOVED: S Patel

SECONDED: A Patel

MOTION CARRIED

15 Approval of Long Term Maintenance Fund Budget Resolved (Approved Budget Attached)

Resolved: That the Long Term Maintenance Fund budget be determined and approved.

MOVED: A Patel

SECONDED: S Macindoe

MOTION CARRIED

16 Striking of Levies and Number of Levy Instalments

Resolved: That the operating budget shall be raised according to utility and/or ownership interest in one instalment due for payment on the 1st of May 2023. The Body Corporate Manager shall issue the invoice not less than 30 days prior to the due date for the instalment.

MOVED: A Patel

SECONDED: S Macindoe

MOTION CARRIED

17 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: S Patel

SECONDED: A Patel

MOTION CARRIED

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.

18 General Business

Owners discussed the following items of a general nature:

- Mr. Gate to assess to repair the driveway gate, BCM to share with Committee.
- 5E A Patel garage leak, Apaksha will share a quote for the Committee.
- BCM asked to request garden maintenance to clean through backlane, weeds and remove bins to clean and sweep regularly.
- Repair door at the back of houses where rubbish bins are, Apaksha offered to ask a builder to quote to fix and share with Committee.
- BCM to get an electrician to quote the street side lighting lamps (6 lights) to repair and share with Committee.

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 Sandy Lack directly on the following email sandy@apm.kiwi and they will assist.

Sandy Lack
Body Corporate Manager

CLOSURE: There being no further business, the chairperson thanked all those who had attended and declared the meeting closed at 06:50 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/>