MINUTES AN ANNUAL GENERAL MEETING

BODY CORPORATE 196030

118-128 BROADWAY

118-128 Broadway, Newmarket, Auckland, 1023

As required under the Unit Titles Act 2010 and the Unit Titles Amendments Act 2022, the Annual General Meeting for your Body Corporate was held as detailed below:

Date: Thursday, 06 November 2025

Time: 06:00pm

Venue: The Parnell Conference Centre, The Jubilee Building, Hobson Room, 545 Parnell Road, Parnell, Auckland 1052 and via Zoom.

Attendance:

In-person:

Unit Number(s)	**Name**
35 & 32	Robert Young
10	Yoshiko Kawasaki
29	Yee Ling Mok
23, 28 & 3D39	Hong Zhong
17	Donghe Yang
3,8 & 39	Kee Lam
31	Ansumalee Buranasetakul
4C61 & 5B78	Shr – Peng Chuang
4C & 3D4	Antonia Wong
3D6 & 3D5	Grace Lee
4C52 & 33	Phil Liu
4C1	Herath Mudiyanselage Kodisinghe

Via Zoom:

Unit Number(s)	**Name**
3C	Eva Ho
6C	Gegam Tsarukyan
6C	George Tsarukyan
3D12 & 3D13	Jennifer Tham
4C65 & 4C66	Jocelyn Beaumont
37 & 42	Lucy Zhang
1C	Matt Lee
34	Sharon Lau

Also Present: Davina Aspinall and Kristine Pabico representing Auckland Body Corporate

AGM Minutes:

1 **Appointment of Chairperson for meeting**

It was resolved: That Davina Aspinall representing Auckland Body Corporate shall chair the meeting.

2 Confirmation of Meeting Quorum

The Chair confirmed that the meeting is quorate with not less than 25% of those eligible to vote being represented.

3 Apologies, Proxies and Voting Forms

It was resolved: That the apologies, proxy and voting forms be accepted.

Postal Voting Forms:

5B8 & 5B69

Proxies:

- **In favour of Matt Lee:** 1C.2C
- **In favour of Davina Aspinall:** 4C54 & 4C55
- **In favour of Kee Lam:** 11, 12, 14, 18, 20, 25, 27, 30, 31, 34, 36, 38, 40, 41, 3D15, 3D16, 3D22, 3D44, 3D45, 3D46, 3D47, 3D48, 3D55, 3D56, 3D57, 3D58, 3D59, 3D59, 3D60, 3D63, 3D64, 3D65, 3D66, 3D67, 3D70, 3D71, & 4C31

4 Election of Body Corporate Chairperson

The nominee as Body Corporate Chair has agreed to this nomination and has no monies outstanding to the Body Corporate.

It was resolved: That in accordance with section (10) 1 of the regulations the Body Corporate elects **Kee Lam** as Chairperson of the Body Corporate at the meeting.

5 Election of Committee

The Committee Nominees have agreed to their nomination and have no monies outstanding to the Body Corporate. No committee member is able to vote at any committee meeting should they have any monies outstanding to the Body Corporate as at the date of any committee meeting.

It was resolved: That the Body Corporate elects a committee, in accordance with section 112 of the Unit Titles Act, of not more than six (6) members which shall have a quorum necessary for the transaction of the business of the Committee of four (4) members, and that the following nominees be elected to the Body Corporate Committee, until the following AGM.

List nominees	Unit No
Yoshiko Kawasaki	10
Roger Harvison	20
Phil Liu	33
Sharon Lau	34
Kee Lam	8 & 39
Eva Ho	3C -128 Broadway

6 Delegation of Powers and Duties

(i) It was resolved by special resolution: That the Body Corporate delegates to the Committee all 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.

(ii) It was resolved by special resolution: That the Body Corporate delegates to the Committee all the duties and powers save those powers reserved to the body corporate under section 108 (2) of the Act.

The following duties may not be delegated by the Body Corporate

- The general power of delegation
- The reassessment of ownership interest and utility interest

- The duty of the Body Corporate to comply with the Body Corporate Operational Rules
- The application of insurance monies in or towards the reinstatement of the development
- Any matter that the Act provides that the Body Corporate must decide by special resolution.

(iii) It was resolved: That this delegation does not empower the Chairperson or Committee to overturn, rescind, or change any resolution passed by the Body Corporate at a general meeting, in particular any matter decided via special resolution, or act in contradiction of the operational rules of the body corporate, or to contravene any matters noted in section 108 (2) of the Act.

(iv) It was resolved: That the Body Corporate indemnifies the Committee and the Chairperson for any liability incurred by either of them 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 Act and 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), 149 and 149A of the Act.

It is to be recorded that if any party has a conflict of interest, that they should declare the conflict and the body corporate record the conflict in the minutes of the meeting and in the Interests Register of the Body Corporate. Any party who has a conflict should be excused from the meeting while the matter is discussed and for good governance should not vote on the matter.

7 Re-Appointment of the Body Corporate Manager

It was resolved: That the Body Corporate re-appoint Auckland Body Corporate Limited as Manager in accordance with Section 157B of the Act for the following year to carry out the duties delegated to the Committee in terms of section 108(2) and Regulation 11(1), and that the Body Corporate Manager will act in accordance with sections 114A-114J of the Unit Titles Amendment Act 2022, and that the Manager is appointed agent for the Body Corporate for the preparation and filing of tax and GST returns as required. Auckland Body Corporate Ltd has authority to obtain information from Inland Revenue Department on behalf of the Body Corporate.

8 Body Corporate Reinstatement Insurance

Approving the insurance is placed by the Committee:

(i) It was resolved: That the Body Corporate renewal insurance for the period **30 November 2025 to 30 November 2026** be placed by the Committee.

Insurance Valuation

(ii) It was resolved: That the body corporate undertakes an **annua**l insurance valuation for the insurance period **30 November 2026 to 30 November 2027.**

9 Insurance Excess

It was resolved: That the owner, and not the Body Corporate, is to pay any excess in the event of a claim except where a claim relates to common property in which case the Body Corporate is to pay the excess, except that if the damage being claimed is attributable to the actions or inactions of an owner(s) or their resident(s), then the owner(s) of the unit is to pay the excess.

10 Financial reports

The year-end 31 August 2025 financial reports were tabled and discussed.

It was resolved: That the Body Corporate approves the financial reports for the period **01 September 2024 to 31 August 2025.**

11 Appointment of Auditor

Section 132 (2) of the Unit Titles Act requires that a body corporate must, within two months of the end of their financial year, have the accounts audited, reviewed or verified. However, the body corporate can resolve, via special resolution, that subsection (2) does not apply for a particular year.

<u>It was resolved by special resolution</u>: That **no** independent auditor be appointed to audit the books of accounts held and administered by the Manager for the period **01 September 2024 to 31 August 2025.**

12 Long Term Maintenance

The Body Corporate have an LTMP prepared by Solutions in Engineering. This plan needs to be reviewed every three years and is currently due for review.

<u>It was resolved</u>: That the Committee and/or Building Manager review the Long-Term Maintenance Plan prepared by Solutions in Engineering in August 2022 in accordance with the requirements of Regulation 30 (2) of the Unit Titles Regulations 2011 and Section 157D of the Act.

13 Health & Safety

Under the Health & Safety at Work Act 2015 (Act) Bodies Corporate are considered PCBU's (Person Conducting a Business or Undertaking) and fall under the requirements of this legislation. All Bodies Corporate have a duty of care to everyone who lives in, visits, or works in the common area of their building. The Body Corporate has completed a Health and Safety Plan which is available at any time on MyCommunity. The Body Corporate Committee will review the health and safety report, prioritise actions and update the hazard register accordingly. Committee members (or at least some of them, depending on their roles) will be "Officers" (persons who exercise significant influence over the management of the body corporate). Officers must exercise due diligence to ensure the body corporate complies with its duties/obligations.

<u>It was resolved</u>: That the Body Corporate authorises the Committee and or Building Manager to review and update the Health & Safety Report.

14 Approval of Budget

The year-end 31 August 2026 proposed budget was tabled and discussed.

<u>It was resolved</u>: That the total budget for the financial year **01 September 2025 to 31 August 2026** be determined and approved at **$767,396.53 incl GST** being comprised of an Administrative Fund budget of $617,396.53 incl GST and a Long-Term Maintenance Fund budget of $150,000.00 incl GST.

15 Striking of Levies and Number of Levy Instalments

<u>It was resolved</u>: That the levy be raised on a utility interest basis in two (2) equal instalments due for payment on **01 December 2025** and **01 May 2026.**

Levy payments should be submitted in one sum on or before the levy due date and not paid via small instalments unless approved by the Committee.

16 Debt Collections and Penalty Interest.

Please refer to the debt collection process at the bottom of these minutes.

<u>It was resolved</u>: That Auckland Body Corporate Ltd is authorised to recover any unpaid levies or other unpaid debt owed to the Body Corporate, whether through Court or Tenancy Tribunal or otherwise, and to levy interest at the rate of 10% per annum as provided in Section 128 of the Unit Titles Act 2010 on any monies outstanding and that all costs, debt administration fees and expenses involved in the recovery shall be charged against the defaulting proprietor in full in accordance with Section 124 (3) of the Unit Titles Amendment Act, and that Price Baker Berridge, or other lawyers appointed by the Committee, act as duly appointed agents for the Body Corporate where required for debt collection.

17 General Business

- **Levies in arrears** – Auckland Body Corporate advised that the levies in arrears have reduced significantly from the amount shown in the financial statement, which is good progress. It was also noted that all owners with substantial outstanding balances are either in Level 4 of the debt collection process or have already been handed over to the lawyers. Some owners have also arranged payment plans and are actively paying down what is owed.

- **How to address homeless issues** – Owners discussed the ongoing issue of homeless individuals entering the property and ways to deter this. Kee advised that the building manager, Vincent, and his team are regularly on site and conduct patrols of all car park levels, lifts, and stairwells. They remove any homeless or unauthorized persons they encounter. It was also noted that this is the reason $6,000 has been included under Security Services (mobile patrols) in the budget, allowing Vincent's team to patrol the site at a cost of $500 per month, which is extremely reasonable for the level of service provided.

- **Individual Owner Costs** – It was highlighted at the meeting that some owners have been requesting the Body Corporate to cover items such as skylight repairs. However, these types of repairs are the responsibility of individual owners, regardless of whether they occupy the commercial or residential building. It was noted some maintenance items such as water leaks, may be covered under the Body Corporate insurance depending on the circumstances; however, the excess is payable by the owner, not the Body Corporate.

18 Communication

<u>It was resolved:</u> That if Auckland Body Corporate has an email address on file for an owner, all correspondence will be sent by email only and not by post, however if Auckland Body Corporate is notified in writing by an owner that correspondence is to be sent to them by post, this request will be actioned, and no information will be sent to that owner by email.

19 Minutes to be a Record

<u>It was resolved:</u> That if within thirty days of the distribution of the minutes the Manager does not receive any written request from a person attending the meeting to amend the minutes, that the minutes are adopted as a true and accurate record of the resolutions at the Annual General Meeting.

20 Next AGM Date

The next years' AGM will be held at 06:00pm on Thursday, 05 November 2026.

21 Meeting closure

With no further business to discuss Davina Aspinall thanked all the owners present for their attendance and contributions and declared the meeting closed at 07:11pm.

Davina Aspinall
Body Corporate Manager
Auckland Body Corporate

davina@aucklandbc.co.nz
Phone 021 288 7085

IMPORTANT NOTES:

Auckland Body Corporates levy recovery process

Owners will be notified by email to the email address recorded with Auckland Body Corporate of all levies and/or invoices due. The same email 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 Auckland Body Corporate. It is the responsibility of the owner to ensure that Auckland Body Corporate 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:

- **Stage 1 debt recovery - DC1**. 1-7 days after the due date of the levy instalment, a reminder will be sent out that the levy instalment is past due. Interest at the rate of 10% per annum will accrue from the due date.

- **Stage 2 debt recovery - DC2.** 14 days after the due date of the levy instalment, if payment is still outstanding, a further letter notice will be sent to the registered owner requesting payment. A debt administration fee of $115 incl GST will be charged to the unit.

- **Stage 3 debt recovery – DC3.** 28 Days after the due date of the levy instalment, if payment is still outstanding, a further letter notice will be sent to the registered owner. In addition, Auckland Body Corporate will attempt to contact the owner by an alternative contact method. A debt administration fee of $250 incl GST will be charged to the unit.

- **Stage 4 - Impending Legal Action.** 42 days after the due date of the levy instalment, 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 if payment is not received within seven days. A debt administration fee of $250.00 incl GST will be charged to the unit. Any legal costs incurred are payable by the registered owner.

- **Handover** - 49 days after the due date of the levy instalment, if contacting the owner is unsuccessful and/or payment is not forthcoming the file will be handed over to a solicitor for collection. An administration fee of $287.50 incl GST will be charged to the unit.

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

MYCOMMUNITY Owner Portal

To assist owners (especially with queries outside of office hours), we have the "MyCommunity" portal available 24/7 to help keep up to date with body corporate matters. You will find this on our website www.aucklandbodycorporate.co.nz.

The portal provides access to information specific to your property including; invoices, payment history, financial statements, as well as Body Corporate or Society information including; AGM Minutes, Rules/Constitution, Financial Statements, Budgets, Insurance details and other key documents.

Invoice payment due dates are recorded in the AGM Minutes each year and invoices are issued usually within the first week following the AGM.

Please let us know if we need to reset your access.