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Body Corporate Administration Limited > Residents' Societies and Associations Manager Member of Strata Community Association (NZ) Ltd

MINUTES OF ANNUAL GENERAL MEETING HELD IN ACCORDANCE WITH THE UNIT TITLES ACT 2010

BODY CORPORATE No. 316943

PROPERTY AT: Manuka Cove, 206-208 Manuka Road, Glenfield

AN ANNUAL GENERAL MEETING of this body corporate was held under the Unit Titles Act 2010 onsite, in the Gymnasium, 206-208 Manuka Road, Glenfield, on Thursday, 7nd March 2024, commencing at 7:00 p.m.

PRESENT: As per Attendance List completed by owners:

BODY CORPORATE

ADMINISTRATION

Khan Riley Marsh and Jana Rajcokova (Unit 35), Paul Rountree (Unit 28), Giselle Rasquinha (Unit 10), Bernard Wright (Unit 33), June Ferguson (Unit 11), Jeffrey Chen (Unit 15), Steven Haslemore (Unit 27), Christian Soriano (Unit 29), Keith & Cheryl Chetty (Unit 18), Mark Dalebrook (Unit 20), Alyssa Develter (Unit 17), Hannah Jepson (Unit 5), Steven Gilliver (Unit 1), Rebecca Bertram (Unit 37), Stephen Coffey (Unit 8)

Paula Beaton represented Body Corporate Administration Ltd.

Also in attendance: Matt Meintjes (Building Manager)

	Minutes	Action Point
1.	CONFIRMATION OF QUORUM:	
	Brian & Glenda Kilbride (Unit 32), Bimla & Vithal Jairam Patel (Unit 34), Melvyn and Sonya	
	Galbraith (Unit 2) appointed Matt Meintjes as their proxy.	
	Samuel & Victoira Fowler (Unit 16) exercised a Postal Vote. A quorum was established.	
2.	RESOLUTION 1 – APPOINTMENT OF CHAIRPERSON FOR THE MEETING:	
	It was resolved by the Body Corporate, by ordinary resolution, that Paula Beaton be appointed as	
	chairperson for the meeting.	
	Carried	



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3.			ENT OF CHAIRPERSON OF THE BODY C	CORPORATE:	
		being the sole nomin	nee, was duly elected as Chairperson.		
	Carried				
4.	RESOLUTIO	N 3 – DUTIES OF (CHAIRPERSON:		
	It was resolved	l, by ordinary resoluti	on, that the Chairperson carry out the followin	g duties, being only	
	a portion of the	ose duties described a	t Regulation 11:		
	(a)	to chair each gener	ral meeting (unless it is agreed at the start of a ş	general meeting that	
		another person wil	l chair the meeting);		
	(b)	to notify the body	corporate committee of any delegation of a dut	y or power by the	
		body corporate to	the body corporate committee under Section 10	08 of the Act.	
		(The "Chairperson	n's Duties")		
	Moved: Gisell	le Rasquinha	Seconded: Bernard Wright	Carried	
5.	RESOLUTIO	N 4 – MINUTES OI	F PREVIOUS AGM:		
	It was resolved	by the Body Corpor	ate, by ordinary resolution, that the Minutes of	the Annual General	
	Meeting of this	s body corporate held	onsite, in the Gymnasium, 206-208 Manuka R	Road, Glenfield, on	
	Thursday, 2nd	March 2023, comme	ncing at 7:00 p.m. be accepted and adopted as	a correct record of	
	that AGM.				
	Moved: Alyssa	a Develter	Seconded: Giselle Rasquinha	Carried	
6.	PESOI LITIO	N 5 _ CONSTITUT	ION OF COMMITTEE:		
U.			ate, by ordinary resolution, that up to 6 unit titl	a owners he	
			tee members and together shall constitute the I		
	1.1		hat the quorum for meetings of Committee sha	• •	
	committee mer		hat the quotum for meetings of Committee sha	n be at least 4	
	Moved: Paul 1		Seconded: Stephen Coffey	Carried	
	Moved. I au	Kountiee	Seconded. Stephen Correy	Carrieu	
7.	RESOLUTIO	N 6 – APPOINTME	ENT OF COMMITTEE MEMBERS:		
	It was resolved	by the Body Corpor	ate, by ordinary resolution, that the Committee	is to comprise:	
	Paul Rountree	(Unit 28)			
	June Ferguson	(Unit 11)			
	Steven Haslem	ore (Unit 27)			
	Stephen Coffey	y (Unit 8)			

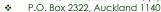


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	Giselle Rasquinha (Unit 10)					
	Moved	: Giselle Rasquinha	Seconded: June Ferguson	Carried		
8.	RESOI	LUTION 7 – DELEGAT	ION TO THE COMMITTEE:			
	It was re	esolved by the Body Corp	orate, by special resolution, that the Body Corpo	orate delegate to the		
	Committee:					
	a)	All the duties of the Bod	y Corporate Chairperson under Regulation 11(1), sub clause (1)(a) to		
		(m), along with all other	Body Corporate Chairperson powers and duties	conferred elsewhere		
		by the Unit Titles Act 20	10 and Unit Titles Regulations 2011; and			
	b)	All the general powers a	nd duties of the body corporate that may be dele	gated in accordance		
		with Section 108(1) of the	ne Unit Titles Act 2010, excluding the powers an	nd duties set out in		
		Section 108(2), provided	that in accordance with Section 110, no delega-	tion affects or		
		prevents the performance	e of any duty or the exercise of any power by the	e body corporate, or		
		affects the responsibility	of the body corporate for the actions of the bod	y corporate		
		committee acting under t	the delegation; and			
	c)	Further instructs that the	body corporate committee is to report annually	(or more often as the		
		committee considers nec	essary) to the body corporate in relation to the d	elegation of powers		
		and duties; and				
	d)	The delegation does not	enable the committee to rescind or override resc	olutions and directives		
		passed at a general meet	ing, not act in contradiction to any restrictions (f	inancials or		
		otherwise) placed on the	committee either contained within the operation	nal rules of the body		
		corporate or passed at a	general meeting of the body corporate.			
	and that	the Chairperson provides	the Committee with a written notice of this dele	egation in accordance		
	with Re	gulation 22.				
	Moved	: Steven Gilliver	Seconded: June Ferguson	Carried		
9.			RPORATE MANAGER:			
			orate, by ordinary resolution, that the Body Cor			
	contract with Body Corporate Administration Limited, including the operation of all bank accounts and					
	_	-	e Body Corporate as applicable.			
	Moved	:	Seconded:	Carried		
	C	was 1211 as on the 1 - 221				
	Commi	ttee will come back with a	ny cnanges.			





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The details of tasks done under secretarial agreement are as follows:

(a) Maintaining a register of unit owners;

BODY CORPORATE

ADMINISTRATION

- (b) Preparing the agenda for each Annual General Meeting;
- (c) Assisting the Chairperson in the chairing of each Annual General Meeting, and if agreed at the start of the general meeting chairing that meeting;
- (d) Preparing the Minutes of each Annual General Meeting;
- (e) Recording resolutions voted on and whether they were passed at any Annual General Meeting;
- (f) Keeping financial accounts and records; reporting to the committee monthly the financial accounts to the end of the previous month and providing a breakdown of outstanding levies.
- (g) Submitting the Body Corporate's financial statements, where required, to an independent auditor under s.132(2)(a) of the Act;
- (h) Receiving reports from the Body Corporate committee and distributing them to unit owners;
- (i) As agent for the Body Corporate, the committee and the chairman, signing documents in the ordinary course of business and where otherwise directed to do so on behalf of the Body Corporate;
- (j) Preparing and issuing notices of resolutions to be passed without a general meeting;
- (k) Notifying unit owners of the result of any vote on a resolution to be cast without a general meeting;
- (l) Notifying the Body Corporate committee of any delegation of a duty or power by the Body Corporate to the Body Corporate Committee under s.108 of the Act;
- (m) Dealing with any insurance company providing insurance for the Body Corporate, including engaging a valuer and dealing with enquiries to or from the relevant insurance broker including without limitation to receive quotes for insurance and to make and pursue insurance claims.
- (e) Appointing on behalf of the Body Corporate an agent pursuant to s.171 of the Act, and notifying the Tribunal of the appointment of any such agent;
- (f) Attending the tenancy tribunal on behalf of the Body Corporate to pursue delinquent creditors and any other matters in the tenancy court relating to the Body Corporate business.
- (g) Appointing and engaging any solicitors on behalf of the Body Corporate, including in accordance with any direction by the Body Corporate, committee or chairperson, to enforce collection of any funds due from any debtor by virtue of any money order or any other issue outside of the jurisdiction of the Tribunal;



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	(h)	Dealing with any consulting engineer or other professional for purposes relating to a building			
		warrant of fitness, the Long Term Maintenance Plan, other maintenance matters and Remedial			
		Works related to the Body Corporate;			
	(i)	Undertaking all dealings on behalf of the Body Corporate with any on-site building manager			
		and in relation to any building management contract pursuant to the directions of the Body			
		Corporate, the committee or the chairperson;			
	(j)	Paying all accounts of the Body Corporate as they fall due;			
	(k)	Operating all bank accounts on behalf of the Body Corporate including in terms of any			
		directions given by the Body Corporate, the committee or the chairperson;			
	(1)	Convening and attending any meetings additional to an Annual General Meeting in terms of			
		paragraphs (b), (c), (d), and (e) of the Third Schedule herein;			
	(m)	Convening and attending any committee meetings for the Body Corporate;			
	(n)	Keeping any wage, income tax or other records in respect of any employees or contractors of			
		the Body Corporate, and completion and submission of any returns to Inland Revenue in			
		respect thereof;			
	(o)	Attendance on auditors of the Body Corporate and provision of accounts and lodgement of			
		prescribed reports and statements where applicable;			
	(p)	All and any other attendance outside of those matters referred to above and in the Third			
		Schedule in respect of the administration of the Body Corporate			
	(q)	Retaining and storing such records as it has to facilitate the provision of certificates referred to			
		in cl.10 of this agreement.			
10.	LONG	TERM MAINTENANCE PLAN:			
	The Lo	ng Term Maintenance Plan was prepared by Solutions in Engineering in January 2020.			
	BCA L	td obtained quotes from Solutions in Engineering, WSP and Asset Management Solutions.			
	Under t	the instructions of the committee go ahead has been given to Solutions in Engineering for a			
	Long Term Maintenance Plan at the cost of \$1,928 including GST.				
11.	RESO	LUTION 9 – BODY CORPORATE INSURANCE:			
	It was r	esolved by the Body Corporate, by ordinary resolution, that in accordance with Section 135, the			
	Body C	Corporate maintains the following insurances:			
		a) material damage (to full replacement cost), and business interruption cover;			
		b) other insurances as appropriate.			
		To comply with the provisions of the Unit Titles Act 2010.			

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Moved: Seconded: Carried

An updated valuer's reinstatement insurance certificate and an insurance quote for the body corporate, which had been obtained by the body corporate manager, were tabled at the meeting.

It was resolved that the body corporate be insured with Vero via Apex Insurance Brokers at a premium of \$56,787.80 including GST for the period from 28.02.2024 to 28.02.2025, and that the policy have the following excess costs and cover limits:

EXCESS	EXCESS COST INC GST
Standard	\$400.00
Burglary	\$400.00
Theft	\$2,500.00
Owner Occupied Units	\$400.00
Tenanted Units	\$650.00
Unoccupied Units	\$1,000.00
Common Areas	\$500.00
Property Owners' Liability	\$500.00
Statutory Liability	\$500.00
Landslip/ Subsidence	\$10,000.00
Natural Disaster	2.5% of Material Damage sum insured at
	site, minimum \$2,500
Office Bearer's Liability	\$2,500.00
COVER	COVER LIMIT
Landlord Chattels per Residential Unit	\$25,000.00
Loss of Rentals Cover per Residential Unit	\$70,000.00
Indemnity Period	24 months
Statutory Liability Cover	\$1,000,000.00
Property Owners' Liability Cover	\$2,000,000.00

Moved: Bernard Wright Seconded: Steven Haslemore Carried

 $Body\ Corporate\ insurance\ policy\ to\ go\ out\ with\ renewal\ subject\ to\ appropriate\ review.$

A full policy to go with the minutes portal.

BCA



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	BCA Ltd to seek clarification from A	pex Insurance Brokers on why the claim made	le on Unit 18 was		
	declined and the basis for this decision	on.			
	Apex Insurance Brokers to confirm v	what is covered by the insurance, especially if	it relates to roof,		
	guttering, external cladding and rain/	flooding events.			
	Refer matters subsequent to meeting	ng			
12.	RESOLUTION 10 - APPROVAL	OF FINANCIAL STATEMENTS:			
	It was resolved by the Body Corporat	te, by ordinary resolution, that the financial st	atements for the		
	financial year 01.01.2023 to 31.12.20	23 be adopted and approved.			
	Moved: June Ferguson	Seconded: Steven Haslemore	Carried		
	Term deposit renewal to be instructed	d by committee.			
13.	RESOLUTION 11 – AUDIT OF F	INANCIAL STATEMENTS:			
	It was resolved by the Body Corporat	te, by special resolution, that in accordance w	ith Section 132(8),		
	Section 132(2) will not apply to the financial statements of the Body Corporate for the financial year				
	01.01.2023 to 31.12.2023				
	Moved: Bernard Wright	Seconded: Steven Haslemore	Carried		
14.	BUILDING MANAGER'S REPOR	RT:			



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BAYVIEW PROPERTY MANAGEMENT LTD

33/206 MANUKA ROAD 09 444 1138 / 021 082 13156 MANUKACOVE@PROPMANAGE.CO.NZ

MANUKA COVE MANAGER REPORT - MARCH 2024

PAST YEAR

Swimming pool - New pool heat pump is working well. A new thermal pool cover has been installed to prolong the swimmable period.

Inspections passed - Passed our council swimming pool safety inspection (every 3 years).

Exterior cleaning, roof treatment, and gutter cleaning - This project is currently being completed.

Manuka Cove Facebook group - Facebook group (https://www.facebook.com/groups/manukacove) is still used as main communication with residents.

UPCOMING/PROPOSED PROJECTS

Tree trimming - The Tree Company will be onsite in March to trim back trees around the complex.

Stormwater pond inspection - SiteCare will conduct a survey of the stormwater pond, to measure the depth of any accumulated silt within the pond, as well as the soundness of the inlet and exit areas.

They will then provide a maintenance and cleaning plan to implement over the next few years, to ensure that the stormwater pond continues to work according to requirement.



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Garden improvements - Plan for new plants around the entrance driveway, and other common area gardens in the complex.

Driveway line markings - Plan is to get the line markings re-done in the next year or two.

Exterior painting - This is due in the next year or two, so we will start getting quotes this year. We can also look at roof painting at the same time, while the scaffolding is up.

Matt Meintjes On-site Building Manager Manuka Cove 021-08213156 / matt@propmanage.co.nz

The following points were noted:

BODY CORPORATE

ADMINISTRATION

- 1. Unit 36 can be contacted by Whatsapp with regards to the outstanding levies.
- 2. There is some patching which could be done on the painting. There was discussion about the garage which can be done.
- 3. There was discussion on painting and looking at fences and railings.
- 4. The intention is to do a spruce properly over the number of years this year there will be a plan.

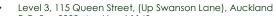
15. RESOLUTION 12 – BODY CORPORATE LEVIES:

It was resolved by the Body Corporate, by ordinary resolution, that the levies to be imposed on each unit title owner until the next general meeting will be as per the 2024/2025 budget.

Moved: June Ferguson Seconded: Steven Haslemore Carried

BUDGETED INCOME:

Items	Budget	Comments
(GST exclusive)	2024/2025	
	12 Months	
Operational Fund	128,059.52	
Insurance	51,940.70	
Long Term Maintenance Fund	30,286.64	
TOTAL	\$210,286.86	Excluding GST





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Items	Budget	Comments
exclusive)	2024/2025 12	
	Months	
	\$	
Rates	1,600.00	Based on last year's actuals
Bank Fees	20.00	
Building Manager's Fees	42,256.92	CPI Increase
Building Manager's Office Expenses	1,122.38	CPI Increase
Building Managers Unit Rental	25,730.93	CPI Increase
Administration/ Secretarial Fee	15,249.29	CPI Increase
Income Tax Return Preparation Fee	200.00	
R & M – General	33,000.00	As discussed
Electricity	8,580.00	Avg @ \$715 per month
Water & Waste	300.00	Avg @ \$25 per month
TOTAL – Operational	\$128,059.52	As agreed
<u>Insurance</u>	\$	
Insurance Premium	48,180.70	

Moved: June Ferguson Seconded: Steven Haslemore Carried

1,360.00 1,200.00

\$50,740.70

\$30,286.64

\$209,086.86 Excluding GST

LEVIES:

TOTAL

Insurance Valuation

Office Bearers' Liability

TOTAL – Insurance

Long Term Maintenance Fund

- Subject to sufficient funds, the Body Corporate Manager was authorised to pay accounts for the body corporate as they fall due and to issue invoices to proprietors from time to time to recover their respective proportionate share of costs set by the budget in accordance with section 84(1) of the Unit Titles Act 2010.
- The levies are due on 18th April 2024

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BUDGETED EXPENSE:



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	The Body Corporate Manager advised that a levy statement will be distributed to owners				
	with a copy of the	minutes and that payment of	f the levy for the forthcoming year should		
	be paid by the date stipulated so that the insurance premium can be paid.				
16.	RESOLUTION 13 - NONPAY	YMENT OF LEVIES:			
	It was resolved by the Body Co	rporate, by ordinary resolution	on, that if any levies authorised by this or		
	any other general meeting of the	e Body Corporate are not pai	d by a proprietor on the due date, the Body		
	Corporate Manager is authorise	d and instructed on behalf of	the Body Corporate to exercise those		
	powers conferred on the Body (Corporate by Sections 121 an	d 124 of the Act including the recovery of		
	any costs expended as a result of	of that proprietor's default pu	rsuant to Section 127 of the Act.		
	Moved: Bernard Wright	Seconded: Gis	elle Rasquinha Carried		
17.	RESOLUTION 14 - 10% INT	EREST:			
	It was resolved by the Body Co	rporate, by ordinary resolution	on, that the interest recoverable pursuant to		
	Section 128 of the Act on such	unpaid levies be resolved at	10% per annum.		
	Moved: Bernard Wright	Seconded: Gis	elle Rasquinha Carried		
18.	RESOLUTION 15 - APPROV	AL OF CREDITOR INVO	DICES:		
	It was resolved by the Body Co	rporate, by ordinary resolution	on, that the Body Corporate Manager be		
	authorised to pay line items in t	he budget as and when they	fall due but refer to the Body Corporate		
	Committee for approval for unk	known amounts for the balance	ce of budget items.		
	The following invoices are curr	ently approved to be paid:			
	Contractor	Frequency	Purpose]	
	Apex Insurance	Annual	Insurance	-	
	Opteon Solutions	Annual	Valuation	-	
	Bayview Property	Monthly	Building Manager	-	
	Management				
	WaterCare	Monthly	Water	1	
	Mercury Energy	Monthly	Power	1	
	Moved: Bernard Wright	Seconded: Gis	elle Rasquinha Carried	<u> </u>	
19.	RESOLUTION 16 - SECTIO	N 126 ONCHARGES:			
	It was resolved by the Body Co	rporate, by ordinary resolution	on, that the Body Corporate Manager be		



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	Section 126 of the Act where it determines on behalf of the Body Corporate that one or more of the					
	units has benefited from such expend	diture substantially more than other units.				
	Moved: Bernard Wright	Seconded: Giselle Rasquinha	Carried			
20.	RESOLUTION 17 – APPOINTM	ENT OF AGENT FOR TENANCY TRIBU	NAL:			
	It was resolved by the Body Corpora	te by ordinary resolution that Price Baker Ber	ridge be appointed to			
	represent the Body Corporate for the	Tenancy Tribunal as and when required.				
	Moved: Bernard Wright	Seconded: Giselle Rasquinha	Carried			
21.	HEALTH AND SAFETY REPOR	T:				
	The Body Corporate obtained a Hea	Ith & Safety Report from Solutions in Enginee	ring in July 2016.			
	All hazards identified in the report h	ave been addressed.				
	No further hazards identified.					
	RESOLUTION 18 – HEALTH &	CAFETY.				
		on, that the Body Corporate authorises the con	mittaa ta			
	•	ary and update the hazard register for the comp				
	·					
	• •	, resident or visitor, to ensure a safe environme				
	Moved:	Seconded:	Carried			
22.	ASBESTOS MANAGEMENT:					
	From 4 th April 2018 under the new I	Health and Safety at Work (Asbestos) Regulati	ons 2018, any owner			
	of occupier of a building that contain	ns asbestos MUST have an Asbestos Managen	nent Plan. This is a			
	significant change that impacts on al	l building managers and owners. Ignorance re	garding asbestos can			
	no longer be used as an excuse. The	court of law will expect that an owner of a built	lding will have			
	done, or made all best efforts, to idea	ntify if there is any asbestos present.				
	The Body Corporate have previously	resolved against obtaining an Asbestos Surve	ey.			
23.	RESOLUTION 19 – SERVICE O	F DOCUMENTS:				
	It was resolved, by ordinary resolution	on, that where an owner provides an email add	ress for the register			
	of owners, that email address shall b	e the owner's preferred method of contact and	address for service.			
	Moved: Giselle Rasquinha	Seconded: Alyssa Develter	Carried			
24.	OTHER BUSINESS:					



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a) Proposed 2025 AGM Date

Thursday 6th March 2025 at 7:00 p.m.

b) Body Corporate Portal

BCA Ltd. is now offering online portal access to all owners of Body Corporate.

This portal will allow owner to access documents relating to the Body Corporate 24/7.

Matt Meintjes to be on portal.

c) Key Points of Contact

1. Glenn Kwok

Phone: 021904097

Email: glenn.kwok@gmail.com

2. Paula Beaton

Phone: 021612336

Email: paula@bca.co.nz

Administrators

3. Mizhara Amzar

Phone: 093732336

Email: mizhara@bca.co.nz

4. Ruqayyah Dadi-Patel

Phone: 093732336

Email: ruqayyah@bca.co.nz

Accountant

5. Phil Leveanasiga

Phone: 0212151345
Email: phil@bca.co.nz

Levy Team

6. Rume

Phone: 093732336
Email: levies@bca.co.nz



ADMINISTRATION

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d) <u>Unit Titles Amendment Act</u>

A summary of the Unit Titles Amendment Act was tabled at the meeting, and a soft copy is available upon request.

- e) For each committee meeting claim coming through to be sent to all committee. Schedule of building management.
- f) The Building Manager's rental is based on market rental i.e. the market rental of an average of four similar units in complex.

g) Watermain Replacement

Watermain replacement to be done. It need to go around someone's unapproved extension.

There being no further general business, the meeting closed at 9:15 p.m.

MATTERS SUBSEQUENT TO MEETING:

Unit 18 Insurance Claim:

"Based on information we have the Unit 18 claim was relating to the water ingress via roof flashing due to gradual deterioration/maintenance issues.

The following has been confirmed to the owners:

There is no cover under your insurance policy for the roof damage as this has been found by the report and the Loss Adjustor attending that the water ingress is from the following, which would <u>not be</u> <u>considered sudden and accidental</u>

- The weatherboard is hard down to the head flashing (no 6mm capillary clearance)
- Possibly no stop end on the flashing.

As previously noted the policy only responds to sudden and accidental damages. No cover for gradual deterioration, design or material faults, or maintenance issues such as wear and tear.

Please note the same exclusion applies to Unit 18s claim: this is a standard exclusion on all "material damage/house" policies in NZ i.e. there is no cover for faulty materials/faulty workmanship as per page 13 of attached policy wording:



- Level 3, 115 Queen Street, (Up Swanson Lane), Auckland
- P.O. Box 2322, Auckland 1140
- Phone +64 9 373 2336
- ❖ Fax +64 9 377 6743
- ❖ Mobile +64 21 612 336
- Email manager@bca.co.nz | raal@bca.co.nz

5. Faulty workmanship, design and materials

This material damage section does not insure the cost of putting right:

- (a) or repairing or replacing faulty materials;
- (b) faulty workmanship;
- (c) work performed to a faulty or defective design, plan or design specification; or
- (d) faulty or defective work where the fault or defect results from an error or omissio design specification;

but this exclusion does not apply to any consequential damage occurring as a result of (a) this exclusion that is not otherwise excluded.

Based on the claims notes the resulted damage was covered and I believe payment as been made to the owners on 19/12/2023."

Insurance Cover

"The buildings are covered for ACCIDENTAL and Sudden damages. There are no exclusion to the parts of the building however, the damage must be caused by a sudden and accidental event such as strong wind or fallen tree etc

The reason the flashings and the roof is not covered in the Unti's 18 claim is due to the water entering through design fault i.e. no 6mm capillary clearance) // no stop end on the flashing."