Strata Title Administration Ltd
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25 March 2025

Dear Owner

Re: Body Corporate 184031
Property at 373 Khyber Pass Road, Epsom, Auckland
Annual General Meeting held on Wednesday, 26 February 2025

Please find enclosed the minutes and following attachments relating to your Body Corporate's annual general meeting:

- the Body Corporate's budget for the year 1 January 2025 to 31 December 2025.
- your levy notice, which is your proportion of the Body Corporate's budgeted expenses.

If you have received this letter by email your levy notice will follow in an additional email.

Should you require any further information please log into your Owner Portal online account via Strata's website www.stratatitle.co.nz.

Please note: Should you require additional copies of your levy notice these can be downloaded 24/7 from your Owner Portal via Strata's website. Alternatively if you require Strata to email you a copy a manual processing charge will apply.

Yours sincerely,

Brandon Zaragoza
Body Corporate Manager

MINUTES OF ANNUAL GENERAL MEETING
Body Corporate No 184031
Property at 373 Khyber Pass Road, Epsom, Auckland

THE ANNUAL GENERAL MEETING (AGM) of this Body Corporate was held at the office of Strata Title Administration Limited, 1st Floor, Dilworth Building, cnr Queen Street and Customs Street East, Auckland and via MS Teams video conference facility, on Wednesday, 26 February 2025 commencing at 6:00pm.

ATTENDANCE:

Lot #	Unit #	Attendance	Owner's Legal Name Representative at the AGM
4	D	Yes	Mrs B Linn & Mr R Carter Mrs Joan Linn & Mr Roger Carter
8	H	Yes	Mr M Fitzpatrick & Ms P Claxton Mr Mike Fitzpatrick
11	K	Apology	Gilbert, David Postal Vote
14	N	Yes	Mr M Cooper, Ms A Miller & Mr G Simon Mr Mark Cooper
15	O	Yes	Gu, Jian Mr Dan Zhu
17	Q	Yes	Mr G & Mrs R Brandon Mrs Rebecca Brandon
19	S	Yes	Smith, Victoria Ms Victoria Smith
21	U	Yes	Mr P & Mrs A Buchanan Mr Peter Buchanan

OTHERS PRESENT: Mr Brandon Zaragoza and Mr Kyle O'Reilly representing Strata Title Administration Ltd (Strata) as the Body Corporate Manager.

MINUTES OF THE MEETING:

1 APPOINTMENT OF CHAIRPERSON OF THE MEETING

Resolved: That the Body Corporate elects Mr Brandon Zaragoza, a representative of Strata to chair the meeting.

2 APOLOGIES, PROXIES, POSTAL AND PRE-MEETING ELECTRONIC VOTES

Resolved: That the apologies and postal votes be accepted in accordance with the attendance register and the meeting declared is quorate.

3 FINANCIAL STATEMENTS

Mr Zaragoza provided a detailed overview of the financial statements as appended to the Agenda. Mr Zaragoza advised owners that the deficit in the operating account was intentional, as it resulted from the decision made in the 2024 AGM to utilize the surplus from the 2024 financial period.

Resolved: That the Body Corporate approves the financial report for the period **1 January 2024 to 31 December 2024.**

4 REPORT FROM THE COMMITTEE

Mrs Linn provided a written Chairperson Report which was circulated to all owners prior to the meeting and was taken as read. Mrs Linn stated that the year went well highlighting the following points from the report:

(i) Maintenance and Contractors: Strong rapport was maintained with all contractors throughout the year, contributing to a smooth working relationship. All contractors throughout the year performed excellently. Both the gutter cleaning team and the building wash crew went above and beyond, delivering service that exceeded expectations.
(ii) Letter Box: The letter box job went well. The contractors were good to work with and offered a $5,000.00 discount as the job took less time than anticipated. Strata confirmed that this $5,000.00 refund had been applied to all owners' levy accounts.
(iii) Deck Project: The contractors underquoted the deck project. However, despite this, the Body Corporate paid only the agreed-upon amount. The contractors, in turn, honoured the original quote.

Resolved: That the Chairperson's report is adopted.

5 CHAIRPERSON OF THE BODY CORPORATE

Mrs Joan Linn expressed her concerns about another member of the Committee remaining on this year, citing dissatisfaction with their performance in previous years. Additionally, Mrs Linn mentioned her concerns about members working outside of the Committee's collaborative process, which led to some confusion and inaccurate information being provided to an owner regarding Committee matters. Mrs Linn emphasized that the role of Chair is a demanding one and that she had dedicated extra time to addressing both the contract issues and the misinformation. She reiterated the importance of the Committee working together cohesively as a team.

<u>Resolved</u>: That the Body Corporate appoints Ms Joan Linn as the Chairperson of the Body Corporate and Committee.

6 COMMITTEE

<u>Resolved</u>: That the Body Corporate elects a committee of five (5) members, which shall have a quorum of three (3) members, comprising:

Ms Joan Linn
Ms Rebecca Brandon
Ms Victoria Smith
Mr Dan Zhu
Mr Peter Buchanan

(ii) Conflict of interest register:
<u>Resolved</u>: That the Interests Register is received.

7 DELEGATION OF DUTIES

<u>Resolved</u>: That pursuant to Section 108(1) of the Unit Titles Act (the Act) until the end of the next annual general meeting of the Body Corporate all of its powers and duties are delegated to the Committee, save those powers reserved to the Body Corporate under Section 108(2); and that this resolution is evidence of the Committee's authority to perform the powers and duties so delegated to it; and serves as notice of delegation; that the Chairperson's duties set out in Regulation 11 are delegated to the Committee; and that the Committee will report to the Body Corporate on an annual basis regarding its performance of these powers and duties.

8 OFFICE BEARERS LIABILITY (OBL) INSURANCE

<u>Resolved</u>: That the Body Corporate accepts the quote from **Chubb** for **$724.50** incl GST for OBL cover of **$1 million**, to cover both indemnity and defence costs, for the period **1 March 2025 to 1 March 2026**.

9 BODY CORPORATE REINSTATEMENT INSURANCE

A brief discussion took place, during which owners in attendance decided not to proceed with the NZI quote. Instead, they chose between the two AIG quotes. After consideration, the owners agreed to accept the AIG quote with the higher Loss of Rent coverage, which offered 36 months at a quoted premium of $22,960.41.

<u>Resolved</u>: That the Body Corporate insures with **AIG** for principal cover at the quoted premium of **$22,960.41 incl GST** for the period **1 March 2025 to 1 March 2026** and that Strata is to arrange the annual reinstatement valuation and pay the cost as per the budget.

10 INSURANCE EXCESS

The excesses which apply when a claim is made under the Body Corporate's principal material damage policy are included below for quick reference:

$500 All claims, except
$1,000 for Burglary & Malicious Damage
$2,500 for Theft claims (no evidence of forced entry)
$20,000 for Landslip/Subsidence
Earthquake - 1% of Material Damage Sum Insured, Minimum $1,000

<u>Resolved</u>: 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, notwithstanding that if the damage being claimed for is attributable to the actions, or inaction, of an owner(s) or their resident(s) then the owner(s) of the unit is to pay the excess.

11 BODY CORPORATE RULES

(i) <u>Resolved</u>: The that Body Corporate ratifies its earlier decision to amend the Body Corporate Rules in the EGM held on 10 July 2021.

(ii) <u>Resolved</u>: That the Body Corporate resolves by ordinary resolution that in accordance with section 106 of the Unit Titles Act 2010 the following operational rule shall be adopted by the Body Corporate to replace the existing rule 10. and be lodged with Land Information New Zealand for registration on the Supplementary Record Sheet:

Prior to the start of any renovation, permission in writing from the body corporate is required. The Committee will review the request and determine whether an Asbestos Management Plan is required. If so, the owner is required to submit an Asbestos Management Plan (AMP) concurrently with the proposal to the committee. The asbestos management plan must be reviewed and approved by the Committee prior to any proposal being approved. Once approved, guidelines for the renovation must be followed. Failure to comply may require re-establishment of the original and any related costs being on charged to the owner. Early discussions with the body corporate for guidance are strongly advised.

12 PERGOLAS

Mr Zaragoza provided a summary of the legal advice received from Mr Jonathan Wood, which indicated that the majority of the structures are considered more than likely to be unit/private property, with only a small, undetermined fraction potentially being common property. The advice further indicated that the cost of repairs can be charged to the ground floor unit owners, although there may also be justification for distributing the cost among all owners, depending on their level of usage.

After a brief discussion, owners agreed to go with option (a) to repair the pergolas rather than option (b) to replace the pergolas. Additionally, the owners expressed a preference for the quote provided by Gerrard Enterprises Limited, which had been included in the meeting agenda.

Further discussion was held about who would be responsible for paying for the repair of the pergolas. However, Mr Zaragoza noted that while the discussion would be minuted, a resolution could not be reached at this time, as it was not part of the Agenda.

Resolved: **(a)** That the Body Corporate shall undertake repairs to the pergolas in the 2025-2026 financial year, and that the Committee is to take all steps, including the signing of documentation, to provide for the repairs to be undertaken by the company preferred by most Owners during discussion of the quotes, as circulated with the meeting agenda, prior to the meeting.

Motion Failed: **(b)** That the Body Corporate shall undertake replacement of the pergolas in the 2025-2026 financial year, and that the Committee is to take all steps, including the signing of documentation, to provide for the replacement works to be undertaken by the company preferred by most Owners during discussion of the quotes, as circulated with the meeting agenda, prior to the meeting.

13 COMMON MAINTENANCE MATTERS

Resolved: That the Body Corporate's Chairperson and Committee are to agree, approve and arrange the maintenance required over the forthcoming year.

14 LONG TERM MAINTENANCE PLAN (LTMP)

An updated independent LTMP is due to be requested of Solutions in Engineering in 2026.

Resolved:
(i) That the Committee is to continue to review the Body Corporate's LTMP drafted by Solutions In Engineering in 2023 on an annual basis and arrange for any changes arising as a result of the review process to be incorporated into the LTMP.

(ii) That the Body Corporate's Committee is to continue to arrange the required maintenance set out in the Plan as and when required.

15 LONG TERM MAINTENANCE FUND (LTMF)

Resolved: That the Body Corporate does not maintain a LTMF but utilises a Contingency Fund to finance its LTMP.

16 HEALTH & SAFETY AT WORK ACT 2015

Mrs Joan Linn advised the nonslip edge strips were put onto the 3 new flights of stairs as required under the H&S Report of 2023.

Resolved: That the Body Corporate instructs the Committee to continue to update the hazard register for the complex and to attend to any hazards as may be required to either remove, minimise or highlight them to ensure a safe environment for all residents, owners and visitors.

17 BUDGET AND LEVIES

The **Insurance-Premiums** budget item was updated from $19,277.39 excl GST to $19,965.57 excl GST to reflect the acceptance of the insurance renewal quote, as outlined in item 9 of the agenda.

Resolved:
(i) That the Body Corporate adopts an **operating account budget** of **$71,935.57 excl GST** and a **contingency fund budget** of **$23,063.04 excl GST** for the period **1 January 2025 to 31 December 2025** and sets the levy due date as **1 May 2025.**

(ii) That Strata is authorised to pay standard/regular accounts on behalf of the Body Corporate as they fall due, which accounts relate to the day to day operation of the Body Corporate in accordance with the approved budget, but that any non-standard accounts are to be approved by the Chairperson and Committee.

18 DEBT RECOVERY REGIME

Resolved: That the Body Corporate reaffirms its previous comprehensive debt collection regime resolution that seeks to recover from owners who do not pay their levies on time, the full costs associated with all aspects of collecting those levies which term includes all other sums due from the owners to the Body Corporate (please see minutes of previous AGM's detailing the Debt Collection Regime which are on the Body Corporate's 'Owner Portal' at www.bodycorporate.co.nz).

19 TAX AGENT

Resolved: That the Body Corporate authorises Strata to appoint a tax agent on their behalf which shall have access to the Body Corporate's tax types and be able to liaise with the Inland Revenue Department and obtain information from the Inland Revenue Department on the Body Corporate's behalf.

20 AUDIT OF THE BODY CORPORATE'S FINANCIAL STATEMENTS

Resolved: That all transactions of the Body Corporate are to be made through the Strata Trust Account, which is subject to a two monthly transactional audit by Forbes, Chartered Accountants, and that any interest earned on Body Corporate funds be retained by Strata to offset the Trust Account operating and audit costs, on the proviso that any monies other than those in the working/operational account, may at the direction of the Committee be held in a separate deposit (saver/fixed term deposit) account with interest accruing for the benefit of the Body Corporate, less handling and administration fees; and that in terms of Section 132(8) of the Unit Titles Act 2010, the Body Corporate does not appoint an auditor for the financial statements for the most recently completed financial year.

21 COMMUNICATION

Resolved: That if Strata has an email address on file for an owner, all correspondence will be sent by email only and not by post, notwithstanding that if Strata is notified in writing by an owner that correspondence is to be sent to them by post that this request will be actioned and no information will be sent to that owner by email.

22 MINUTES TO BE A RECORD OF THE BUSINESS OF THE ANNUAL GENERAL MEETING

Resolved: That if within thirty days of distribution of the minutes Strata does not receive any written request from a person who attended the meeting to amend any part of the minutes, that the minutes are adopted as a true and accurate record of the Annual General Meeting.

23 GENERAL BUSINESS

(i) Owners in attendance agreed that there was insufficient information to make a decision on whether to remove the tree in the common property garden outside of Flat 14. Until such time as the Council drainage plans were available, in order to check if the drains were under the tree, that the roots could cause blockage of any drains in the future as the tree continues to get bigger. The owners agreed that the tree will continue to be monitored, and a decision on its removal will be deferred to the next AGM.

Motion failed: The Body Corporate agrees to remove the tree outside Flat 14.

Items entered by Unit 21:

(ii) Roof:
- The warranty from Johnson Roofing states that the 30-year coverage is valid.
- Mr O'Reilly confirmed that, after the roof work was completed, the aerial was reinstalled and then was removed later.
- It was reported that perforations occurred due to the fasteners used during the re-installation of the t.v. aerial which has resulted in premature corrosion of the iron on the roof.
- Mr Peter Buchanan felt that all cables running across the roof, now deemed obsolete, should be removed. Some of these cables are secured to the gutter, which is contributing to the corrosion.
- While the owners considered reaching out to Johnson Roofing for their input, there have been ongoing

difficulties in getting the company to address previous issues.

- Mr O'Reilly suggested bringing in an independent inspector to assess the roof and identify the areas of concern. Mrs Linn suggested Sean Brandon of RDM.
- Although Johnson Roofing will return to address issues covered under warranty, they have stated they will not return for any additional work beyond that.
- Moving forward, Mr O'Reilly will follow up with Johnson Roofing regarding these concerns.

(iii) Body Corporate Rules: Refer to item 11 of the Agenda.

(iv) Vegetation: Maintenance of the trees to be included in next year's budget. Mr Buchanan expressed that he is happy to look into this and provide an informal plan to present to the Committee.

(v) Pergola: Refer to item 12 of the Agenda.

(vi) History of Khyber Pass Road: The owners briefly discussed Mr Buchanan's proposal to compile the history of 373 Khyber Pass Road, but it was agreed that this matter could be revisited and explored further in the future. Mrs Linn expressed interest in this idea.

Items entered by Unit 4:

(vii) Garden Issues: Mr O'Reilly to obtain the contact details of the Body Corporate Manager from Boutique Body Corporate for 2 Maungawhau Road, so a formal letter can be sent to them to resolve the issue of a resident or residents dumping garden waste on the BC property. Mr O'Reilly suggested reaching out to Boutique Body Corporate first before pursuing legal action.

(viii) Installation of Windows: Refer to item 11(ii) of the Agenda.

(ix) Property Name: The suggestion to name the property 'Secret Garden' was rejected due to concerns that it might lead people to mistakenly believe the property is a public area and walk through it.

24 AGM CLOSURE

With no further business to resolve, Mr Zaragoza thanked those present and closed the meeting at 8.38pm.

NOTES:

(a) Payment of levies: A levy notice will be distributed with the minutes of this AGM. Levies can be paid electronically by:

- **Internet Banking** - Banking details will be shown on the levy notice.
- **Eftpos** - Eftpos facilities are available at Strata's office.
- **Credit Card** - Credit card payments can be made by phone or at the offices of Strata. Please note that any payment by credit card attracts a 4% merchant fee. **Visa/Mastercard only.**

(b) Strata Owner Portal Access:

Owners have 24 hour access to their body corporate information via Strata's website. To access this service visit www.stratatitle.co.nz and click on the Owner Portal button to log in. If owners require their personal login details would they please email bc@stratatitle.co.nz and we will issue/reissue the necessary access login.

Information which can be accessed via the owner portal is:

- Personal address details (which can be changed on owner's instructions);
- Personal levy account history; and
- **Copies of many body corporate documents including: recent AGM notices, agendas, minutes, insurance certificate and your Body Corporate's rules.**

FOR FURTHER INFORMATION ON THE:
UNIT TITLES ACT 2010: please go to the link

<http://www.legislation.govt.nz/act/public/2010/0022/latest/DLM1160440.html>

UNIT TITLES REGULATIONS 2011: please go to the link

<http://www.legislation.govt.nz/regulation/public/2011/0122/latest/DLM3695701.html>

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Approved Budget
to apply from 01/01/2025

Body corporate 184031 — 373 Khyber Pass Road, Epsom Auckland 1023

General

Operating Account

		Approved budget	Actual 01/01/2024-31/12/2024	Previous budget
Revenue				
142700	Income Tax Refund - IRD	0.00	166.03	0.00
143000	Levies Due--Operating	71,935.57	57,700.75	57,700.70
	Total revenue	71,935.57	57,866.78	57,700.70
Less expenses				
156200	Admin--Legal/Professional Fees	0.00	434.78	0.00
154000	Admin--Management Fees--Standard	6,000.00	6,000.00	6,000.00
152802	Admin--Prof. Fee--IRD Returns (GST/ICT)	1,150.00	1,500.00	1,150.00
159101	Insurance--Office Bearers Liability	630.00	620.00	620.00
159100	Insurance--Premiums	19,965.57	17,430.70	17,430.70
159200	Insurance--Valuation	640.00	0.00	650.00
161400	Maint Bldg--Building Wash	5,000.00	2,763.50	5,000.00
167200	Maint Bldg--General Maintenance & Disbursements	7,200.00	6,186.09	7,200.00
162900	Maint Bldg--Health & Safety (Inspection/Report/Expenses)	10,000.00	9,869.70	10,000.00
178600	Maint Grounds--Gardens & Plants	6,000.00	6,125.00	6,000.00
190200	Utility--Electricity (Common Area)	1,100.00	1,073.50	950.00
190800	Utility--Rubbish & Waste Removal	5,750.00	5,643.06	5,500.00
191200	Utility--Water & Wastewater	8,500.00	8,611.91	7,200.00
	Total expenses	71,935.57	66,258.24	67,700.70
Surplus/Deficit		0.00	(8,391.46)	(10,000.00)
	Opening balance	16,946.44	25,337.90	25,337.90
Closing balance		$16,946.44	$16,946.44	$15,337.90
Total units of entitlement		10000		10000
Levy contribution per unit entitlement		$8.27		$6.64
Budgeted standard levy revenue		71,935.57		57,700.70
Add GST		10,790.34		8,655.10
Amount to raise in levies including GST		$82,725.91		$66,355.80

General

Contingency Fund

		Approved budget	Actual 01/01/2024-31/12/2024	Previous budget
Revenue				
243100	1 Levies Due--(Special)--Contingency	0.00	34,431.33	0.00
243000	1 Levies Due--Contingency Fund	23,063.04	25,000.00	25,000.00
242600	1 Net Intt. on Investments--Cont.	0.00	727.43	0.00
	Total revenue	23,063.04	60,158.76	25,000.00
Less expenses				
251401	1 Contingency--Bank/Admin. Fee	0.00	36.37	0.00
254400	1 Contingency--Other Expenses	0.00	64,481.44	0.00
	Total expenses	0.00	64,517.81	0.00
Surplus/Deficit		23,063.04	(4,359.05)	25,000.00
	Opening balance	54,903.72	59,262.77	59,262.77
Closing balance		$77,966.76	$54,903.72	$84,262.77
Total units of entitlement		10000		10000
Levy contribution per unit entitlement		$2.65		$2.88
Budgeted standard levy revenue		23,063.04		25,000.00
Add GST		3,459.46		3,750.00
Amount to raise in levies including GST		$26,522.50		$28,750.00