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20 January 2021

Dear Owner,

**Re: Body Corporate 184638
Property at Gladstone, 57 Gladstone Road, Northcote, Auckland
Notice of Intention to Hold Annual General Meeting**

The Chairperson of your Body Corporate has instructed Strata Title Administration Ltd (Strata) to convene the Annual General Meeting (AGM) which will be held at the office of Lochore's Body Caproate, 100 Mokoia Road, Birkenhead, Auckland, commencing at 6:00pm on Thursday, 11 February 2021.

The purpose of this notice is not only to seek from you nominations for the Body Corporate's Chairperson and for the Body Corporate's Committee, but also to ask if you want any particular issue to be an item of general business at the AGM:

- (a) **Nomination of a chairperson:** Your Body Corporate must elect a chairperson (who must be the owner of a principal unit) by ordinary resolution at every AGM of the Body Corporate. A candidate for election as chairperson must be nominated by another unit owner in the Body Corporate. The Chairperson's duties are detailed in Regulation 11 which is set out on Strata's website: www.stratatile.co.nz and can be viewed by clicking on FAQs/Chairpersons' duties.
- (b) **Nomination of candidates for election as committee members:** The Unit Titles Act stipulates that a body corporate of up to nine principal units may elect a committee. However, all bodies corporate of 10 or more units must form a committee. A committee member must be the owner of a principal unit, must be nominated by an owner of a principal unit and may nominate himself or herself.
- (c) **General agenda items for discussion:** Do you want to nominate any item of general business? If so please provide details on the attached form.
- (d) **Levies:** Please note that in accordance with the Unit Title Regulations 2011 a unit owner may not vote unless all body corporate levies and other amounts that are from time to time payable to the body corporate in respect of the unit have been paid.

The Unit Titles Regulations stipulate that a body corporate must give a minimum of two weeks' notice of the AGM. Strata intends to send the agenda for the AGM to all owners no later than Wednesday, 27 January 2021. Should you wish to nominate an owner for the Chairperson, or the Committee, or request an additional item of business, please complete the attached nomination form and return it to lynnormack@stratatile.co.nz, or via post to PO Box 3187, Auckland 1140, to be received by Strata no later than 5:00pm on Monday, 26 Tuesday 2021. Because of the time constraints laid down in the Act and Regulations, nominations and any other requests, not received by this date cannot be included in the Agenda.

I look forward to seeing you at the AGM.

Yours sincerely,

Lynn Cormack
Senior Body Corporate Manager

Lynne Rhone

~~022 1063 55~~

022 3700 854

BODY CORPORATE NO 184638 (BODY CORPORATE)

Property at Gladstone, 57 Gladstone Road, Northcote, Auckland

NOTICE IS HEREBY GIVEN that the ANNUAL GENERAL MEETING (AGM) of the Body Corporate will be held at the office of Lochore's Body Corporate, 100 Mokoia Road, Birkenhead, Auckland, commencing at 6:00pm on Thursday, 11 February 2021.

AGENDA:

- 1 **APPOINTMENT OF CHAIRPERSON OF THE MEETING**
To consider resolving: That the Body Corporate elects Ms Cormack a representative of Strata Title Administration Ltd (Strata) to chair the meeting.
- 2 **APOLOGIES, PROXIES AND POSTAL VOTES**
To consider resolving: That the apologies, proxies and postal votes be accepted and the meeting declared quorate.
- 3 **FINANCIAL STATEMENTS**
Discussion of the attached financial report. (*Attached*)
To consider resolving: That the Body Corporate approves the financial report for the period 1 January 2020 to 31 December 2020.
- 4 **CONFIRMATION OF THE MINUTES OF THE LAST ANNUAL GENERAL MEETING**
To consider resolving: That the Minutes of the last Annual General Meeting held at 12 February 2020 are a true and correct record and there were no matters arising.
- 5 **REPORT FROM THE COMMITTEE**
In accordance with Unit Titles Regulations 28(1) and 28(3) to receive a report from the Committee (*to be tabled at the meeting*).
To consider resolving: That the Committee's report is adopted.
- 6 **CHAIRPERSON OF THE BODY CORPORATE**
A nomination has been received for Scott Martin (17) to be appointed as Chairperson of the Body Corporate.
To consider resolving: That the Body Corporate appoints Scott Martin as the Chairperson of the Body Corporate.
- 7 **COMMITTEE**
Nominations have been received for Scott Martin (17) and Murray Coombridge (10) to be candidates for election as committee members.
To consider resolving: That the Body Corporate elects a committee of two members, which shall have a quorum of two members, comprising:
Scott Martin (17) and Murray Coombridge (10)
- 8 **DELEGATION OF DUTIES**
To consider resolving by special resolution: 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.
- 9 **OFFICE BEARERS LIABILITY INSURANCE**
To acknowledge the liability on owners elected to the positions of chairperson and members of a committee, and also the Body Corporate as an entity.
To consider resolving: That the Body Corporate accepts the quote from NZI for \$810.75 for OBL cover of \$1 Million, to cover both indemnity and defence costs, for the period 12 February 2021 to 12 February 2022.
- 10 **BODY CORPORATE REINSTATEMENT INSURANCE**
Discussion of the Body Corporate's reinstatement insurance and valuation requirements and the attached competitive quotations.
To consider resolving: That the Body Corporate insures with Vero for principal cover at the quoted premium of \$18,261.65 for the period 12 February 2021 to 12 February 2022. and that Strata is to arrange the annual reinstatement valuation every second year and pay the cost as per the budget; and that for the alternate years

when a valuation is not obtained the sum insured is to be the figure from the previous year's valuation increased by a further 5% to allow for inflation.

11 INSURANCE EXCESS

To consider resolving: 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.

12 SERVICE CONTRACT

Discussion of the administrative requirements of the Body Corporate.

To consider resolving: That the Body Corporate renews its Service Contract with Strata to assist the Body Corporate to perform its duties under the Act and Regulations, which Service Contract is to be agreed with and signed by the Committee or Chairperson.

13 COMMON MAINTENANCE MATTERS

(i) To consider resolving: That the Body Corporate's Chairperson/Committee is to agree and approve the maintenance required over the forthcoming year.

Intercom/gate access

(ii) To consider resolving: That the Body Corporate's committee is to accept the most competitive quotation for the upgrade to the intercom/gate access system. It is noted that all owners were requested to complete a survey around this during 2020, and the response from the unit owners was poor.

With only a 47% response rate, the committee felt it was unable to proceed with investigating a solution until such time a response is received from all owners.

Painting Quotations

(iii) To consider resolving: That the Body Corporate's committee accept the most competitive painting quotation (to be tabled at the AGM), appoint the contractor, oversee the project and make payment of the invoice from funds held in the contingency fund.

14 LONG TERM MAINTENANCE PLAN (LTMP)

To discuss the Body Corporate's obligation to review its LTMP every three years.

To consider resolving:

(i) That the Committee is to review the Body Corporate's LTMP drafted by Solutions in Engineering and arrange for any changes arising as a result of the review to be incorporated into the LTMP. *(Attached)*

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

15 HEALTH & SAFETY AT WORK ACT 2015

The Body Corporate has a health & safety report and hazard register for the complex which the Committee review and update to ensure any hazards noted are removed, minimised or highlighted and any new hazards are noted. Owners are encouraged to ensure they have reviewed the Hazard Register and advise any other relevant parties, including tenants of these hazards where necessary.

The Body Corporate also resolved procedures in relation to the induction of contractors to site and asbestos at its 2020 AGM.

To consider resolving: 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.

16 BUDGET AND LEVIES

To review the proposed budget *(attached)* for the Body Corporate for the forthcoming financial year.

To consider resolving:

(i) That the Body Corporate adopts a **working account budget of \$37,223.39** and a **contingency fund budget of \$27,000.00** for the period 1 January 2021 to 31 December 2021 and sets the levies to be due in two equal instalments on **1 March 2021** and **1 September 2021**.

(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/Committee.

17 DEBT RECOVERY REGIME

To consider resolving: That if a duly authorised levy or any sum payable by an owner to the Body Corporate is

Contingency Fund

		Proposed budget	Actual	Previous budget
		01/01/2020-31/12/2020		
Revenue				
243000	1 Levies Due--Contingency Fund	27,000.00	13,500.06	13,500.00
242600	1 Net Intt. on Investments--Cont.	0.00	215.82	0.00
	<i>Total revenue</i>	27,000.00	13,715.88	13,500.00
Less expenses				
254600	1 Contingency--Other Expenses 2	5,492.00	0.00	0.00
264800	1 Maint Bldg--Electrical	0.00	747.10	8,137.00
276800	1 Maint Grounds--Fencing--Boundary	0.00	5,944.65	10,292.00
277800	1 Maint Grounds--Irrigation Systems	0.00	0.00	14,839.00
282000	1 Prof. Fees - Preperation of LTMP	1,018.00	0.00	0.00
	<i>Total expenses</i>	6,510.00	6,691.75	33,268.00
Surplus/Deficit		20,490.00	7,024.13	(19,768.00)
	Opening balance	87,929.22	80,905.09	80,905.09
Closing balance		\$108,419.22	\$87,929.22	\$61,137.09
Total units of entitlement		10000		10000
Levy contribution per unit entitlement		\$2.70		\$1.35

not paid by due date that the owner is liable to the Body Corporate for interest on the outstanding balance at 10% per annum; all debt collecting costs; including Tenancy Tribunal/court costs incurred by the Body Corporate in accordance with the following procedure:

- If payment of the levy notice is not made by the due date a reminder letter is sent to the defaulting owner requesting payment of the levy and stating that if the levy is not paid within seven (7) days a Late Payment Charge of \$126.50 including GST (if any) will be incurred; [letter #1]
- If payment of the levy notice is not received within seven (7) calendar days of the due date, a letter is sent to the defaulting owner requesting payment of the levy and the \$126.50 including GST (if any) Late Payment Charge, and advising that if these amounts are not paid within seven (7) calendar days an additional Late Payment Charge of \$253.00 including GST (if any) will be incurred; [letter #2]
- If payment of the levy notice and Late Payment Charges are not received within seven (7) calendar days of Letter #2 being sent, a third letter is sent to the defaulting owner requesting payment of the levy plus all accumulated Late Payment Charges and advising that if these amounts are not paid within seven (7) calendar days an additional Late Payment Charge of \$253.00 including GST (if any) will be applied; [letter #3]
- If payment of the levy notice and accumulated Late Payment Charges are not received within seven (7) calendar days of Letter #3 being sent, a "Notice of Impending Legal Action" letter is sent to the defaulting owner requesting payment of the levy plus all accumulated Late Payment Charges and advising that the debt will be turned over to a solicitor if the total outstanding amount is not paid within seven (7) calendar days; [letter #4] and
- Pursuant to Section 171(3) of the 2010 Act, the Body Corporate hereby appoints Price Baker Berridge (PBB) to act as its agent on its behalf in relation to any dispute.

18 TAX AGENT

To consider resolving: That the Body Corporate authorises Strata to appoint a tax agent on their behalf. The tax agent will 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.

19 AUDIT OF THE BODY CORPORATE'S FINANCIAL STATEMENTS

Explanation of section 132(8) of the Act.

To consider resolving by special resolution: 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 Battley & Johnson, Chartered Accountants, and that any interest earned on Body Corporate funds be retained by Strata to offset the Trust Account operating and audit costs, 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.

20 COMMUNICATION

To consider resolving: 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.

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

To consider resolving: 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.

22 AGM CLOSURE

NOTES:

- Quorum:** For a valid meeting 25% of unit owners must be present either by postal votes or in person or by proxy. If a quorum is not reached the meeting must be adjourned until the same day 1 week later and the reconvened meeting must be held at the same time and place. The number of unit owners at the adjourned meeting are deemed to be a quorum.
- Voting at the Meeting:** You cannot vote at the meeting unless all levies and any other money due from the owner has been paid to the Body Corporate.
- Resolutions:** For voting purposes an ordinary resolution is passed if a majority of eligible voters who vote on the resolution vote in favour of the resolution. A special resolution is passed if 75% of eligible voters who vote on the resolution vote in favour of the resolution.

(d) **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.**

(e) **Strata Owner Portal Access:**

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

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>

MINUTES OF BC 184638 57 GLADSTONE ROAD, NORTHCOTE Annual General Meeting

Held at the offices of Lochore's Body Corporate 100 Mokoia Road, Birkenhead, on
Wednesday 12 February 2020 at 6pm.

Item		Action
1.	<p>Attendance: Shirley Bailey Trust – Shirley Bailey (8) Murray Coombridge (10) White Summit Service Trust – Scott Martin (17)</p> <p>Garry Denley and Lynn Cormack representing Lochore's/Strata Title Administration as the Body Corporate Manager's</p>	
2.	<p>Meeting Chairperson: Resolved to appoint Garry Denley to chair the meeting.</p>	
3.	<p>Apologies and Proxies:</p> <p>Apologies: Colin Ratcliffe (3)</p> <p>Proxies: Paul Hunnago (13) to Alan Barber - Alan Barber did not attend the AGM – Proxy not tabled Paul & Jean Lochore (1 and 15) – Proxy to Garry Denley</p> <p>Resolved to accept the apologies and proxies.</p>	
4.	<p>Confirmation of Minutes of the last Annual General Meeting: Resolved that the Minutes of the last Annual General Meeting held 12 February 2019 are a true and correct record and there were no matters arising.</p>	
5.	<p>Discussion of the Annual Accounts: Bank balance as at 31 December 2019: Operating account \$15,117. Investment account \$70,518.</p> <p>Resolved that the annual accounts for the financial year to 31 December 2019 are received and accepted as presented.</p> <p>It was agreed by the owners present to transfer the balance in the Long-Term Maintenance Fund to the Investment Account.</p>	

6.	<p>Independent Audit of Accounts: Resolved by Special Resolution that an independent audit of the Body Corporate accounts is not required.</p>	
7.	<p>Chairperson and Committee Members Duties: The Body Corporate resolves by special resolution that: a) The duties of the Body Corporate Chairperson listed in regulation 11(1)(a)-(m) are delegated to the Body Corporate Committee. b) The duties of the Body Corporate are delegated to the Body Corporate Committee.</p>	
8.	<p>Election of Chairperson/Committee Chairperson: The Meeting resolved to elect Scott Martin (17) as the Chairperson/Committee chairperson for the coming year.</p>	
9.	<p>Election of Committee Members: The Meeting resolved to elect a committee of three for this financial year which shall have a quorum of two. Scott Martin (17) Shirley Bailey (8) Murray Coombridge (10)</p>	
10.	<p>Insurance: Valuation: \$9,471,000.00 Premium: \$18,768 Including GST and Office Bearers of \$810.75 Motion Resolve to confirm the insurance policy with Vero and premium for the coming year, as recommended by the Committee. Note: The increase in premium and cover is due to a new valuation plus EQC levies rising by \$1900. Plus, GST. Note: It is strongly recommended that landlords carry out regular inspections e.g. three monthly.</p>	GD
11.	<p>Continuation of Service Contracts: a) DK Gardens b) Lochores Body Corporate/Strata Title Administration Resolved to confirm the service contracts for the next 12 months. The Strata Title Administration Service Contract is to be signed by the Chairperson and a Committee Member.</p>	

12.	<p>Current Maintenance Requirements:</p> <p>1) Flush all gutters and downpipes, treat roof. It was agreed to accept the quotation from The Building & House Wash Company quote - \$3425 including GST. Proceed in June 2020.</p> <p>2) Check Boundary Fences. The Committee undertook to carry out an investigation on the condition of the Boundary fence and obtain quotation for any necessary repairs and maintenance.</p> <p>3) Discuss the intercom system replacement. See quotations attached. This is a Long-Term Maintenance plan budget The Committee requested that the service provider undertakes to run all necessary tests to ensure that the system is fit for purpose prior to the quote being accepted by the Committee.</p>	
13.	<p>Long Term Maintenance Plan: The Meeting agreed to confirm the OPUS Long Term Maintenance Plan (LTMP), as recommended by the Committee.</p> <p><u>Motion</u> Resolve to confirm the OPUS Long Term Maintenance Plan as recommended by the Committee.</p> <ul style="list-style-type: none"> • Fence repairs - allow \$10,394.00 Including GST. • Intercom System allow up to \$5,500.00 Including GST. • Painting due in 2022, surface of the paint work is to be checked following the Chemwash. • It was agreed that the Committee is to investigate the option of upgrading all the external lighting to LED. 	Committee
14.	<p>Long Term Maintenance Fund: Resolved to approve the Long-Term Maintenance funding of \$13,512 for the financial year to 31 December 2020.</p>	
15.	<p>Proposed Budget for 2019:</p> <p>Resolved to approve and accept the annual levy budget of \$42,000 for the next financial year to 31 December 2020 and that the Body Corporate Manager is authorised to pay all accounts as per the budgeted expenditure. Any expenditure in excess of budget shall require committee approval.</p>	GD
16.	<p>Levy Payments: Resolved that levy payments are to be paid on the following dates 1 March and 1 September 2020.</p>	

<p>17.</p>	<p>Debt Collection/Aged Arrears: Resolved that Strata Title Administration recover any unpaid levies 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.</p> <p>All costs, debt administration fees and expenses involved in the recovery shall be charged against the defaulting proprietor in full and that Glaister Ennor lawyers, or other lawyers appointed by the Committee, act as duly appointed agents for the Body Corporate where required, for debt collection.</p>	
<p>18.</p>	<p>Health and Safety: Owners, landlords and tenants must advise Lochore’s Body Corporate of any Health and Safety issues. Currently there are no outstanding Health and Safety issues the committee is aware of.</p> <p>The Meeting confirmed that Health and Safety Site Procedure Notices have been sent to all owners. In addition, Contractor Site Procedure Notices have been sent to Body Corporate Contractors. This will be an annual activity.</p> <p>The new HSNZ Health and Safety Report was discussed at the Meeting. No Health and Safety issues had been reported to the Committee in the last 12 months.</p> <p>It was agreed that the Committee is to investigate painting yellow hazard warning strip between the ridge and the pedestrian gate, in order to mitigate the Health and Safety Risk.</p> <p>All owners are reminded of the requirements of the Healthy Homes, and when installing heat pumps/ventilation into the units and penetrating the external cladding, the Body Corporate a certificate of warranty to ensure that due care has been taken of the external cladding.</p>	<p>GD Committee</p>
<p>19.</p>	<p>Tenants – Rule 24: As a reminder – Body Corporate Rule 24 requires all landlords, including property management companies, to advise Lochore’s Body Corporate of the names and contact details of their current tenants. This will assist the Body Corporate to contact tenants for maintenance purposes or in emergencies. Owners and Property Managers are asked to advise Lochores Body Corporate prior to tenants moving in or out of their units. This allows for the monitoring of rubbish disposal etc.</p>	

20.	<p>Absent Owners: Owners who are tenanting their units and are out of New Zealand for 21 days or more, are required by law, to advise Lochore's Body Corporate of the name and contact details of their New Zealand agent.</p>	
21.	<p>Contents Insurance: Contents insurance cover is recommended for each unit occupier and landlords should ensure this is suggested to tenants at the commencement of the tenancy.</p>	
22.	<p>Matters for Discussion: Nil</p>	GD
	<p>Notes: Important Notice to All Owners: Please note that due to the workload created Lochores Body Corporate will not have any involvement in the organisation of any inorganic collections either now or in the future. Please contact Auckland Council direct when notified of the collections in the area. In addition, we will not take any responsibility for any Health and Safety issues which may arise through having inorganic contractors on site.</p> <p>Insulation Installer: Eco Insulation – Ph: 0800 400 326. Web: snughomes.co.nz/ecoinsulation.co.nz An insulation certificate will be provided.</p>	

Meeting closed: 6.55pm