

► PRE-CONTRACT DISCLOSURE STATEMENT

s 146 Unit Titles Act 2010 and s 33 Unit Titles Regulations 2011

Date prepared: 30th June 2026

Unit plan: 42363

Body corporate name and number: MANUKA COURT BC 42363

Unit number: PU-K & AUK1, AUK2, AUK3

1. Pre-contract Disclosure Statement

This Pre-contract Disclosure Statement is provided to prospective buyers of the property in accordance with section 146(1) of the Unit Titles Act 2010.

2. General Information

This document contains brief explanations of information relevant to the purchase of a unit titled property. It is highly recommended that the buyer obtains independent legal advice by consulting their legal representatives about any information contained in this statement and before signing a contract to buy in a unit titled development.

Further information on buying, selling, or having a unit plan can be obtained from the Tenancy Services website: <http://www.tenancy.govt.nz/uta/>. The Ministry for Business, Innovation and Employment also has available various publications on unit title properties that may be of assistance.

Unit Titled Property Ownership:

A body corporate comprises all owners of unit titled development. Unit titles are a form of multi-unit ownership and allow owners to own an area of land or part of a building and share with other unit owners the common property.

There are various rights and responsibilities that differ to the more traditional house and land ownership structure.

Unit titled ownership has a body corporate structure where decisions about the units and the common property need to be made by the owners working as a collective. The main governing legislation for unit titled properties is the Unit Titles Act 2010 and its Regulations.

Generally, a body corporate may arrange maintenance and upkeep of the building, the building insurance, general amenities such as rubbish collection, gardening etc as agreed upon by the owners. The funding of a body corporate is by levies that are attached to each unit. Levies are collected for the general upkeep of the building and its amenities as well as for long-term maintenance of the complex. The long-term maintenance plan of the complex is required under the Unit Titles Act 2010 and its Regulations to be for a minimum period of 10 years for complexes with less than 10 units and a minimum of 30 years for complexes with 10 or more units.

Some complexes have their own particular rules for the management of the complex known as the body corporate or operational rules. If the complex does not have a set of body corporate or operational rules, the rules that the complex has currently under the Schedule 2 and 3 rules of the Unit Titles Act 1972 will default (unless agreed otherwise by the body corporate) to the Schedule 1 Rules of the Unit Titles Act Regulations 2011 on 1 October 2012.

Each year, the body corporate must hold an annual general meeting for decisions to be made about the units and the common areas of the complex. There may be further meetings during the year depending on the nature of the complex, its structure, or any issues that it may be experiencing. Sometimes an extraordinary general meeting may need to be held if there is a particular reason for holding a meeting outside of an annual general meeting. There may also be committee meetings held throughout the year.

Unit Plan:

A unit plan is a plan that has been or is intended to be deposited under the Land Transfer Act 1952 in accordance with the Unit Titles Act 2010 and its Regulations. The depositing of the unit plan with Land Information New Zealand (LINZ) forms the body corporate. The unit plan is a formal record showing the boundaries of the principal units, any accessory units and common property in the development.

Ownership and Utility Interest:

Ownership Interest:

Before a unit plan is deposited under ss 17(1), 21(1) or 24(2) of the Unit Titles Act 2010, every principal unit and every accessory unit must be assigned an ownership interest. Every proposed principal unit and every proposed accessory unit must be assigned a proposed ownership interest.

The ownership interest or proposed ownership interest is fixed by a registered valuer on the basis of the relative value of the unit in relation to each of the other units and shown on any documentation required to be lodged with the unit plan.

In the case of a stage unit plan or complete unit plan, the ownership interest is that fixed by a registered valuer on the basis of the relative value of the unit in relation to each of the other units and shown on any documentation required to be lodged with the proposed unit development plan.

The ownership interest is used to determine a range of matters including but not limited to:

The beneficial interest of the owner of the principal unit in the common property.

The share of the owner of the principal unit in the value of any buildings, fixtures, and other improvements in relation to leasehold land.

The voting rights of the owner of the principal unit when a poll is requested under s 99 of the Act.

The share of the owner of the principal unit in the underlying fee simple in the land on the cancellation of the unit plan.

The extent of the obligation of the owner of the principal unit in respect of contributions levied by the body corporate under s 121 of the Unit Titles Act 2010 in respect of any capital improvement fund.

The rights of the owner of the principal unit in relation to a distribution of any surplus money of a capital improvement fund under s 131 of the Unit Titles Act 2010.

The extent of the obligation of the owner of the principal unit for payment of ground rental under s 87 of the Unit Titles Act 2010.

The extent of the liability of the owner of the principal unit for payment of ground rental under s 87 of the Unit Titles Act 2010.

The extent of the liability of the owner of the principal unit for damages and costs under s142 of the Unit Titles Act 2010.

The proposed ownership interest for a future development unit is the total of all the proposed ownership interests of the proposed principal units and proposed accessory units in the future development unit assigned under s 38(1)(b) of the Unit Titles Act 2010.

The proposed ownership interest is used to determine the same range of matters described in s 38(3) of the Unit Titles Act 2010 in so far as they apply to an owner of a future development unit.

Subject to ss 41 and 69(3) of the Unit Titles Act 2010 no change may be made in the ownership interest of any unit after the unit plan is deposited.

Utility Interest:

Before a unit plan is deposited under ss 17(1), 21(1) or 24(2)(a) of the Unit Titles Act 2010, every principal unit and every accessory unit must be assigned a utility interest.

The utility interest is the same as the ownership interest fixed under s 38(2) unless otherwise shown on any documentation required to be lodged with the unit plan deposited under ss 17(1), 21(1), or 24(2)(a) or reassessed under s 41 of the Unit Titles Act 2010.

The utility interest is used to determine a range of matters including, but not limited to:

The extent of the obligation of the owner of the principal unit in respect of the contributions levied by the body corporate under s 121 in respect of the long-term maintenance fund, the optional contingency fund, and the operating account.

The rights of the owner of the principal unit in relation to a distribution of any surplus money in the long-term maintenance fund, the optional contingency fund, or the operating account, or personal property of the body corporate under s 131.

Body Corporate Operational Rules:

The Unit Titles Act 2010 and its Regulations states that a body corporate can prescribe operational rules for the development, which are incidental rights that apply to the unit owners and body corporate alike. Bodies corporate can amend, add to or revoke these operational rules by ordinary resolution, as long as any amendments are not inconsistent with any provision of the Act. Section 106 of the Act details further restrictions on the scope of amendments or additions to body corporate operational rules.

All unit owners, occupiers and residents (including tenants) must comply with the body corporate operational rules for the complex.

Pre-Settlement Disclosure:

The seller must provide a Pre-Settlement Disclosure Statement no later than the fifth working day before the settlement date. The pre-settlement disclosure statement must contain the following prescribed information and be accompanied by a certificate given by the body corporate certifying that the information in the statement is correct. The body corporate may withhold the certificate if any debt that is due to the body corporate remains unpaid. The prescribed information is:

- the unit number; and
- the body corporate number; and
- the amount of the contribution levied by the body corporate under s 121 of the Act in respect of the unit being sold; and
- the period covered by such contribution; and
- the manner of payment of the levy; and
- the date on or before which payment of the levy is due; and
- whether a levy, or part of a levy, due to the body corporate is unpaid and, if so, the amount of the unpaid levy; and
- whether legal proceedings have been instituted in relation to any unpaid levy; and
- whether any metered charges due to the body corporate are unpaid and, if so, the amount of unpaid metered charges; and
- whether any costs relating to repairs to building elements or infrastructure contained in the unit are unpaid and, if so, the amount of unpaid costs; and
- the rate at which interest is accruing on any money owing to the body corporate by the seller; and
- whether there are any proceedings pending against the body corporate in any court or tribunal; and
- whether there have been any changes to the body corporate operational rules since the Pre-contract disclosure statement.
- whether there are any proceedings-
 - o initiated by the body corporate and pending in any court or tribunal; or
 - o intended to be initiated by the body corporate in any court or tribunal; and
- whether there is any written claim by the body corporate against a third party that is yet to be resolved; and

Record of Title:

A record of title was previously known as a computer register or certificate of title for a unit titled development. A record of title records the ownership of a unit and contains a legal description of the unit's boundaries. It further records any legal interest registered against the title to the unit such as a mortgage or an easement.

A copy of the record of title for the unit should come with the unit plan attached and a supplementary record sheet that records the ownership of the common property, any legal interests against the common property and base land. It also records other information such as address for service of the body corporate and the body corporate operational rules. In a unit titled development, the common property does not have a record of title.

Land Information Memorandum (LIM):

A LIM is a report issued by the relevant Council by request. The purchaser may request a LIM to obtain certain information and there are fees associated for its request payable to the relevant Council. A LIM provides information the Council has about the property. This may include:

- rates information.
- information about private and public storm water and sewerage drains.
- what building consents and code compliance certificates have been issued.

- the district plan classification that relates to the land and its buildings,
- any special features of the land the Council is aware of including downhill movement, gradual sinking, rock fall, flooding etc.
- any possible contamination of the land; and
- any other information the Council deems relevant/necessary.

Easements and Covenants:

Easement:

An easement is a right that is granted over a piece of land in favour of nearby land. The right may not extend as far as giving exclusive possession of the land. There are various forms of easement, and this may include common easements allowing services such as water, sewage, electricity or telephone lines and rights of way that run over defined areas of the land. An easement may apply to a unit titled property and/or to the common areas.

Covenant:

A title may record a covenant on the property. A covenant is an interest in land according to the Property Law Act 2007 and is registered on the title of a property. The intent of a covenant is to limit or restrict the owner and any future owners as to how they use the land or property. Some covenants may be private agreements between parties; others may be imposed by the Council. Developers may use private covenants for controlling how future owners both develop and maintain the land, particularly for residential developments that are being marketed with certain characteristics.

3. Further Information about the matters set out above can be obtained from

Unit title property ownership	Ministry of Business, Innovation and Employment www.unittitles.govt.nz 0800 UNIT TITLES (0800 864 884)
Unit plan Ownership and utility interests Computer register Easements and covenants	Land Information New Zealand www.linz.govt.nz 0800 ONLINE (0800 665 463)
Body corporate operational rules Pre-settlement disclosure statement	The body corporate of the unit title development
Land Information Memorandum	Your local council

For detailed information on any of the above matters relating to your specific circumstances, the Ministry of Business, Innovation and Employment recommends you obtain independent legal advice from your lawyer.

4. Information about the Unit and Body Corporate

4.1. Whether the body corporate or body corporate committee has actual knowledge that any part of the unit title development has-:

- | | Yes | No |
|--|--------------------------|----|
| a. Weathertightness issues for which a claim has been made under the Weathertight Homes Resolution Services Act 2006; or | ☐ | X |
| b. Weathertightness issues that have been remediated without a claim under that Act or other proceedings before a court or tribunal; or | | |
| c. Weathertightness issues that have not been remediated; or | | X |
| d. Earthquake-prone issues; or | ☐ | X |
| e. Any other significant defects in the land (including the unit title development and the land on which it is situated) that may require remediation: | ☐ | x |

4.2. Whether the body corporate is involved in any proceedings in any court or tribunal and, if so, details of the proceedings: ☐ X

4.3. Attached are financial statements and audit reports (where available) for the previous 3 years.

- | | Audited | Not Audited |
|--------------|--------------------------|-------------|
| a. 2023/2024 | ☐ | x |
| b. 2024/2025 | ☐ | x |
| c. 2025/2026 | ☐ | x |

4.4. Attached are notices and minutes of general meetings of the body corporate and the body corporate committee for the previous 3 years.

- a. including all supporting documentation; but
- b. excluding any information that may be redacted for the reasons specified in relation 27A(2):

4.5. The name and contact details of the body corporate manager or managers.

Forte Property Management Limited
40 Bernard Magnus Lane

Greenhithe
Auckland 0632

Tel: +64 (021) 938544

barbara@forteproperty.co.nz

- 4.6. The amount of the contribution levied by the body corporate under section 121 of the Unit Titles Act 2010 in respect of the unit being sold is \$9,558.19
- 4.7. The period covered by the contribution in paragraph 4.6 is 1 January 2026 to 31 December 2026.
- 4.8. The body corporate Budget of \$124,447.48 under section 121 of the Act was set at the Annual General Meeting held 5th March 2026.
- 4.9. The Budget set is for the period 1 January 2026 to 31 December 2026.
- 4.10. The body corporate proposes to carry out the following maintenance on the unit title development in the next 12 months:

Service	Period
Building Wash/ Window Clean	Bi Annually
Common Area Gardening	All garden except behind fences

The annual budget for maintenance is as follows which is included in the operational levies charged to all owners:

Ground maintenance - Gardens & Lawns	\$4,850.00
Ground maintenance - Envirowaste Waste Removal	\$1,000.00

- 4.11. The body corporate has the following accounts:

Account	30.06.2026
Operating Fund Account	\$ 15,735.00
Long-Term Maintenance Fund Savings Account	\$114,886.97

- 4.12. Attached is a copy of the long-term maintenance plan:
- 4.13. The body corporate proposes to carry out or begin the following works under the long-term maintenance plan for the unit title development within the next 3 years and has estimated the costs of the works as follows:

2026/28	Driveway Resurfacing	\$75,000.00
2026/27	Wastewater Pipes Repairs	\$1,750.00
2026/27	Fence Repairs	\$6,100.00
2027/28	Wastewater Pipes Repairs	\$1,750.00

- 4.14. The next review date for the long-term maintenance plan for the unit title development is 2028.
- 4.15. The body corporate maintains insurance cover for the unit title development.

Insurers name:	AIG Insurance New Zealand Limited
Brokers name and contact details	Marsh Limited, Rob Richards Rob.Richards@marsh.com Ph 03 9774341
Type of cover:	Replacement
Amount of cover:	\$4,744,347
Annual premium:	\$13,296.12

Excess payable:	See attached
Specific exclusions from the policy:	See attached insurance summary

Signed by the Seller or their authorised person.

Date: 1/7/26

Signature:



Name of Seller:

Hilary Shaw