+64 9 523 3161
info@prop101.co.nz
PO Box 11355, Ellerslie, Auckland 1542

property 101

Minutes for Annual General Meeting

Unit Titles Act 2010

Body Corporate BC 542907 - Space 1

82 Jellicoe Road, Panmure, Auckland 1072

Held on Wednesday, 24 July 2024 at 6:22 PM
Auckland Netball Centre, 7 Allison Ferguson Drive, St Johns, Auckland 1072

PRESENT:

Unit No.	Name	Voting Status
1P, G03	Cody Lim	Owner present (Zoom)
G06	Mailyn de Jesus	Owner present (pre-voted)
2P, 303	Irihapeti Broughton (Helen Frances)	Proxy present (in-person)
4P, 403	Irihapeti Broughton	Owner present (in-person)
105	Christopher Peak	Owner present (Zoom)
106	Oreen Allmeida	Owner present (in-person)
202	Jordahn Funnell & Cody Webb	Owner present (in-person)
203	Ranga Silva	Owner present (Zoom)
206	Gareth Miller	Owner present (Zoom)
405	Vicky Feng	Owner present (Zoom)
407	David McCauley	Owner present (in-person)
506	Raewyn & George Ashby	Owner present (in-person)
508	Erin Steel	Owner present (in-person)
Property 101	Kareen Mackey	Body Corporate Manager

APOLOGIES:

Unit No.	Name
G04	Nicola Rae

ELECTRONIC VOTES:

Unit No.	Name	Voting Status
G04	Nicola Rae	Electronic vote
G06	Mailyn de Jesus	Electronic vote
5P, 108	Christopher Lee Carter	Electronic vote
201	Rahul Anand Parbhoo	Electronic vote
205	Yan Liu	Electronic vote
207	Jonathan Cooper	Electronic vote
305	Petar Vrecic	Electronic vote
308	Danidu Wijekoon	Electronic vote
401	Megan Gallagher	Electronic vote
404	Prasan Chandrananda	Electronic vote
408	Toni Walker (Elton Palmer)	Electronic vote
502	Lorina Vergara	Electronic vote

PROXY:

Unit No.	Name	Proxy
2P, 303	Helen Frances Brown	Irihapeti Broughton
408	Elton Palmer	Toni Walker

POSTAL VOTES:

No postal votes received.

1 Appointment of Meeting Chair **Ordinary Resolution**

Resolved that by ordinary resolution Kareen Mackey chairs the meeting.

CARRIED WITHOUT DISSENT

2 Apologies, Proxies, Postal Votes and Quorum **Ordinary Resolution**

Resolved that by ordinary resolution the apologies, proxies and postal votes are received, with quorum confirmed.

CARRIED WITHOUT DISSENT

3 Minutes of the previous General Meetings **Ordinary Resolution**

Resolved that by ordinary resolution the minutes of the Annual General Meeting General Meeting of 19 July 2024 be taken as read and adopted as a true and correct record of the meeting.

CARRIED WITHOUT DISSENT

4 Annual Financial Statements **Ordinary Resolution**

Resolved that by ordinary resolution the year-end financial statements to 20 May 2024 be accepted and adopted.

CARRIED WITHOUT DISSENT

5 Audit, Review, Verification **Special Resolution**

Resolved that by special resolution the Body Corporate resolves not to audit, review or verify the financial statements to 20 May 2024, provided that the Committee may at any time, or the Body Corporate in general meeting may, resolve to audit, review, or verify the financial statements.

CARRIED WITHOUT DISSENT

6 Insurance **Ordinary Resolution**

The current insurance policy runs until 08 July 2025, with the policy and certificate of insurance loaded to the MyCommunity website portal. Note a commission is paid by some brokers for the placement of Insurance through them.

Resolved that by ordinary resolution the committee be authorised (acting under its delegated powers) to obtain an insurance valuation as required and renew or extend the insurance policy based on such terms and conditions as they deem appropriate.

CARRIED WITHOUT DISSENT

7 Chairperson **Ordinary Resolution**

The Body Corporate is required to elect a Chairperson at each Annual General Meeting (AGM) to fulfill the duties outlined in Regulation 11 of the Unit Titles Act Regulations 2011. According to Section 108 of the Act, the Body Corporate may delegate the Chairperson's duties to the Committee, who then contract with a Body Corporate Manager to perform some of the functions. The elected Chairperson will automatically become a member of the Committee and serve as the Committee Chairperson unless the Body Corporate decides otherwise.

Resolved that by ordinary resolution Raewyn Ashby (unit 506) is elected as chairperson of the body corporate.

CARRIED WITHOUT DISSENT

8 Committee

R. Ashby provided the annual committee report to the meeting, noting the Space 1 Body Corporate Committee has had another busy year working for owners to ensure that the building and surrounds are maintained and improved.

The committee has upgraded the security of the bike shed by installing a stronger gate and self-locking system and dealt with 3 lots of flooding on the ground floor.

The committee has decided to not renew the contract with Cadogan and are in the process of interviewing a prospective replacement. This is due to ongoing issues re maintenance, delays in works being completed, unacceptable quotes, poor cleaning and gardening. The committee has had to undertake a number of projects to get work done over the last year.

R. Ashby thanked Vicky Feng for her work with the committee this past year and for the returning committee members, Oreen and Iri, for their ongoing support and work in ensuring that the Space 1 building and community continues to flourish.

Works in progress:

1. Lift carpet replacement: due to being constantly dirty because of heavy traffic.
2. Locker and rubbish room door solution: to improve presentation and easiness of cleaning kick plates will be attached at half door height.
3. Building Maintenance: there are chips around the building that need repair.
4. Heat pump servicing: we will send out a spreadsheet to all owners to give them the opportunity to opt into a service of both inside and outside units.

8.1 Committee Size, Quorum and Election — Ordinary Resolution

Resolved that by ordinary resolution:

i. the Committee shall comprise of three (3) members; and
ii. the quorum for business be set at two (2) members; and
iii. Oreen Almeida (unit 106), Irihapeti Broughton (unit 403) and Raewyn Ashby (unit 506) be elected

CARRIED WITHOUT DISSENT

8.2 Delegation of Powers and Duties — Special Resolution

All duties of the Body Corporate Chairperson under Regulation 11 are delegated to the Body Corporate Committee. Additionally, the general powers and duties of the Body Corporate are delegated in accordance with Section 108(1) of the Unit Titles Act 2010.

Please note that Section 108(2) prohibits the delegation of the following powers, which must remain with the Body Corporate as a whole:

- Delegation of the Body Corporate’s powers;
- Reassessment of ownership and utility interests;
- Duty to comply with the Body Corporate operational rules;
- Application of insurance monies towards the reinstatement of the development;
- Any matter that the Unit Titles Act requires the Body Corporate to decide by special resolution.

Resolved that by special resolution:

i. the Committee is delegated the full powers and duties of the Body Corporate, subject to any prior direction given at any General Meeting of the Body Corporate or prohibition as contained in Section 108(2) of the Unit Titles Act; and
ii. the Body Corporate delegate to the Body Corporate Committee under Section 108(1) of the Unit Titles Act the powers and duties of the Body Corporate Chairperson set out in subparagraphs 1(a)-(m) of the Unit Titles Regulations; and
iii. the Committee contract with the Body Corporate Manager to carry out the duties delegated to the Committee in terms of Regulation 11(1), provided that the Committee may at any time revoke one, more or all the duties contracted to be carried out.

CARRIED WITHOUT DISSENT

9 Operating and Reserve Fund Budgets and Levies **Ordinary Resolution**

Resolved that by ordinary resolution the total budget is set at $190,877.61, consisting of the Operating Fund set at $180,877.61 and the Reserve Contingency Fund set at $10,000.00, with levies raised by Utility Interest in two (2) instalments due for payment on or before 20 August 2024 and 20 February 2025.

CARRIED WITHOUT DISSENT

10 Long-Term Maintenance Plan and Fund **Special Resolution**

A Body Corporate with 10 or more units, classified as a large unit title development, must have a Long-Term Maintenance Plan (LTMP) spanning 30 years. Unless decided otherwise by special resolution, a building professional must be consulted when preparing or reviewing the plan. Property 101 Group Ltd will assist your Body Corporate and Committee in arranging this consultation.

The Body Corporate previously resolved not to establish or maintain a Long-Term Maintenance Fund under Section 117(1) of the Act. Instead, a Reserve/Contingency Fund was established under Section 118

Resolved that by special resolution:

i. the Long-Term Maintenance Plan be reviewed by the committee (acting under its delegated powers) as and when required; and
ii. the Body Corporate shall continue to not be bound by the provisions of Section 117 of the Act, and in lieu thereof maintain a Reserve/Contingency Fund, under Section 118; and
iii. the Body Corporate shall be at liberty to determine from year to year the level of saving and expenditure in regard to the Long-Term Maintenance Plan as the Body Corporate shall from time to time determine; and
iv. the Body Corporate may grow the Reserve/Contingency Fund by making such future transfers as the Body Corporate shall from time to time determine; and
v. shall be free to apply the Reserve/Contingency Fund, or any part thereof, to any unbudgeted maintenance or capital expenditure as it shall elect; and
vi. the Long-Term Maintenance Plan Quote, provided by Solutions in Engineering, with the quoted amount of $2,188.00, will be prepared as agreed at the meeting.

CARRIED WITHOUT DISSENT

11 Health and Safety

11.1 Accident, Incident and Near Miss Reporting

No accidents, incidents, or near misses were reported at the meeting. However, it was noted that the wooden walkway by the bike shed becomes slippery when wet. The committee will investigate this issue and explore options for resolution.

11.2 Health and Safety Plan **Ordinary Resolution**

Under the Health & Safety at Work Act 2015, Bodies Corporate are considered Persons Conducting a Business or Undertaking (PCBU) and must comply with the Act's requirements. Bodies Corporate have a duty of care to all residents, visitors, and workers in the common areas of their buildings. Compliance includes ensuring safety during any work on common property or when occupiers undertake home businesses.

To fulfill these obligations, a health and safety plan needs to be in place, involving the identification and rectification of hazards on common property. It is recommended the Body Corporate engage a qualified and experienced company to inspect the common property, identify compliance breaches, assess risks, and provide measures to control and minimise identified risks.

Resolved that by ordinary resolution the committee (acting under its delegated powers) is authorised to obtain a health and safety plan from Solutions in Engineering for the quoted amount of $1,398.00 including GST.

CARRIED WITHOUT DISSENT

12 Debt Collection **Ordinary Resolution**

The Body Corporate has an approved debt collection policy. All costs associated with collecting arrears are charged to the proprietor in default, and interest at 10% per annum, as provided by the Unit Titles Act, is applied. A flowchart outlining the process used by Property 101 Group Ltd is available on the MyCommunity website portal.

Resolved that by ordinary resolution:

i. the Body Corporate adopt the Property 101 Group Limited ("Prop101") standard debt collection procedure (as circulated and located on My Community); and
ii. Prop101 or their selected representative be authorised to act as an agent for the Body Corporate in terms of recovery of debtor arrears, including the preparation and filing of any proceedings and attendance at any Tenancy Tribunal hearing; and
iii. all costs associated with debt recovery, together with penalty interest at 10% per annum from due date until payment is received, be on-charged to the proprietor in default, including all costs of Prop101 in accordance with Section 124(2) and 128 of the Unit Titles Act 2010.

CARRIED WITHOUT DISSENT

13 General Business

13.1 Building Management Contract

The committee informed the meeting that the performance of the current building management contractor has been unsatisfactory for some time. Despite several meetings and providing the contractor with sufficient time to improve, the service has consistently failed to meet expected standards, leaving maintenance items uncompleted. As a result, the committee has issued a notice of termination and is actively tendering the contract to engage a new building manager.

There being no further business, the meeting closed at 6:51 pm.

Kareen Mackey
For and on behalf of Body Corporate 542907