



ANNUAL GENERAL MEETING MINUTES

BODY CORPORATE 562098

Rawhiti Village, 124 Commerce Street and 3 Rawhiti Street, Frankton HAMILTON 3204

MEETING PLACE, DATE & TIME

Colliers, 69 Victoria Street, Hamilton, **16/01/2024 at 11:00 AM**

PRESENT

Lot #	Unit #	Attendance	Owner Name Representative
2	114/3	Yes	Emma Jane Pike E Pike
3	113/3	Yes	Jane Louise Hudson and Jeremy Bernard Wade J Hudson
9	107/3	Yes	Trustees of The Jonty Taylor Family Trust J Taylor
10	106/3	Yes	Rohde, Karl Stanley K Rhode
11	105/3	Yes	Ronald and Marijke Nieubuur R Nieubuur
15	101/3	Yes	Antrone Holdings Limited Postal Voting Form
19	113/124	Yes	Porteous Holdings Ltd, Darren Porteous Postal Voting Form
33	109/11	Yes	Porteous Holdings Ltd Postal Voting Form
34	108/11	Yes	Duane Alexander Noy and Tania Michele Killeen-Noy D Al Noy and T M Killeen-Noy
37	105/11	Yes	Paul Thomas Michael Abbitt and Gail Abbitt G Abbitt
41	101/11	Yes	Sawasawa Investments Limited M Eade
81	81	Yes	Antrone Holdings Limited Postal Voting Form
83	G1/3	Yes	Antrone Holdings Limited Postal Voting Form
84	G2/3	Yes	Antrone Holdings Ltd Postal Voting Form
88	G1/11	Yes	Antrone Holdings Limited Postal Voting Form

QUORUM

Quorum of 25% was achieved.

BODY CORPORATE CHAIRPERSON

Karl Rhode

MEETING CHAIRPERSON

Lisa Quinlan

1 QUORUM

The chair of the meeting will record any apologies, proxies and postal votes received, as well as receive the attendance register and confirm that the meeting has a quorum.

2 PREVIOUS MINUTES

Ordinary Resolution

Resolved that the minutes of the last annual general meeting of the Body Corporate held on 07/12/2022 are confirmed as a true record of the proceedings of the meeting.

Majority in favour

Carried

3 MATTERS ARISING

Nil

4 COLLIERS SERVICE AGREEMENT

Ordinary Resolution

Resolved that the Body Corporate appoint Commercial Property Solutions Limited, trading as Colliers, as Body Corporate Manager to assist the Chairperson, Committee and Body Corporate to fulfil their duties under the Unit Titles Act and associated regulations, and to perform the role and services specified, in accordance with the Service Agreement supplied to the Body Corporate and that the Chairperson execute the Service Agreement on behalf of the Body Corporate.

Majority in favour

Carried

5 COMMITTEE REPORT

Ordinary Resolution

Resolved that the committee report given by Karl Rhode at meeting was received and accepted.

Majority in favour

Carried

6 ELECTION OF CHAIRPERSON

No nominations were received prior to the meeting, a Chairperson was elected at the meeting.

Ordinary Resolution

Resolved that Karl Rhode was re-elected as chairperson of the body corporate and body corporate committee and will serve such until the earlier of the next AGM or their resignation.

Majority in favour

Carried

7 ELECTION OF COMMITTEE

Ordinary Resolution

Resolved that the Body Corporate establishes a Committee with **5** members and that a quorum for Committee meetings and decisions made in person or by written confirmation shall be **3** members.

Majority in favour

Carried

No nominations were received prior to the meeting, a Committee was elected at the meeting.

Resolved that pursuant to the election, the following candidates were elected to the Committee.

- Karl Rhode
- Chris Dinan
- Keith Houston
- Jane Hudson
- Jonty Taylor

Majority in favour

Carried

Delegation of Powers

Special Resolution

Resolved that the Body Corporate resolves by special resolution to delegate all of its powers and duties under the Act, Rules and Regulations generally to the committee pursuant to Section 108 of the Unit Titles Act 2010, except those unable to be delegated under Section 108(2). This delegation shall last until the close of the next AGM.

All in favour

Carried

Ordinary Resolution

Resolved that the committee shall report once annually at that annual general meeting. The minutes of this meeting will suffice as notice of the delegation to the committee members and is evidence of the committees' authority to perform each duty or exercise each power that is being delegated.

Majority in favour

Carried

Note: A Committee must meet within one month of this AGM. Any other meetings of the Committee are at their own discretion and can be as and when required. A copy of any Committee Meeting minutes must be issued to all owners within a month of each meeting.

8 PREVIOUS FINANCIAL STATEMENTS

Ordinary Resolution

Resolved that the financial accounts for the previous financial year be approved and adopted.

Majority in favour

Carried

9 INDEPENDENT REVIEW OF FINANCIAL STATEMENTS

Special Resolution

Resolved that by special resolution the Body Corporate agree not to appoint an auditor and that section 132(2) of the Unit Titles Act 2010 will not apply for the financial statements of the previous financial year.

All in favour
Carried

10 BODY CORPORATE RULES

No changes to the operational rules were proposed.

11 INSURANCE

Ordinary Resolution

Resolved that for the purposes of insurance, the inflationary provision figure noted in the last valuation is added to the sum insured at the time of the next renewal.

Majority in favour
Carried

Ordinary Resolution

Resolved that the Body Corporate remains with the existing broker and that insurance is renewed as per the brokers recommendation.

Majority in favour
Carried

Ordinary Resolution

Resolved that the Body Corporate is authorised to secure Office Bearers Liability Insurance with a cover of \$1,000,000.

Majority in favour
Carried

Ordinary Resolution

Resolved that the unit owner is to pay any excess in the event of a claim except where the claim relates to common property, in which case the Body Corporate is to pay the excess.

Majority in favour
Carried

12 GENERAL MAINTENANCE

Resolved that the following maintenance items be discussed and actioned where instructed;

- Annual building wash and full gutter clean - to be completed in Autumn
- Signage on the front gate clearly stating to not park in front of the gate

Gutter cleaning and internal common area cleaning continue to be completed as per schedules already in place.

Majority in favour
Carried

- Viability of moving to solar panels including a battery system - Multistage approach. *Owners present at the meeting approved Karl investigating this matter and reporting back to the committee, any costs require committee approval prior to proceeding.*
- Modems to be upgraded on both stages to allow Colliers remote access to the door access software for coding and cancelling fobs etc - approximate cost \$2500. *Body Corporate Manager to provide more information on the need for this upgrade including who would provide afterhours support. Information to be put to the committee to consider.*
- Fresh air ventilation of storage lockers and upstairs corridor - Quote attached. *Additional quote to be obtained from JSR Refrigeration & Air Conditioning so that the committee may consider 3 quotes. All quotes to be amended to only include the corridors. Committee is to consider alternative option such as tinting to reduce the heat in the corridors.*
- Second Air conditioning unit option for all apartments - Quote attached. *This is for individual owners to consider and action at their discretion. Owners will need to request consent from the committee for the placement of the external unit/ducting.*
- Electric Vehicle charging ideation. *Owner who proposed this matter was not present, withdrawn.*

13 HEALTH AND SAFETY

No new Health and Safety items have been brought to the attention of the Body Corporate.

The Health and Safety Risk Register was last reviewed in 2022.

This item has been deferred until Building 4 is completed, estimated mid-2024.

14 LONG-TERM MAINTENANCE PLAN

The Long-Term Maintenance Plan was reviewed in 2022 however only covers a 15 year period. We suggest that the review including increasing plan to cover 30 years, is delayed until Building 4 is complete so buildings 3 and 4 can be included.

15 LONG-TERM MAINTENANCE FUND

Special Resolution

Resolved that the Body Corporate **opt out** of the Long-Term Maintenance Fund for the current financial year by way of special resolution.

All in favour

Carried

16 OPTIONAL CONTINGENCY INVESTMENT FUND

Ordinary Resolution

That the body corporate agrees to transfer a sum to be agreed upon from the Optional Contingency Fund to an interest bearing investment account.

Not Passed

17 ANNUAL BUDGET

Ordinary Resolution

Resolved that the Body Corporate approve and adopt the proposed annual budget with the below changes for the year stated and that the Body Corporate raise levies in accordance with a unit owner's utility interest.

Admin--Consultants \$0

Admin--Health & Safety \$0

Levies Due OCF--Sinking \$0

Majority in favour

Carried

Note: The budget was discussed and amended as instructed by owners at the meeting.

Ordinary Resolution

Resolved that the Body Corporate Manager be authorised to pay line items identified in the adopted budget as and when they fall due but refer to the Body Corporate Committee for approval for unexpected expenses outside of the budget.

Majority in favour

Carried

18 LEVY COLLECTION

Ordinary Resolution

Resolved that the Body Corporate raise levies in accordance with the approved budget and agreed above, with levy payments due on the 20th day of the month following the month of the AGM and if insurance is levied separately, the insurance levy will be due 14 days from insurance levy being issued.

Majority in favour

Carried

Note: Non or late payment can affect insurance cover.

Ordinary Resolution

Resolved that the Body Corporate is authorised to recover any unpaid levies owed to the Body Corporate, whether through Court, Tenancy Tribunal or otherwise. The collection costs, although recoverable by the Body Corporate from the defaulting unit owners, will need to be paid by the Body Corporate in the interim.

Majority in favour

Carried

Ordinary Resolution

Resolved that the Body Corporate charge interest at the rate of 10% per annum as provided in Section 128 of the Unit Titles Act 2010 on any monies overdue (including charging interest to those on payment plans) together with any administrative and legal costs the Body Corporate may incur in recovering due debts.

Majority in favour

Carried

GST

Note: Your Body Corporate is **not** registered for GST.

19 FIRST GAS EASEMENT

First Gas require an easement to be registered over the common property and some accessory units (car parks) of Building 3 unit owners, to supply gas to the buildings as it did in Stage 1 of this development. This will need to go through a designated resolution process but before doing so, the following special resolutions need to be passed by the Body Corporate.

Special Resolution

Resolved that in accordance with section 212(f) and section 62(1) of the Unit Titles Act 2010, the Body Corporate by special resolution agrees to grant an easement in gross to First Gas Limited for the right to convey gas over the areas marked CA, CB, CC, CD & CE on DP 562098 (attached) being part of the common property pursuant to section 62(1) of the Unit Titles Act 2010, and sign all necessary documentation authorising the registration of the easement instrument containing the above easement in gross with Land Information New Zealand as a document in the fourth and final stage of the unit title development situated at Commerce and Rawhiti Streets, Frankton, Hamilton.

All in favour
Carried

The special resolution of the Body Corporate below is in relation to the First Gas Limited easement over the private accessory units noted in the table below. The consent for these areas must first be agreed to by the Body Corporate before the individual owners can grant easement rights to First Gas.

Special Resolution

Resolved that pursuant to section 63(4) of the Unit Titles Act 2010 the Body Corporate consents to the registered owners of the Accessory Units granting to First Gas Limited an easement in gross for the right to convey gas as follows:

Dealing type	Reference on plan DP 562098	Burdened land	Benefitting land or grantee
Easement of right to convey gas	DA	AU89A DP 562098 RT 1002418	First Gas Limited (in gross)
	DB	AU34A DP 562098 RT 1002363	
	DC	AU55A DP 562098 RT 1002384	
	DD	AU61A DP 562098 RT 1002390	
	DE	AU72A DP 562098 RT 1002401	
	DF	AU73A DP 562098 RT 1002402	
	DG	AU74A DP 562098 RT 1002403	
	DH	AU75A DP 562098 RT 1002404	
	DI	AU76A DP 562098 RT 1002405	
	DJ	AU77A DP 562098 RT 1002406	
	DK	AU49A DP 562098 RT 1002378	

All in favour
Carried

20 GENERAL BUSINESS

The following general business was put forward for discussion:

- Community gathering. *Withdrawn*
- Owners at the meeting expressed concerns about the common entrance/exit doors being left open. Karl agreed to speak with the tenant who has been identified as someone who leaves the doors open. Signage was discussed as a deterrent and will be put to the committee to discuss/action.
- Owners also expressed concern about bicycles being left in the common corridors, impeding access/exit for others and posing a safety concern and fire exit risk. Signage was discussed as a deterrent and will be put to the committee to discuss/action. The option of having a bike rack installed on common property for residents to use will also be put to the committee.
- Automatic vehicle gate opening and closing times to be reviewed.

CLOSURE

There being no further business, the Chairperson declared the meeting closed at 11:53 AM.

Please ensure you keep us informed of any changes to your contact details including your email address as all correspondence will be by email unless otherwise requested.