



**NOTICE OF AN EXECUTIVE COMMITTEE MEETING
THE OWNERS - BODY CORPORATE PLAN 562098**

ADDRESS OF THE BODY CORPORATE SCHEME:

Rawhiti Village, 130- 164 Commerce Street, Frankton HAMILTON 3204

DATE, PLACE & TIME OF MEETING: A meeting of the Executive Committee of The Owners - Body Corporate Plan 562098 will be held on 2/06/2022 at Colliers Office, 69 Victoria Street, Hamilton. The meeting will commence at 02:30 PM.

The Agenda for the meeting is:

1 MINUTES

That the minutes of the last Committee Meeting on 27/01/2022 be confirmed as a true record of the proceedings of that meeting.

2 MATTERS ARISING

- CCTV policy/template document attached as agreed to last meeting for committee to review and make amendments to suit the complex. Is there CCTV operating signage installed onsite?
- Street numbering on buildings - these are to be installed any day now if not done already.

3 FINANCIALS

That the financials presented and attached on the year to date position be accepted.

4 GENERAL MAINTENANCE

The following general maintenance items be discussed/actioned:

- Exterior high window clean needs to be done
- JJ's Waste Rubbish Collection - this needs increasing again for general waste to 3 empties per week. New contract has been requested from contractor for signing by the BC to put this in place.
- Gate repair is still happening in background with contractor waiting for ordered parts etc. Was anyone aware of who caused the damage? Insurance claim has been lodged and accepted for this work.
- Letterboxes need some repairs/maintenance
- Additional cameras need to be installed and quote was obtained from the existing CCTV installer but quite expensive at around \$2000 per camera. There are definitely areas that cannot be monitored at present which should be, particularly the exit/entry points of both buildings. Electrician has advised that installing any additional cameras at this point is not going to be easy where cabling is required and this will make it more expensive so maybe wireless options are worth looking into?

5 GENERAL BUSINESS

The following general business is to be discussed:

Police checks as a requirement for tenants?

CCTV Policy – Body Corporate 562098

Introduction

1. This policy applies to all closed-circuit television, visual, and audio-visual ('CCTV') facilities that capture images of individuals or information relating to individuals, and that are installed within the development or that are attached to any unit or common property within the development.
2. All owners, and the body corporate, agree to abide by this policy.
3. The purpose of this policy is to recognise that CCTV can serve valid purposes, but can also be misused, by causing breaches of privacy (whether under the Privacy Act 2020 or in common law), and in some cases can give rise to statutory breaches or criminal conduct, including under the Harmful Digital Communications Act 2015, the Crimes Act 1961 (refer particularly sections 216G – 216J), the Harassment Act 2003, and the Summary Offences Act (refer particularly section 30). The policy sets out the scope of valid use of CCTV, and provisions as to the capture, collection, and storage of that information in a manner that properly protects individual privacy.
4. Nothing in this policy excuses or provides any grounds for the breach of any law.

Installation of CCTV

5. The installation of any CCTV on common property requires a resolution of the body corporate. In relation to any such CCTV, the body corporate will comply with the Privacy Act 2020, the Unit Titles Act 2010, and this policy.
6. The resolution described in clause 5 may authorise the body corporate manager to select the locations for CCTV facilities, based on the reasons for the CCTV facilities as described in clause 7. See also clause 13.

Reasons for CCTV

7. The body corporate may use CCTV for the following reasons:
 - a. To deter and investigate theft, vandalism, and damage to property (whether property of the body corporate or of unit owners);
 - b. To detect and capture evidence of crime;
 - c. To detect and identify breaches of the Unit Titles Act 2010 and body corporate operational rules.

Responsibility

8. The body corporate manager (Colliers) will have primary responsibility for monitoring the effective operation of the body corporate's CCTV facilities, provided that ultimate responsibility for legal compliance rests with the body corporate at all times. The body corporate will, via the body corporate manager, take reasonable steps to ensure footage is held securely.

Review of Footage

9. The body corporate manager may review CCTV footage at any time for the purposes described at clause 7 above, and may provide relevant footage to:
 - a. Staff of the body corporate manager;
 - b. The police, where the body corporate manager believes this is reasonably necessary to uphold the law, including in respect of the prevention, detection, investigation, prosecution, or punishment of offences;
 - c. The body corporate's legal or other advisers, for the purposes of obtaining advice on compliance with legal requirements;
 - d. The body corporate chairperson, where the manager deems this reasonable or appropriate;
 - e. The body corporate committee, where the manager deems this reasonable or appropriate (but not to any individual member of the committee except the chairperson);
 - f. The body corporate at a general meeting, where the manager deems this reasonable or appropriate;
 - g. Any person who requests footage about themselves, where this is considered necessary or appropriate by the body corporate manager for the purposes of compliance with the Privacy Act 2020 or other legislation;
 - h. An individual owner, occupier, or agent who requests footage, where the basis for the request is considered reasonable or appropriate by the body corporate manager (and for the avoidance of doubt, there may be good reasons to withhold footage concerning another owner);
 - i. Any Court or Tribunal, where such footage is relevant to a dispute, application, or proceeding before such Court or Tribunal;
 - j. Contractors, where necessary for the body corporate to meet statutory obligations (for example, in respect of health and safety);
 - k. Any company or person maintaining or assisting with the operation of the CCTV facilities.

10. Where the body corporate manager is required to make an assessment of reasonableness, appropriateness, necessity, or legal compliance, the body corporate manager may obtain legal or other advice as the manager sees fit. For clarity, CCTV footage is not to be reviewed or seen by any person without first having been reviewed by the body corporate manager or a staff member thereof, unless the body corporate passes a resolution otherwise.

Retention of Footage

11. CCTV footage will be retained for two weeks, at which time it will be deleted, unless subject to an investigation or proceedings.

Operation of CCTV

12. CCTV may be utilised 24 hours, 7 days per week, as part of the intention of the CCTV is deterrence.
13. CCTV facilities will only be placed and set up to provide footage in locations that will not unreasonably intrude on the privacy of individuals. The collection of information by CCTV must be fair, and must not unreasonably intrude upon an individual's personal affairs. In particular, body corporate CCTV is not intended to allow any visibility or collection of footage from within dwellings.
14. The body corporate will at all times ensure there is suitable signage advising owners, occupiers, contractors, visitors and invitees of the presence of CCTV.

Reporting

15. The body corporate manager will report to the body corporate on any disclosure of footage to the police and/or in proceedings.

Individual Owner or Occupier CCTV

16. The body corporate acknowledges that individual owners or occupiers may wish to install CCTV. The body corporate has no responsibility for, or obligations in relation to, such CCTV, and the body corporate's preference is that only body corporate CCTV be used. The body corporate acknowledges owners' rights in relation to their own property, but desires that these be balanced with the common interests of all owners and occupiers.
17. To the extent permitted by law, the consent of the body corporate (which may be granted or withheld by the body corporate, acting reasonably, and which may be subject to conditions) is required before individual CCTV is installed. However, the body corporate requires that such individual CCTV:
 - a. Be entirely within the boundaries of an individual unit;
 - b. Not damage or destroy common property, building elements, or infrastructure;
 - c. Not interfere with or impede the body corporate's statutory rights and obligations;
 - d. Not cause an unreasonable nuisance to, or intrusion upon the affairs of, other owners;
 - e. Comply with all relevant laws, bylaws, regulations, and the body corporate operational rules.
18. If the provisions of clause 17 are breached, then the body corporate may require the removal or relocation of that CCTV at the cost of the owner.

19. Nothing in clauses 17 or 18 requires the body corporate to take any particular action (except to the extent such action is required by the Unit Titles Act 2010 or by law). Further, nothing in clauses 17 or 18 impedes or inhibits any individual owner taking action for breach of privacy or any other legal claim.

Further Matters

20. Any questions about this policy should be addressed to Colliers, P O Box 19093, Hamilton 3244.
21. Complaints about breach of privacy may also be made to the Privacy Commissioner.
22. Body Corporate Managers reserve the right to charge for any dealing with CCTV related issues including but not limited to reviewing of footage, passing onto and dealing with police, obtaining quotes etc.

Statement of Financial Position - Group

As at 01/06/2022



Body Corporate 562098

Rawhiti Village, 130- 164 Commerce Street, Frankton
HAMILTON 3204

	Current period
Owners' funds	
Administrative Fund	
Operating Surplus/Deficit--Admin	17,606.94
	17,606.94
Sinking Fund	
Operating Surplus/Deficit--Sinking	5,000.13
	5,000.13
Net owners' funds	\$22,607.07
Represented by:	
Assets	
Administrative Fund	
Cash at Bank--Admin	19,102.02
Receivable--Owners--Admin	67.00
	19,169.02
Sinking Fund	
Cash at Bank--Sinking	5,000.13
	5,000.13
Unallocated Money	
Cash at Bank--Unallocated	70.00
	70.00
<i>Total assets</i>	24,239.15
Less liabilities	
Administrative Fund	
Creditors--Other--Admin	1,562.08
	1,562.08
Sinking Fund	
	0.00
Unallocated Money	
Prepaid Levies--Unallocated	70.00
	70.00
<i>Total liabilities</i>	1,632.08
Net assets	\$22,607.07