

ANNUAL GENERAL MEETING MINUTES

BODY CORPORATE 562098

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

MEETING PLACE, DATE & TIME

Quay Body Corporate, 69 Victoria Street, Hamilton

Tuesday, 3rd December 2024 at 11:00 AM

PRESENT

Lot #	Unit #	Attendance	Owner Name Representative
3	113/3	Yes	Jane Louise Hudson and Jeremy Bernard Wade Postal Vote Form
4	112/3	Yes	Nicolas van Rooy N van Rooy
10	106/3	Yes	Rohde, Karl Stanley K Rohde
14	102/3	Yes	CLAS Investments Limited Proxy to Body Corporate Manager
15	101/3	Yes	Antrone Holdings Limited Postal Vote Form
19	113/124	Yes	Porteous Holdings Ltd Postal Vote Form
33	109/11	Yes	Porteous Holdings Ltd Postal Vote Form
35	107/11	Yes	Chris Dinan Proxy to Body Corporate Manager
41	101/11	Yes	Sawasawa Investments Limited M Eade
81	81	Yes	Antrone Holdings Limited Postal Vote Form
82	82	Yes	CLAS Investments Limited Proxy to Body Corporate Manager
83	G1/3	Yes	Antrone Holdings Limited Postal Vote Form
84	G2/3	Yes	Antrone Holdings Ltd Postal Vote Form
85	G3/11	Yes	CLAS Investments Limited Proxy to Body Corporate Manager
87	87	Yes	CLAS Investments Limited Proxy to Body Corporate Manager
88	G1/11	Yes	Antrone Holdings Limited Postal Vote Form
89	G2/11	Yes	CLAS Investments Limited Proxy to Body Corporate Manager

BODY CORPORATE CHAIRPERSON

Karl Rohde

MEETING CHAIRPERSON

Lisa Quinlan

1 QUORUM

The chair of the meeting recorded any apologies, proxies and postal votes received, as well as received the attendance register and confirmed that the meeting had a quorum. The chair of the meeting also conducted a health and safety briefing and pointed out fire exits in the event of emergency.

2 PREVIOUS MINUTES

Ordinary Resolution

Resolved that the minutes of the last annual general meeting of the Body Corporate held on 16 January 2024 were confirmed as a true record of the proceedings of that meeting.

Majority in favour
Carried

3 MATTERS ARISING

Building 4 Update

An update was given to owners regarding the completion of Building 4.

Introducing - Owners Online Portal

Following the meeting, an invitation will be sent to all owners for our new online portal, known as Smata or MRI Strata Connect. Owners will have access to AGM documents, their respective levy notices and other helpful information. Access will also soon be available via our website.

4 QUAY BODY CORPORATE SERVICE AGREEMENT

Ordinary Resolution

Resolved that the Body Corporate appointed Quay Body Corporate, 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 and exercise of delegated duties and powers was received and accepted.

Majority in favour
Carried

6 ELECTION OF CHAIRPERSON

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

Ordinary Resolution

Resolved that Karl Rohde was elected as chairperson of the body corporate and body corporate committee and will serve as 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 established 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.

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

- Karl Rohde
- Chris Dinan
- Keith Houston
- Nicolas van Rooy
- 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.

Majority 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.

Quay Body Corporate Management Limited under the terms of its agreement of services as Body Corporate Manager is responsible for the preparation of basic financial accounts. Provision of these accounts is on the basis that Quay Body Corporate Management Limited does not hold itself as a qualified or Chartered Accountant. Should the Body Corporate require the accounts to be prepared by a Chartered Accountant or the accounts be audited, this will be at the cost of the Body Corporate.

Majority in favour

Carried

9 INDEPENDENT REVIEW OF FINANCIAL STATEMENTS

Special Resolution

Resolved that by special resolution the Body Corporate agreed 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, an updated valuation will be obtained shortly before renewal.

PU 15,81.83.84,88 Against

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 were discussed and will be actioned where instructed;

Annual building wash and gutter clean - *To be completed May 2025*

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

Replacement of damaged letterboxes - Quote for replacement letterboxes accepted. A new lock mechanism is to be looked into as the old one was easy to break into. It was noted that the current letterboxes aren't being closed properly which is causing damage.

**Majority in favour
Carried**

13 HEALTH AND SAFETY

Under the Health and Safety at Work Act 2015, the Body Corporate has a duty to:

- Identify hazards
- Eliminate or minimise any hazards and where appropriate put controls in place; and
- Regularly check the control measures are in place
- Where an incident occurs or the workplace changes, there will be a review to your Health and Safety Solution.

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

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

Ordinary Motion

That the Health and Safety Risk Register be reviewed by the most cost effective consultant being Solutions in Engineering for \$1698 incl GST.

Not passed

Although Quay Body Corporate strongly advise against it, the body corporate has decided to not review the risk register as an obligation under the Health and Safety at Work Act 2015. These minutes act as a record of that decision.

If a Committee Member or Body Corporate member choose to review the H&S register themselves and look for hazards themselves, they would be taking on this duty under the HSWA 2015 as an officer of the PCBU. Should they fail to identify a risk and someone hurts themselves or is killed, that individual, as an officer, is liable as is the PCBU and fines can range significantly up \$1.5 million for each offence under the Act. Individual members choosing to take on the task of H&S can be fined themselves.

14 LONG-TERM MAINTENANCE PLAN

The Long-Term Maintenance Plan was reviewed in 2022 however only covers a 15 year period.

Ordinary Resolution

Resolved that once Building 4 is complete, the Body Corporate engage the most cost effective professional being Solutions in Engineering to review the Long Term Maintenance Plan as quoted for \$2,128 incl gst.

**PU 15,81,83,84,88 Against
Majority in favour
Carried**

Special Motion

That by special resolution and against Quay Body Corporates advice, the body corporate agree not to appoint a professional contractor to review the Long Term Maintenance Plan.

Not passed

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.

PU 15,81,83,84,88 Against

All in favour

Carried

16 SINKING INVESTMENT FUND**Ordinary Motion**

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

Not passed

17 ANNUAL BUDGET**Ordinary Resolution**

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

Majority in favour

Carried

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

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 GENERAL BUSINESS

The following general business was discussed:

Karl raised solar panel options and will put these forward in the future.

CLOSURE

There being no further business, the Chairperson declared the meeting closed at 11:27 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.