

MINUTES OF THE ANNUAL GENERAL MEETING

'On Point' apartments – BC553081

held on Tuesday, 18th April, 2023 at 6:30pm in

The Sussex Room, the **Surrey Hotel, 465 Great North Road, Grey Lynn, Auckland**

Attendees:

202 R.Tutton, 105 R Davies,

G05 C Coleman & N Tucker, 301 C&C Hill, B01 H Borowceyk & C Smart, G07 D Fox,

303 M Hill, B03 F Turner, G03 A Geddes, G08 H Goulter,

G09 W Strand – Chairperson. Body Corporate Manager (Secretary)

Scotia Management Ltd(SML) & Building Manager, Malcolm Richard Ltd(MRL): Kylie Tucker and Ann Ramsden

Apologies: Dick Tucker

A Quorum of eligible votes for this meeting was met comprising of: Attendees:11 Postal Votes: 0
Proxies: 0

1. The Annual General Meeting was as follows:

- Minutes of the previous AGM – accepted as read. Moved – C Hill, Second – R Tutton, Carried – All.
- There were no Matters Arising from the Previous Minutes.
- Chairpersons Report. Warren Strand read his report.(attached) Warren announced he was standing down as Chairperson and thanked the committee for their support and work during the year. The report was accepted Moved – F Turner, Second – C Hill, Carried – All.
- Building Managers Report. Kylie Tucker read out the report. (attached) Main points being the Jan 27th flooding and the respective insurance claim. Kylie discussed this with no issues raised at this point. The BM Report was accepted. Moved – R Tutton, Second – C Coleman, Carried – All.
- Finances - Kylie went through the Balance sheet, Aged payables, Aged receivables, discussed how the Flood account was set up for the sole purpose of receiving and paying insurance related invoices. This money is separate from any other body corporate funds.
Discussed the unpaid BC fee and what further actions can be taken. Kylie explained the penalty fees and debt collection, and in extreme cases the body corporate can force the sale of the unit. The finance report was accepted. Moved – C Hill, Second – H Goulter, Carried – All.
- The Proposed budget was voted on after Resolution 5 was accepted so the 'Special Project' could be included. Kylie let it be known she and SML or MRL staff are happy to leave the room at any time for attendee's to discuss fees and contracts freely. Last years budget for BM was under paid as we are still waiting for invoices from Pacific Property Management. The cleaning budget was increased to cover a 'living wage' plus providing for equipment and sundries.
It was asked the difference between a contingency fund and a long term maintenance fund(LTMF). Kylie advised the LTMF could only be used by the body corporate on items planned and stated in the LTMPlan which is set and updated every 2-3 years. A contingency fund can be spent as the body corporate approves giving the body corporate more flexibility to use funds when necessary rather than having to raise an extra levy. Onpoint has a contingency fund. It was asked why the Scotia Management Ltd's fee had increased above CPI, Kylie explained this was due to underestimating hours required, not just with handover from Barfoots, but also day to day requirements. This fee should be stable going forward for the next year or so. CPI being the only anticipated increase. F Turner noted it was still a good price compared to other BC Managers.
The question was raised as to why the insurance premium went up by 30%. Kylie explained the rise in the insurance premium is mostly related to the 20% increase to the EQC component of the levy. Though the EQC price has increased the payout by

EQC is now approx double to help mitigate previously under insured properties as experienced after the CHCH quakes.

It was asked if we could get another insurance company. Kylie advised the number of companies which cover body corporates is limited and at this stage companies have declined to quote given the major claim we have underway. However, the cover Onpoint has through QBE is competitive and comprehensive.

Warren asked who has security camera access and Kylie explained only the Building Manager and necessary parties has access to the security system. A reminder it is important to let Kylie know ASAP of events or missing items as cameras have a limited storage time.

The Proposed Budget was accepted. Moved: C Hill Seconded: A Geddes
Carried: All

- Resolutions - See Below. No Proxies or postal votes were received. (A reminder to send these back to help meet the quorum needed to hold a meeting and incurring those costs).
Kylie read each resolution out.
- Resolution 3 – please note date typo change needed.
- Resolution 4 discussed, This allows the Body Corporate Manager to fulfil duties such as issuing pre-contract disclosure statements and other day to day requirements.
- Resolution 5 – A lengthy discussion from all attendee's with regards to the \$16,000 set aside for "Special Project" –
Concern was raised over the cost of the report and if it is necessary.
It was agreed the scope of any report should contain 'deliverables' set out by the committee in the report/quote. Craig said the report is important to know what ALL the options are before moving forward. Warren argued why we needed to spend this money on a report when we could just go ahead and make improvements.
It was countered that none of us are storm water experts and it important to do the due diligence on behalf of all owners.
Kylie explained the \$16k is at the upper end of the possible cost. Robina raised the discussion around cost and involvement in the council in any major works so it was important to get the options.
Anna asked who makes the decision about the next step? Kylie said the Committee will get the initial engineers report and then if funding is required we will bring options to the next AGM or if it is more urgent, an EGM will be called to discuss/vote. Small decisions with regards to the next step's will be decided by the committee.
- Election of Officers – Craig Hill has put his hand up to chair the committee. Cheryl, Hamish G, Hamish B, Randall, Andrea (not present) Frances, Bronwyn (not present), Warren, all voted onto the committee. See Election of Officers below.
It was proposed to make a resolution to cap the committee members at 7 next year. It was also discussed and agreed on the importance and expectation committee members attend the meetings.
- General business
 - a) Discussed how are the front doors closing Assa Abloy came to do a fix. The doors are designed to swing both inwards and outwards and such door closers can wear out quickly. It is recommended we replace the door closers in the future and install them in a way that put less stress on the closer allowing it to last longer.
 - b) Warren has been in informal conversation with a neighbour in Moa St, who is also a civil engineer who advised him of the development in the works for a neighbouring property. He wants to formally approach Ashcroft developers with

the possibility of connecting in a new storm drain from Onpoint to their new development system. The majority of attendees were not in agreement with this approach at this time and would prefer to get an independent report first. Concerns for legal/liability/cost issues this could raise which would negatively impact us in the future. It was also pointed out we did not wish to waste the neighbours time and resources doing calculations and plan changes just for us to not go in that direction. Craig also added that by the time resource consents, engineers plans and paying our share of the connection could potentially be a very expensive option. Hamish B agrees with Warren that this could be a good option. Robina suggested a letter of good will from our end. Kylie said we may need legal advise before official communication as caution needed with any developers as they are not independent in the arrangement. Kylie said we need to move on getting the engineers report reasonably quickly, the aim is to get 3 proposals/quotes for a report. Michelle Hill wants to know if the committee is comfortable making decisions like this around big important matters. Kylie said the Committee will choose the engineer but the big decisions will be brought to the body corporate as a whole through the AGM or EGM. Warren strongly advocated for his approaching the developer but the majority of attendees reaffirmed this was not what they wanted him to do at this time and to wait for the report. Several attendees wanted Warren to make sure if he does talk to the neighbour or developer he points out he is no way representing the Body Corporate. D Fox reiterated, in favour of the engineers report, that we may have a legal responsibility to the Body Corporate to investigate any potential improvements now we have brought it to the Body Corporates attention.

Kylie declared the meeting closed at 8.03pm.

RESULTS

Resolution 1 – Attendees authorised to change Budget		<i>Special Resolution</i>
That the AGM Attendees are authorised to modify the 2023-2024 Budget before Accepting it. That attendees present at the Annual General Meeting may amend, and approve to accept, any items on the proposed budget on behalf of the Body Corporate.		
YES -Unanimously		
Resolution 2 - Debt collection		<i>Ordinary Resolution</i>
That the Collection Procedure Set out Below Be Applied. (a) That Scotia Management Ltd be authorised, at their discretion, to allow the prompt payment discount after the due date. (b) That, pursuant to s128(2) of the Unit Titles Act 2010 interest of 10% per annum will accrue and may be charged on any debt unpaid after the due date until the date of payment. (c) That the Body Corporate committee is authorised to instruct Scotia Management Ltd to recover any unpaid levies or other unpaid debt owed by a unit owner, together with interest and reasonable costs of collection where the debt has been outstanding for more than 28 days. (d) That the Body Corporate committee is authorised to instruct Scotia Management Ltd or debt collection agency of its choice, to make an application to the appropriate decision maker to recover any unpaid debt owed by a unit owner, where need be.		
YES - Unanimously		
Resolution 3 – Audit		<i>Special Resolution</i>
That No Audit or Review of the 2022 9-2023 financial statements be carried out in accordance with the Unit Titles Act 2010, section 132, (8). The committee has full oversight of the accounts on a day by day basis through the on-line accounting program, Xero, which is connected to the BNZ accounts and no further		

review was deemed necessary at this time.	
YES - Unanimously	
Resolution 4 - Delegation of Powers and Duties <i>special Resolution</i>	
The Body Corporate shall enter into an agreement with a duly incorporated management company or professional manager for the administrative duties required of the Body Corporate chairperson at such remuneration and upon such terms and conditions as it may approve.	
YES - Unanimously	
Resolution 5 – Stormwater Improvement Investigation	
That the Body Corporate include \$16,000 in the 2023/24 budget as a Special Project to be allocated to a report by a Chartered Stormwater Engineer to advise the body corporate on any stormwater improvements. The Committee will choose a proposal and commission the report. If approved funds are unused the funds, or portion thereof, will be put into the contingency fund and can be used at a later date.	
YES - 10	NO - 1

ELECTION OF OFFICERS

Candidates for Election –			
Chairperson	Craig Hill	YES	Unanimously
Candidates for Committee			
	Cheryl Coleman	YES	Unanimously
	Hamish Goulter	YES	Unanimously
	Warren Strand	YES	Unanimously
	Randell Tutton	YES	Unanimously
	Andrea Petty-O'Shea	YES	Unanimously
	Frances Turner	YES	Unanimously
	Bronwyn Crickett	YES	Unanimously
	Hamish Borowczyk	YES	Unanimously

ON POINT BODY CORP- CHAIRMANS REPORT APRIL 2023.

Welcome to the AGM of the On Point Body Corp for 2023.

Firstly I would like to thank the BC Committee and Scotia management for their diligent work in managing what was a testing year at On Point. I would also like to thank all owners and residents who have engaged so positively in creating such a safe and friendly environment at On Point - a much-admired place to reside.

The 2022 year was initially a period of budget and service review, and substantial changes in service contracts - commencing with the terminations of the Barfoot and Thompson BC Management Contract and Pacific Property management Ltd and appointment of Malcom Richard Ltd (Dick and Kylie Tucker) as BC Managers and property managers in order to gain substantial savings with a flatter management structure and a closer relationship with the management company. This has certainly been achieved.

The new management company has since overseen progress in efficiency and cost savings in the form of replacement contracts for building wash, cleaning, lawns and gardens and lift maintenance.

In all a total of almost \$12,000 in budget savings have been made over the past months due to the work of the committee and the BC managers.

Issues resolved or work in progress include – letterboxes moved inside foyer to allay security concerns, downpipe work, and front door lock security. Special thanks also to the garden committee who keep the property neat and tidy.

The major incident was without doubt the catastrophic weather events of 27th Jan and 1st Feb '23 and the subsequent water damage to basement apartments and garage/lockers – plus Cyclone Gabrielle a few weeks later. A big thanks to all residents who pitched in to help during those events, and to Kylie Tucker who was, and is tireless in her efforts in dealing with insurance and maintenance issues.

Insurance repairs are proceeding on the damaged areas, and at last the maintenance crew was working on the lift as of 6/4/23. Insurance premiums will no doubt be increasing in the future.

The proposed budget for 2023-24 includes an amount allocated for special projects, which will include proposals/contracts for improved stormwater drainage for On Point as approved by the incoming committee. The stormwater issue might well be vastly improved by the new townhouse developments approved by council in neighbouring properties at 13 Walmer Rd and 16 Moa Rd.

I recommend that all owners to vote positively in relation to this special projects section of the budget.

It has been a privilege to chair the BC Committee over the past year and to oversee the positive changes made in management of On Point apartments. I urge the incoming committee to tread the same path of review and improvement of services and costs over the next 12 months.

Regards

Warren Strand

Chair

On Point BC.

Building Manager's Report – Annual - 07/04/2023 for OnPoint Apartments BC553081

We have had an eventful start to 2023.

- **Interim Building Management** is Kylie Tucker of Malcolm Richard Ltd. Please use us as your first point of contact.

- **Flooding** - On Jan 27th with the extreme rainfall Onpoint had severe flooding in the basement level affecting 3 apartments and the common area corridors, fire doors, lift shaft/pit, service cupboards and private storage lockers. QBE Insurance is covering us for the repairs and remedial work being carried out.

Cheyne Construction has taken on the task of repairing the common areas as well as the apartments affected. This will begin after the Easter break in the common areas so we please take care in the basement areas and supervise children at all times. This will take some time and be noisy and dusty at times. **Please read notices** posted in the building and noticeboard from time to time.

- **Lift** – The lift has finally been repaired and is now back in action. We thank you for your extreme patience in waiting for the repairs to be completed by Kone.

- **Roof gutter repair** at the top of the stairs has been completed by Waide Construction. We just need some rain to test it out. Go figure.

We are hoping to get a few other minor warranty issues in common areas dealt with asap now we have re-established relations with Waide, Chase Electrical and Eagle Plumbing.

- **Macerator Pump** monitoring issue - This is affecting the apartments which rely on this system to pump their sewer and grey water up to the street. After a lot of homework by Dick and myself and diagnostics from both Chase electrical and Eagle Plumbing. Waide is to help deal with this issue as it too should fall under warranty. We are hoping to resolve this issue asap after Easter.

- We would like to purchase a **Garden tool locker** to store the tools under the stairs away from curious big and small hands. We will get a price to get a lockable locker from Bunnings or the like.

- **Post flood Car park and locker wash**. Sat, April 15th the building washers will be in to give the lockers and car park a good clean to get rid of any lingering contaminants from the flood water.

- The **mailboxes** were successfully moved inside and security has been very good thus far. Repairs to mailboxes and the removal of 'junk mail' stickers will commence asap. Swipe access has been given to NZ Post and selected regular courier companies.

Regards,
Kylie Tucker and the MRL Team

kylie@malcolmrichard.co.nz
022 043 5228



E&OE

APPROVED BUDGET 2023/2024 - BC 553081 On Point Apartments

For the year ended 31 March 2023

	Approved Budget 23/24
Income	
BC Levies	176683
Levy Discount	
BC levy discount claimed	
BC levy discount	17,668
Nett Income	0.00
Operating Expenses	
Automatic Door Maintenance	1380
Bank Fees	90
Body Corporate Manager fee	12540
Building Manager	17411
Building Wash	5800
Cleaning - common areas	6624
Compliance - BWOF	3000
Contingency Fund	11500
Electricity	9500
Fire Protection Services	5500
Gardening and Lawn	4000
General Expenses	1000
Health and Safety	400
Insurance	42000
Insurance - valuation	0
Intercom and Security	1000
Long Term Maintenance Plan	0
Lift Maintenance	5300
Lift Phone	720
Repairs and Maintenance	5000
Special Projects	16000
Waste Management	8750
Waste Disposal Pumps	900
Water	600
Total Operating Expenses	159015

Balance Sheet

BC 553081 On Point Apartments

As at 31 March 2023

31 MAR 2023

Assets

Bank

BC553081 Contingency	11,621.61
BC553081 Flood Account	75,941.79
BC553081 Trust Account	5,380.40
Total Bank	92,943.80

Current Assets

Accounts Receivable	1,674.09
Insurance - credit	35,412.51
Total Current Assets	37,086.60

Total Assets

130,030.40

Liabilities

Current Liabilities

Accounts Payable	3,380.41
Rounding	0.80
Total Current Liabilities	3,381.21

Total Liabilities

3,381.21

Net Assets

126,649.19

Equity

Accumulated Funds	24,751.21
Current Year Earnings	101,897.98
Total Equity	126,649.19