

**Minutes of the Annual General Meeting of Body Corporate 591714
held on Thursday, 12 September 2024 at 5:00pm held at Old Flatbush School,
corner of Murphy's Road and Flat Bush Road, Flat Bush,**

PRESENT:

Chang Dong Choi	G01-3Newelm / G01-7Newelm
Wesley Taufu	104-5Dishys
Kim Bo Kyung	G02-3Newelm
Narend Asre	102-5Newelm / 105-5Newelm
Neelam & Vimal Nair	202-3Newelm
Sophie Wilson	203-5Dishys
Yoke (Tom) Lo / Toh Ting	G01-1Dishys
Wan (Ormiston Garden LP)	104-1Dishys / 201-5Newelm / G03-1Dishys / 105-1Dishys / 201-3Newelm / 108-5Newelm / 204-5Dishys / G02-1Dishys / 101-5Newelm / G04-1Dishys / 102-1Dishys
Omair Adil & Vanessa Stone	Crookers Body Corporate Management Limited

(As recorded on the Attendance Register)

APOLOGIES:

Deepak Chand	103-3Dishy
Barbara Pfiel	G02-3Dishy

PROXIES: Nil

POSTAL VOTES:

Siteria Katia	101-3Newelm
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QUORUM:

The Body Corporate manager confirmed that the meeting was quorate as at least 25% of the principal units entitled to exercise a power of voting were represented.

1. ELECTION OF MEETING CHAIRPERSON:

Resolved by ordinary Resolution Omair Adil be elected chairperson for the meeting.
[N Asre / Y Lo - Carried]

2. APOLOGIES, PROXIES AND POSTAL VOTES:

Resolved by ordinary resolution **That** the apologies, proxies and postal votes be received.
[S Wilson / K Kyung - Carried]

3. AUDIT:

Resolved by special resolution **That** in accordance with the provisions of Section 132(8) of the Unit Titles Act 2010 the financial statements of the body corporate for the forth coming year are not Audited or reviewed.
[N Asre / Y Lo - Carried]
101-3Newelm abstained

4. INTRODUCTION TO BODY CORPORATE:

- Operational Rules
- Role of Account Manager
- Annual Budget
- Insurance

Meeting Note: The meeting was advised that the rubbish bins were full most of the time. BC manager to check if all the rubbish bins had been delivered for the body corporate and the frequency of

collection. BC manager to also check if exemption has been approved by the council to not include rubbish collection charges in the rates bill. The manager advised that the council will continue to apply charges for food scrap bill despite private rubbish collection.

The budget for the current year does not include contributions to the long term maintenance fund. The meeting adopted the long-term maintenance plan at the meeting. Contributions to the LTMF will be based on the recommendations in this.

5. ANNUAL REVIEW AND UPDATE OF HEALTH AND SAFETY REPORT AND HAZARD REGISTER:

The body corporate has completed the Health & Safety Report and Hazard Register for the complex, which is held and available at any time on your MyCommunity portal. The Body Corporate Committee will review the health and safety report, prioritise actions and update the hazard register accordingly. In addition, health and safety will be placed on the agenda for every meeting.

Committee Note: We encourage all owners to take the time to ensure they have reviewed the body corporate Hazard Register and advise any relevant parties of these hazards (e.g. guests, property managers, visitors or tenants) where necessary. We also remind everyone that as a living document, the committee will continue to update it as required. It is the responsibility of everyone, including owners, tenants, visitors or contractors to be aware and assess the safety of the environment and report any concerns immediately to the committee.

Resolved by ordinary resolution **That** the Body Corporate authorises the Committee to continually review, action as necessary and update the Hazard Register for the complex, based on risks identified and notified by any owner, resident or visitor, to ensure a safe environment for all.

[S Wilson / W Taufu - Carried]

6. LONG TERM MAINTENANCE PLAN:

Resolved by ordinary resolution **That** in accordance with the provisions in Section 116 of the Unit Titles Act 2010 the body corporate adopts the long term maintenance plan prepared by Solutions in Engineering and dated 6 May 2024.

[W Taufu / N Asre - Carried]

101-3Newelm Voted against

7. LEVY COLLECTION PROCEDURE:

Resolved by ordinary resolution **That:**

i) Pursuant to s128 (2) of the Unit Titles Act 2010 interest of 10% per annum will accrue and will be charged on any debt unpaid after the due date until the date of payment.

ii) Crockers Body Corporate Management Ltd is authorised and instructed to recover unpaid levies or other unpaid debts owed by a unit owner, together with interest and reasonable costs of collection, using the Crockers collection procedures, (as posted at <http://www.crockers.co.nz/body-corporate/levies-collection-procedures>), where the debt has been outstanding for more than 14 days.

iii) The committee is authorised to instruct Crockers Body Corporate Management Ltd, or solicitors 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.

[Y Lo / N Asre - Carried]

Overdue fees, body corporate manager's costs, interest and solicitor's expenses:

Overdue fees, body corporate manager's costs, interest or solicitor expenses incurred in the recovery of an overdue levy for a unit are the proprietor's responsibility to pay. They are not reversible from a proprietor's account unless by consent of the Body Corporate and/or the Committee, at which point the account of the body corporate becomes liable for payment of those fees.

8. ELECTION OF CHAIRPERSON OF THE BODY CORPORATE:

The meeting was advised that Regulation 10 of the Unit Titles Regulations 2011 required that the body corporate elect a chairperson of the body corporate. The chairperson's role is set out in Regulation 11 of the Unit Titles Regulations and would be closely supported by Crockers Body Corporate Management Ltd in a subservient capacity.

Resolved by ordinary resolution **That** Yoke (Tom) Lo be appointed chairperson of the body corporate.

Manager's Note: In accordance with section 112A(1) Unit Titles Act 2010 (UTA), the appointed Body Corporate Chairperson is automatically a Committee member. Also, they are automatically the Committee Chair, unless the Body Corporate passes an ordinary resolution under section 112A(2) UTA that they are not the Committee Chair and the Committee shall appoint its own Chair (from the rest of the Committee members) under Regulation 26(1).

[N Asre / W Taufu

- Carried]

9. COMMITTEE NUMBER & QUORUM:

Resolved By ordinary resolution That the committee is to comprise of six (6) elected members and the total number of members required to constitute a quorum is no fewer than four (4) members.

[S Wilson / Y Lo

- Carried]

101-3Newelm voted against

10. ELECTION OF COMMITTEE MEMBERS:

The body corporate manager advised owners that the role of the committee was to carry out (with the assistance of the body corporate manager) the duties of the body corporate between general meetings.

Resolved by ordinary resolution That the following members be declared elected to the committee in accordance with the provisions of Section 112(2) of the Unit Titles Act 2010 and Regulations 22 & 24 in the Unit Titles Regulations 2011 for the forthcoming year:

Barbara Pfeil - G02/3 Dishys Road

Sophie Wislon - 203/5 Dishys Road

Rawal Bir - 104/5 Newelm Lane

Wesley Taefu - 104/5 Dishys Road

Sathiyaseelan Thuraijah - 102/7 Newelm Lane

[N Asre / Y Lo

- Carried]

101-3Newelm abstained

11. DELEGATION OF BODY CORPORATE CHAIRPERSON DUTIES:

Resolved by special resolution That in accordance with the provisions of section 108(1) of the Unit Titles Act 2010 and regulation 11(2) of the Unit Titles Regulations 2011 the duties of the body corporate chairperson as set out in regulation 11(1), sub-paragraphs (a) to (m) included in the Unit Titles Regulations are delegated to the committee, effective until the next annual general meeting.

[Y Lo / S Wilson

- Carried]

12. DELEGATION OF BODY CORPORATE POWERS AND DUTIES:

Resolved by special resolution That in accordance with the provisions of section 108(1) of the Unit Titles Act 2010 all the powers and duties of the body corporate are delegated to the body corporate committee, with the exception of the powers and duties set out in section 108(2) of the Unit Titles Act 2010 with effect until the next annual general meeting. The body corporate committee shall report on the delegation to the body corporate at the next annual general meeting.

[N Asre / W Taufu

- Carried]

13. INLAND REVENUE TAX AGENT AUTHORITY:

Resolved by ordinary resolution That the body corporate appoints Crockers Body Corporate Management Limited (tax agent) to act on our behalf for all tax types for the coming year. Authority is given to obtain information from Inland Revenue and other financial institutions to enable our tax returns to be completed. This includes obtaining information via online services available on the Inland Revenue's website. The body corporate recognises that Crockers role is to lodge their tax returns rather than provide individual tax advice relating to the specific handling of one off amounts that may arise from time to time. In this instance the body corporate will arrange their own independent tax advice as to how the return should be handled by Crockers.

[W Taufu / Y Lo

- Carried]

14. GENERAL BUSINESS:

■ Pets - Unit 203/5 Dishys

Written consent for a pet - are there any other factors to be put in place for keeping pets in units.

Meeting Note: The BC manager advised that anyone who wishes to keep a pet in their apartment must submit a pet consent form, available on request from the body corporate manager, the body corporate committee. The committee must not withhold permission without reason. The body corporate manager maintains a register of pets. If the due process is not followed, this will be in breach of the operational rules of the body corporate and the body corporate may seek remediation costs for which will be charged on to the owner of the unit in breach.

■ Parking Signs - Unit 104/5 Dishys

Meeting Note: The meeting discussed placing signs around the complex and towing any cars that were not parked in their designated space or a designated parking space or found to be blocking cars of other residents in the complex. The committee shall be tasked with engaging a towing company to help with parking issues.

■ Insurance Premiums - Unit G01/5 Newelm

If we reduce the insurance excess to \$550 what will be the effect on premium?

Meeting Note: The meeting agreed that the cost of reducing the excess to \$550 will be too high and is not viable given the budget for the year is already set. The body corporate may review this next year.

- The congregating of children around the carpark area for a fun time together. Just the recent Sunday, there was a car accident where a youngster was involved.
- Maintaining of noise level low by upper level units - the floor above stomps (feet) without considering the occupants of lower level units.

Meeting Note: The meeting was advised that several such complaints had been received. The residents need to call the council's noise control team in the first instance. Based on the report from the council, the body corporate can issue a breach notice. Further failure to comply may warrant the body corporate to take action, the cost of which will need to be borne by the owner of the unit in breach.

■ Lawn mowing on the ground floor.

Meeting Note: The meeting agreed that the units on the ground floor must maintain the gardens within their boundaries. This task can be taken on by the gardeners that currently maintain the common areas at owners'/residents' own expense.

■ Noise from the water falling on aluminium panels

Meeting Note: The meeting was advised of a loud noise created by the rain falling on the aluminium panels along the buildings. The representative for the developer advised that nothing could be done at this stage as this was part of the original building design and signed off by the council. The body corporate reserves the right to review this and take appropriate remedial action should this be required.

■ Drying Clothes on the Balcony

Meeting Note: The meeting discussed the option to allow clothes drying on the balcony. This is currently against the operational rules of the body corporate. After discussing multiple options, it was decided that any allowances made to the rule will be too hard to govern and have the potential to be abused. Changes to the operational rules can be explored in the future, however, the meeting agreed to maintain the status quo for now.

There being no further business, the meeting closed at 7:09 pm.

For and on behalf of
Crookers Body Corporate Management Limited
Manager for Body Corporate 591714

Omar Adil

Omar Adil
Account Manager

DDI 09 968 3325
Email omar@crookers.co.nz
Web www.crookers.co.nz