Minutes of the Annual General Meeting of Body Corporate 591714

held on Wednesday 21 May 2025 at 6:00pm held at Old Flat Bush School Hall and by way of a virtual site using Microsoft Teams

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PRESENT:

Unit G02-3 Dishys Road	Barbara Pfeil
Unit 104-5 Dishys Road	Wesley Taefu
Unit 204-1 Dishys Road	Pravin Naidu
Various units listed below	Chem How Wan on behalf of Ormiston Garden LP

Unit 101-5 Newelm Lane, 101-7 Newelm Lane, 103-7 Newelm Lane, 106-5 Newelm Lane, 108-5 Newelm Lane, 201-3 Newelm Lane, 201-5 Newelm Lane, 202-5 Newelm Lane, 202-7 Newelm Lane, 203-3 Newelm Lane, 203-5 Newelm Lane, 204-3 Newelm Lane, 204-5 Newelm Lane, 204-7 Newelm Lane, 207-5 Newelm Lane, G02-5 Newelm Lane, G03-5 Newelm Lane, 101-3 Dishys Road, 101-5 Dishys Road, 102-1 Dishys Road, 103-1 Dishys Road, 104-1 Dishys Road, 105-1 Dishys Road, 201-3 Dishys Road, 202-5 Dishys Road, 204-3 Dishys Road, 204-5 Dishys Road, G02-1 Dishys Road, G02-5 Dishys Road, G03-1 Dishys Road, G04-1 Dishys Road.

Nicholas Yate (Active Building Management Limited)
Vanessa Stone (Crockers Body Corporate Management Limited)
(As recorded on the Attendance Register)

APOLOGIES:

Unit G01-Dishys Road	Yoke Thong Lo (Tom)
Unit 203-5 Dishys Road	Sophie Wilson

PROXIES:

Unit 208-5 Newelm Lane	Cameron Whiting in favor of Crockers Body Corporate Management Limited
Various units	Ormiston Garden LP in favor of Chem How Wan

POSTAL VOTES:

Nil.

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 **That** Vanessa Stone be elected Chairperson for the meeting.

[Chem How Wan/ Wesley Taefu - Carried]

2. APOLOGIES, PROXIES AND POSTAL VOTES:

Resolved by ordinary resolution **That** the apologies, proxies and postal votes be received.

[Chem How Wan/ Pravin Naidu - Carried]

3. CONFIRM MINUTES OF PREVIOUS GENERAL MEETING:

Resolved by ordinary resolution **That** the minutes of the meeting held on 12 September 2024 be accepted as a true and correct record of that meeting.

[Chem How Wan/ Wesley Taefu - Carried]

4. CONFIRM THE FINANCIAL STATEMENTS:

Resolved by ordinary resolution **That** the financial statements for the financial period ending 25 February 2025, as attached to the agenda, be accepted.

[Barbara Pfeil/ Wesley Taefu - Carried]

5. 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.

[Wesley Taefu/ Pravin Naidu - Carried]

6. BUILDING MANAGER PRESENTATION:

Please see attached.

7. INSURANCE:

Resolved by ordinary resolution **That** cover be placed with Orion Insurance via Gallagher Insurance NZ (managing broker), for the coming 12 months at a premium of $84,439.33 inclusive of GST. The Body Corporate undertakes to advise the Manager or Gallagher Insurance NZ should the occupancy of the unit change (including a unit becoming vacant) during the year.

[Chem How Wan/ Wesley Taefu - Carried]

Please Note: A copy of the Orion policy wording is available at www.orioninsurance.co.nz/policy-wordings/

i) Owners are advised that any claims in relation to the insurance policy should be made directly to the insurance assessors in the first instance: Godfrey and Co on 0800-623-9908 (24 hours) or claims@godfrey.co.nz
ii) The insurer needs to be notified if a unit is vacant for longer than ninety days, as failing to do this could result in the insurance cover lapsing. Please note that a unit that is vacant will attract a higher excess in the event of a claim.
iii) The owners as the Body Corporate warrant that the list of building occupants and their activities set out in the valuation is accurate, as is the occupation status of the units, and undertakes to advise Crockers or broker should the occupancy or the use of the unit change.
iv) Owners give their undertaking to advise the insurer of any material change, refurbishment or upgrade that may alter the value of cover on their unit.
v) The Body Corporate is advised that all claims should be notified as soon as practicable. The insurer advises that claims not notified within 30 days of the incident may be technically void.

Your policy number is 591714
Website: www.orioninsurance.co.nz
Facsimile: (09) 623 9901
Email: Tom.Palmer@ajg.co.nz

8. INSURANCE:

The insurer needs to be notified if a unit is vacant for longer than ninety days, as failing to do this could result in the insurance cover lapsing. If a unit will be vacant for longer than this period, please notify the insurer on the contact numbers below. Please note that a unit that is vacant will attract a higher excess in the event of a claim.

Motion put by ordinary resolution **That** cover be placed with NZI via Gallagher Insurance NZ (managing broker), for the coming 12 months at a premium of $97,560.88 inclusive of GST. The Body Corporate undertakes to advise Crockers or Gallagher Insurance NZ should the occupancy of the unit change (including a unit becoming vacant) during the year.

[Motion Failed]

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

The Body Corporate has completed the Health and Safety Report and Hazard Register for the complex, which is held and available at any time on MyCommunity. 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 this is 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.

[Chem How Wan/ Pravin Naidu - Carried]

10. COMMON MAINTENANCE:

Household items unable to be placed in a normal rubbish bin – Wesley Taefu

The meeting discussed the wooden pellets that had been dumped outside 5- Dishys Road. The concern was raised around the impact on the complex if items continued to be dumped and not appropriately taken care of or disposed. The Manager advised that unfortunately if items are placed outside the Body Corporate boundary on the grass verge, then this is Council land.

It was identified that after the residents of Unit 201-5 Dishys Road moved out, they had left the pellets outside a vacant unit, by the curb. The Manager advised that the Body Corporate has two options – 1. Arrange and pay for the pellets to be removed and on charge the owner, provided this is on Body Corporate land or 2. Contact Auckland Council to see if they would arrange for these to be removed.

11. CONFIRM BUDGET:

Prior to the meeting the Manager had circulated a draft budget totaling $307,153.45 including GST.

After discussion the following amendments were made to the circulated budget:
The insurance premium budget provision for $100,000.00 is amended to $85,000.00.

Resolved by ordinary resolution **That**:

i) The budget is fixed at $292,153.45 including GST in accordance with the provision of Section 121 of the Unit Titles Act 2010. The budget shall be raised by Utility Interest in one (1) instalment due for payment by the 18 June 2025.
ii) Pursuant to the provisions of Regulation 17 of the Unit Titles Regulations 2011, the Body Corporate gives its approval for the Committee to enter into all necessary obligations on commercial terms that will give effect to any expenditures provided for in the budget.

[Pravin Naidu/ Barbara Pfeil - Carried]

Managers Post Meeting Note: Following the Annual General Meeting the committee decided to make the following changes to the approved budget and increase the levy instalments to two, rather than one. This would ease the financial pressures of having to pay the levy in one lump sum.

Please see changes below:

Reduce the Building Manager expense item from $37,000.00 to $13,000.00;

Reduce the Long-Term Maintenance Fund contribution from $50,000.00 to $35,000.

This would bring the total budget down to $253,145.45 including GST.

The new levy instalment dates are as follows:

25 June 2025 & 25 November 2025 (due in two equal instalments)

12. 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 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 www.crockers.co.nz/body-corporate/levies-collection-payment) where the debt has been outstanding for more than 14 days.
iii) The Body Corporate instructs Crockers, 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.

[Wesley Taefu/ Pravin Naidu - Carried]

13. 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 in a subservient capacity.

Resolved by ordinary resolution **That** Wesley Taefu 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).

[Chem How Wan/ Pravin Naidu - Carried]

14. COMMITTEE NUMBER and QUORUM:

Resolved by ordinary resolution **That** the Committee is to comprise of two [2] elected members and the total number of members required to constitute a quorum is no fewer than two [2] members.

[Pravin Naidu/Chem How Wan - Carried]

15. 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 and thanked the outgoing committee members for their contribution throughout the year.

Resolved by ordinary resolution **That** together with the appointed Body Corporate Chairperson (if any), the following members be declared elected to the committee in accordance with the provisions of Section 112 of the Unit Titles Act 2010 and Regulations 22 and 24 in the Unit Titles Regulations 2011 for the forthcoming year:

Unit 104-5 Dishys Rd Wesley Taefu

Unit G01-1 Dishys Rd Yoke Thong Lo (Tom)

Manager's Note: If a Chairperson of the Body Corporate has been appointed, that person is automatically granted one of the Committee positions. If the successfully elected Body Corporate Chairperson is named as a Committee nominee above, their name will be removed at the meeting to reflect that they are automatically granted a place on the Committee. All appointed Committee members must comply with the Committee Code of Conduct and the Committee Conflict of Interest regime in the UTA.

[Barbara Pfeil/ Pravin Naidu - Carried]

Due to a lack of nominations onto the committee, the meeting agreed to co-opt Chem How Wan (Ormiston Garden LP) & Pravin Naidu (Unit 204-1 Dishys Road) onto the committee. The Manager advised that as there is a nomination process in place, the co-opted members would not be entitled to a vote in committee decisions but would be included in all communication regarding committee matters.

16. 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.

[Barbara Pfeil/ Pravin Naidu - Carried]

17. 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, except for 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.

[Pravin Naidu/ Chem How Wan - Carried]

18. INLAND REVENUE TAX AGENT AUTHORITY:

Resolved by ordinary resolution **That** the Body Corporate appoints Crockers (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.

[Chem How Wan/ Pravin Naidu - Carried]

<u>19. GENERAL BUSINESS:</u>

<u>Building Manager</u>

The Manager advised that following the presentation from Active Building Management Limited, two quotes were sourced and included in the Annual General Meeting documents. The alternative company was Powerhouse Management Limited. The committee are to decide after the meeting which company to proceed with.

<u>Housekeeping</u>

The meeting discussed the importance of ensuring that standards are adhered to, to ensure the complex is managed efficiently and kept in good shape. The addition of a Building Manager would assist with this and ensure moving forward the site would be managed well for all residents.

<u>Dran blocked in carpark</u>

A few weeks prior to the meeting a committee member brough up that a drain in the car park was blocked & overflowing. However, the decision was to leave this for now as the water subsided. If this continues to happen then the committee will address this when the time comes.

There being no further business, the meeting closed at 6:52 pm.

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

Vanessa Stone
Account Manager

DDI 09 920 6309
Email
Web www.crockers.co.nz