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MINUTES OF THE ANNUAL GENERAL MEETING

BODY CORPORATE 468788

1-87 Chiefs Court, Hamilton East Hamilton 3216

The Annual General Meeting of Body Corporate 468788 was held via Zoom on Wednesday, 22 November 2023 commencing at 05:00 PM.

Present:

Lot #	Unit #	Attendance	Owner Name Representative
51	6Chiefs	Yes	CNA Family Trust (Proxy: Rean Khoo)
56	7Chiefs	Yes	Gillingham Holdings Limited, Elizabeth Gillingham
33	10Chiefs	Yes	Fructus Opus Limited, Andrea Gregory
32	12Chiefs	Yes	Fructus Opus Limited, Andrea Gregory
7	18Chiefs	Yes	Black, Ryan Allan
5	22Chiefs	Yes	Chen, Lan
4	24Chiefs	Yes	Rebecca de Mannett Hannah (Proxy: Rean Khoo)
43	25Chiefs	Yes	Susan Cooper & Philip Jellyman
42	27Chiefs	Yes	Dean & Tina-Marie Chapman (Proxy: Brody Chapman)
34	43Chiefs	Yes	Fletcher, Peter & Rosemary
21	61Chiefs	Yes	Shot Investments Ltd, Scott Muirson
17	69Chiefs	Yes	Hayes, Stephen & Noemi (Postal vote)
15	73Chiefs	Yes	Moshin Hussain and Ruhksaar Nisa
11	81Chiefs	Yes	Jin, Ri
10	83Chiefs	Yes	Bakmeedeniya, Anura & Shirani

In attendance:
Rean Khoo, Senior Body Corporate Manager, Auckland Property Management,
Leanne Bullock, Site Manager, Rental 4 U.

Minutes:

1 Appointment of Chairperson for Meeting

Resolved (by ordinary resolution): That Rean Khoo be elected Chairperson of the meeting.

MOVED: Philip Jellyman
SECONDED: Andrea Gregory
MOTION CARRIED UNANIMOUSLY

2 Proxies and Voting Papers

Resolved (by ordinary resolution): That the proxies and voting forms be received.

Meeting notes:
Postal votes received from 69 and 73.
Proxy received from 6 and 24, in favour of Rean Khoo.
Proxy received from 27 in favour of Brody Chapman.

MOVED: Philip Jellyman
SECONDED: Andrea Gregory
MOTION CARRIED UNANIMOUSLY

3 Conflicts Register

No motion.

4 Confirm Minutes of Previous Annual General Meeting

Resolved (by ordinary resolution): That the minutes of the last meeting, held 07/12/2022, be confirmed as a true and accurate record of that meeting.

MOVED: Philip Jellyman
SECONDED: Andrea Gregory
MOTION CARRIED UNANIMOUSLY

5 Committee Annual Report

In accordance with the Unit Titles Regulations 2011, Regulations 28(1) and 28(3), a verbal annual Committee Report will be made at the meeting.

To consider the motion (by ordinary resolution): That the verbal annual Committee Report is approved.

MOTION WITHDRAWN as no report was required to be made at the meeting.

6 Election of Chairperson of Body Corporate

Resolved (by ordinary resolution): That one of the following nominees be elected as Chairperson of the Body Corporate in accordance with Regulation (10)1 of the Unit Titles Regulations 2011.

Meeting notes:
As no nominations were received prior to the meeting, the meeting nominated and elected Sue Cooper of 25 Chiefs Court as the Chairperson of the Body Corporate.

MOVED: Scott Muirson
SECONDED: Andrea Gregory
MOTION CARRIED UNANIMOUSLY

Manager's Note:
Under section 112A(1) UTA, the appointed Chairperson of the Body Corporate will automatically be given a position on the Committee. In addition, they will automatically be the Committee Chair, unless the Body Corporate resolves by ordinary resolution under section 112A(2) UTA not to take that approach.

7 Committee Number & Quorum

Resolved (by ordinary resolution): That until otherwise resolved by the Body Corporate in terms of the Unit Titles Act 2010, the Committee shall comprise of up to 59 members. The Committee shall meet and conduct business in accordance with the requirements of the Unit Titles Act 2010 and the Unit Titles Regulations 2011 not less than one time in each year. The quorum necessary for the transaction of the business of the Committee shall be majority.

MOVED: Philip Jellyman
SECONDED: Andrea Gregory
MOTION CARRIED UNANIMOUSLY

8 Election of Committee

To consider the motion (by ordinary resolution): That an owner of each unit be elected to the Committee.

Meeting notes:
The BC manager spoke about her concerns of having 59 unit owners as members to the committee. In an administrative point of view, it is very difficult to obtain majority committee approval during the year if a decision needs to be made. Hence, the BC manager encouraged owners to step up to join the committee so the Body Corporate can function more efficiently during the new financial year.

The BC manager suggested that the meeting can consider this next year but the meeting was happy to carry out a nomination and election at this meeting itself. All owners who attended the meeting were happy to amend the motion this year.

Resolved (by ordinary resolution): That FOUR (4) of the following nominess be elected to the Committee.

1. Unit 7 - Liz Gillingham
2. Unit 73 - Moshin Hussain
3. Unit 43 - Rose Fletcher
4. Unit 10 - Andrea Gregory

MOVED: Lan Chen
SECONDED: Brody Chapman
MOTION CARRIED UNANIMOUSLY

If a Body Corporate Chairperson has been successfully appointed under motion 5, they are automatically appointed as a member of the Committee.

As per UTA Section 114A, all Committee members must comply with the Committee Code of Conduct in Schedule 1A of the Unit Titles Regulations 2011. As per UTA Section 114C, a Committee member who has a financial interest in a matter, must also disclose details of the nature and extent of the interest to the Committee and this must be recorded in a register held by the Committee. (See Appendix A). What constitutes a "financial interest" that must be disclosed is set out in sections 114C to 114E of the UTA.

9 General Delegation of Powers and Duties

(a) Resolved (by ordinary resolution): That the Body Corporate shall indemnify the Committee and the Chairperson, for any liability incurred by either, in respect of any matter undertaken in good faith by them in exercise of their delegated powers for the Body Corporate, in terms of the Unit Titles Act 2010 ("the Act"). Without limitation to the above, the Body Corporate shall indemnify the Chairperson and/or the Committee for any liability incurred in respect of any certificate given in good faith under Section 147(3) (b) of the Unit Titles Act.

MOVED: Lan Chen
SECONDED: Brody Chapman
MOTION CARRIED UNANIMOUSLY

(b) Resolved (by special resolution): That the duties of the Body Corporate Chairperson as set out in Regulation (11)1, sub-paragraphs (a) to (m) inclusive of the Unit Titles Regulations 2011 be delegated to the Committee.

MOVED: Lan Chen
SECONDED: Brody Chapman
MOTION CARRIED UNANIMOUSLY

(c) 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 be delegated to the Body Corporate Committee, save those powers reserved to the Body Corporate by Section 108(2).

MOVED: Lan Chen
SECONDED: Brody Chapman
MOTION CARRIED UNANIMOUSLY

10 Re-Appointment of Body Corporate Manager

Resolved (by ordinary resolution): That the Body Corporate re-appoint Auckland Property Management Ltd as Manager for the following year to carry out the duties delegated to the Committee in terms of Section 108(2) of the Unit Titles Act 2010 and Regulation 11(1) of the Unit Titles Regulations 2011.

MOVED: Philip Jellyman
SECONDED: Andrea Gregory
MOTION CARRIED UNANIMOUSLY

11 Insurance Discussion

(a) Resolved (by ordinary resolution): That the renewed insurance policies for the period 20/02/2023 to 20/02/2024 be confirmed.

MOVED: Philip Jellyman
SECONDED: Andrea Gregory
MOTION CARRIED UNANIMOUSLY

<u>(b) Resolved (by ordinary resolution):</u> That the Body Corporate authorises the Committee (under its already delegated powers), or the Body Corporate Manager be authorised to obtain quotations and renew the insurance policies for the coming year. The Body Corporate shall consider the need for insurance cover for:

- (i) The building and other site improvements;
- (ii) Loss of rents; Alternative Accommodation
- (iii) General Liability;
- (iv) Statutory Liability; and
- (v) Association Liability/ Office Bearers' cover

MOVED: Philip Jellyman
SECONDED: Andrea Gregory
MOTION CARRIED UNANIMOUSLY

Managers Note:
Owners are asked to ensure they are familiar with the cover in place and the terms of this cover. These details can be found on https://bodycorp.aucklandproperty.net/ under the insurance folder, including a claim form.

12 Change of End of Financial Year

<u>Resolved (by ordinary resolution):</u> That the Body Corporate approves the change of the end of financial year from 30 November to 31 October each year, commencing from this year 31/10/2023.

Meeting notes:
The BC manager explained the proposed motion above which is due to the tight cash flow of the Body Corporate. The financial position of the BC is currently in its negative, and it would be beneficial for the BC to move its financial year one month earlier from this year onwards.

MOVED: Philip Jellyman
SECONDED: Andrea Gregory
MOTION CARRIED UNANIMOUSLY

13 Approval of Financial Statements

<u>Resolved (by ordinary resolution):</u> That the Financial Statements prepared by the Body Corporate as a non-reporting entity, which include the Statements of Income and Expenditure and Assets and Liabilities for the year ended 30/10/2023, be approved.

MOVED: Philip Jellyman
SECONDED: Andrea Gregory
MOTION CARRIED UNANIMOUSLY

14 Appointment of Auditor - If Required

<u>Resolved (by special resolution):</u> That in accordance with Section 132(8) of the Unit Titles Act 2010, no audit, review or verification is required on the financial statements for the previous financial year.

MOVED: Philip Jellyman
SECONDED: Andrea Gregory
MOTION CARRIED UNANIMOUSLY

Managers note:
If the above motion fails, then the Committee will arrange an audit of the financial statements for the previous financial year as per Section 132 of the Unit Titles Act and an agreed figure for the audit will be added to the Administrative Fund budget.

Auckland Property Management adopts the Best Practice model in relation to Financial Management:

i) Auckland Property Management Ltd advises that as part of our internal controls and procedures, all transactions are made through the Trust account of the Manager and are subject to a quarterly audit.

ii) *Auckland Property Management Ltd is a strong advocate of Industry Best Practice and promotes good governance principles in relation to financial management and reporting.*

15 Discussion of Long Term Maintenance Plan

Resolved (by ordinary resolution): That the Body Corporate agrees to arrange a formal review of the Long Term Maintenance Plan by a suitably qualified building professional in accordance with the requirements of Regulation 30 (2) of the Unit Titles Regulations 2011, which the Committee may arrange under its already delegated powers and report back to the Body Corporate to seek approval of any changes to the Plan as a result of the review.

MOVED: Philip Jellyman
SECONDED: Andrea Gregory
MOTION CARRIED UNANIMOUSLY

16 Site Manager's Report

Resolved (by ordinary resolution): That the Site Manager's verbal Report is approved.

Meeting notes:
The site manager, Leanne Bullock, gave a verbal update at the meeting.
She is proposing to increase the budget for lawns and gardening. A one-off hard prune of trees and hedges need to be done as hedges are growing very fast and she received quite a lot of complaints from residents about the issue. Garden beds need to be re-barked. This was already discussed and agreed at the AGM last year but due to the roof cleaning priorities, it was noted that this maintenance job to be postponed to this year. It has been about 15 years this was last done.
Trees also need to be pruned as the branches and leaves are getting into people's houses.
There is a hole in the wall in the archway that needs to be fixed.
Exterior windows need to be done this year as paint is already falling off. There is an estimated cost to do this for $21,000. There is some scaffolding/Elevated platforms required hence making the cost slightly higher.
Road marking/bollards that were installed made a huge difference in those areas and eliminated double parking issues.
People started parking on lawns and damaging it. There is a temporary fencing placed on it now but will have to remove it in future and monitor whether a permanent solution would be needed.
Building washing planned to happen around January/February next year.
Rubbish issues at the complex. A lot of bins were not collected by the council as there were materials inside that cannot be collected. This does not look good, leading to pest/rodents. Some people put on black rubbish bags but these are not collected anymore. If the BC can find the offender of these, the removal of those illegal rubbish/junk will be on-charged to that unit owner.
Visitor carparks issue due to constantly being occupied by residents, not visitors. Leanne puts a note on the car when she visits if she is aware the car is there for days. There is a few towaway signs already however since they are outdated, Leanne will work on changing the towaway signs. If anyone reports to Leanne about who the offender is, she is happy to knock on doors to remind people not to park there.

MOVED: Philip Jellyman
SECONDED: Andrea Gregory
MOTION CARRIED UNANIMOUSLY

17 Health & Safety

Resolved (by ordinary resolution): That the Body Corporate monitors, reviews and updates the Hazard Register on file to ensure any hazards identified are removed or minimized and that any new hazards that may have occurred during the year are noted and attended to.

MOVED: Philip Jellyman
SECONDED: Andrea Gregory
MOTION CARRIED UNANIMOUSLY

Managers Note:
All owners are required under the Act to ensure they have read and understand the Health & Safety report and have supplied a copy to any tenants, visitors or contractors to ensure they are aware of any hazards onsite.

18 **Approval of Administration Fund Budget**
(Approved Budget Attached)

Resolved (by ordinary resolution): That the Administrative Fund budget be determined and approved and any levies raised are held in the Operating Fund.

Meeting notes:
The BC manager referred to the proposed budget that was circulated with the meeting agenda. As per item 16, verbal report from the site manager, it was noted that there would be a substantial increase in the administrative fund budget to sort out the required maintenance items to keep the site looking its best. The administrative fund budget was approved at $160,150.00 inclusive of GST.

MOVED: Philip Jellyman
SECONDED: Andrea Gregory
MOTION CARRIED UNANIMOUSLY

19 **Approval of Long Term Maintenance Fund Budget**
(Approved Budget Attached)

Resolved (by ordinary resolution): That the Long Term Maintenance Fund budget be determined and approved and any levies raised are held in the Long Term Maintenance Fund.

Meeting notes:
The BC manager referred to the proposed budget that was circulated with the meeting agenda. The long term maintenance fund budget was approved at $28,000.00 inclusive of GST.

MOVED: Philip Jellyman
SECONDED: Andrea Gregory
MOTION CARRIED UNANIMOUSLY

20 **Striking of Levies and Number of Levy Instalments**
Resolved (by ordinary resolution): That the operating budget (comprising the Administrative Fund budget and the Long Term Maintenance Fund budget) shall be raised according to utility and/or ownership interest in THREE (3) equal instalment/s due for payment on 15/12/2023, 01/02/2024 and 01/07/2024. The Body Corporate Manager shall issue invoices not less than 30 days prior to the due date for each instalment.

Meeting notes:
It was noted that the instalment frequencies have now been changed to three times instead of twice a year. The BC needs some levies paid now to ensure availablity of funds to pay its creditors as it is currently in a negative financial position.

MOVED: Philip Jellyman
SECONDED: Andrea Gregory
MOTION CARRIED UNANIMOUSLY

21 **Recovery of Body Corporate Levies, Penalty Interest Rates & Debt Administration Fees**
Resolved (by ordinary resolution): That Auckland Property Management Ltd be authorised to recover any unpaid levies or other outstanding expense items owed to the Body Corporate, through the Tenancy Tribunal or otherwise, and to levy interest at the rate of 10% per annum as provided for in Section 128 of the Unit Titles Act 2010 on any monies outstanding. All costs, debt administration fees and expenses involved in the recovery shall be charged against the defaulting proprietor in full. A lawyer appointed by the Committee, shall act as duly appointed agents for the Body Corporate, where required, for debt collection.

MOVED: Philip Jellyman
SECONDED: Andrea Gregory
MOTION CARRIED UNANIMOUSLY

Auckland Property Managements levy collection process is as follows:
Owners will be notified by email to the email address recorded with Auckland Property Management of all levies and/or charges due. The same email address will be used for all notifications regarding the

collection of money owed to the Body Corporate unless a request is made otherwise. If an owner does not have an email address, all correspondence will be posted to the postal address recorded with APM. It is the responsibility of the owner to ensure that APM is notified of any change to either email or postal addresses.

Levies are typically raised within 14 days of the Annual General Meeting unless otherwise instructed by the Chairperson of the Body Corporate. Our standard collection process for unpaid levies is detailed below:

- *30 days prior to levies being due, a levy notice is sent to advise owners of the levy instalment due. The due date for the first instalment can be sooner by resolution at the AGM.*
- ***Stage 1 debt recovery.** 10 days after the due date of the levy instalment, a reminder is sent that the levy instalment is past due. Interest at the rate of 10% per annum accrues from the due date.*
- ***Stage 2 debt recovery.** 40 days after the due date of the levy instalment, if payment is still outstanding, a final notice is sent to the registered owner. A debt administration fee of $110.00 + GST is charged to the unit.*
- ***Stage 3 debt recovery.** 70 days after the due date of the levy instalment, APM will attempt to contact the owner by an alternative contact method. If contacting the owner is unsuccessful and/or payment is not forthcoming, a notice to commence legal action is served, notifying the owner that their file will be referred to our legal department for further action should payment not be received within seven days. A debt administration fee of $220.00 + GST will be charged to the unit. Any legal costs incurred are payable by the registered owner.*

The above process is to be used as a guide only and is subject to change depending upon individual requirements of the Body Corporate.

Subject to acceptance by the Body Corporate committee, the owner may request to pay the levy by instalments at an agreed payment plan. This will include interest at the rate of 10% per annum for any period where there are monies outstanding. Failure to meet obligations to the agreed payment plan will result in the debt recovery process commencing.

22 General Business

Meeting notes:
- Moshin asked if heat pump units can be installed at the front of the property instead of the courtyard side. The BC manager explained that in the 2019 AGM, the meeting discussed and agreed that heat pump units can only be installed at the courtyard side. It is not aesthetically good looking if these units are installed at the front of the houses.
Some owners recommended the installation of ducted ventilation system if an owner is considering more than one heat pump unit to be installed.

<u>Body Corporate Website:</u>
At Auckland Property Management we try and be environmentally friendly so have put all your important documents relating to your body corporate online please visit https://bodycorp.aucklandproperty.net/ to view these at any time. If you have forgotten your login details please contact your manager Rean Khoo directly on the following email Rean@apm.kiwi and they will assist.

Rean Khoo
Body Corporate Manager

CLOSURE: There being no further business, the chairperson thanked all those who had attended and declared the meeting closed at 06:25 PM.

Privacy Policy: In order for Auckland Property Management to provide services to the Body Corporate and assist the Body Corporate in meeting the requirements of the Unit Titles Act 2010 and Unit Titles Regulations 2011, we are required to collect and hold personal information. We do so in accordance with our Privacy Policy which is published on our website. Please see https://www.aucklandproperty.net/auckland-property-management-privacy-policy/

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Approved Budget
to apply from 01/11/2023

Chiefs Court (Cameron Park) - BC 468788 | 1-87 Chiefs Court, Hamilton East Hamilton 3216

Administrative Fund

		Approved budget
Revenue		
143000	Levies Due--Admin	160,150.00
	Total revenue	160,150.00
Less expenses		
154000	Admin--Administration Fee--Standard	17,250.00
152006	Admin--Long Term Maintenance Fund Plan	2,500.00
159100	Insurance--Premiums	73,500.00
159200	Insurance--Valuation	1,100.00
164800	Maint Bldg--Electrical	500.00
167200	Maint Bldg--General Repairs	22,000.00
178400	Maint Grounds--Lawns & Gardening	31,000.00
181001	Site Maintenance	10,200.00
190200	Utility--Electricity	1,100.00
190800	Utility--Rubbish Removal	1,000.00
	Total expenses	160,150.00
Surplus/Deficit		0.00
	Opening balance	1,361.42
Closing balance		$1,361.42

Total units of entitlement	100000
Levy contribution per unit entitlement	$1.60

Long Term Maintenance Fund

		Approved budget
Revenue		
243000	Levies Due--LTMF	28,000.00
	Total revenue	28,000.00
Less expenses		
262150	Maint Bldg--Chemwash	20,000.00
272800	Maint Bldg--Roof	5,000.00
273800	Maint Bldg--Signs & Notice Boards	2,000.00
279511	Maint Grounds--Line Marking	1,000.00
	Total expenses	28,000.00
Surplus/Deficit		0.00
	Opening balance	(13,206.82)
Closing balance		-$13,206.82

Total units of entitlement	100000
Levy contribution per unit entitlement	$0.28