Crockers
PEOPLE & PROPERTY

Minutes of the Annual General Meeting of Body Corporate 086157
held on Monday 24 November 2025 at 5:30pm held at 27 Buller Street, Te Aro, Wellington and by way of a virtual site using Microsoft Teams

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PRESENT:

David Biggs	(Unit 17)
Graeme Hearfield	(Unit 11)
Mary & Vitaus Pecekajus	(Unit 21)
Ernest Glad (Corvest Wellington)	(Unit 23)
Lisa Taylor (LM Taylor Family Trust)	(Unit 1)
John Dance	(Unit 18)
Andrew Srpingett	(Unit 8)
Dayandra Hettige (Princeton Group Limited)	(Unit 6)
Jack Morris	(Unit 14)
Gail Donaldson (Rata Trust)	(Unit 24)
Varvara Sidorenko	(Unit 7)
Joe Martin	(Unit 10)
Mark Painter	(Unit 20)
Pradeep Vadivel	(Unit 4 & 9)
Heather Woods	(Unit 3)

Caylie Whitfield (Crockers Body Corporate Management Limited)
Livia Khanna (Crockers Body Corporate Management Limited)
Louise Jago (Active Building Management)

(As recorded on the Attendance Register)

APOLOGIES:

Dr Simon Holdgate	(Unit 15)
Daine Limbrey	(Unit 5)

PROXIES:

No proxies were received.

POSTAL VOTES:

Daine Limbrey	(Unit 5)

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** John Dance be elected Chairperson for the meeting

Mover: Heather/ Seconder: Dave

[Carried]

2. APOLOGIES, PROXIES AND POSTAL VOTES:

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

Mover: Dave / Seconder: Graeme

[Carried]

3. BUILDING MANAGEMENT REPORT:

Resolved by ordinary resolution **That** the building management report be accepted and entered into the records of the body corporate.

Mover: Dave / Seconder: John

[Carried]

4. REPORT FROM THE CHAIRPERSON AND COMMITTEE:

Resolved By ordinary resolution **That** by ordinary resolution the chairperson and committee report be accepted and entered into the records of the body corporate. Resolved By ordinary resolution That by ordinary resolution the chairperson and committee report be accepted and entered into the records of the body corporate.

Mover: Dave / Seconder: Graeme

[Carried]

5. CONFIRM MINUTES OF PREVIOUS GENERAL MEETING:

Resolved by ordinary resolution **That** the minutes of the meeting held on 31 August 2024 be accepted as a true and correct record of that meeting.

Mover: Dave / Seconder: Gail

[Carried]

6. CONFIRM THE FINANCIAL STATEMENTS:

Resolved by ordinary resolution **That** the financial statements for the financial period ending 31st August 2025, as attached to the agenda, be accepted.

Mover: Dave / Seconder: Graeme

[Carried]

7. 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.

Mover: Dave / Seconder: Grame

[Carried]

8. INSURANCE:

The vacancy of a unit and the nature of the activities carried out on site by commercial occupants of the property are material facts which must be disclosed to insurers. The list of the current occupants to the best of Crockers knowledge is set out as a Schedule to the insurance valuation (provided with meeting materials). Owners are asked to check that the list is accurate and to immediately advise Crockers of any changes in occupancy from that listed, including any period of the unit being vacant.

Resolved by ordinary resolution **That** cover be placed with AIG Insurance NZ Limited via Marsh Insurance Brokers (Managing Broker), for the coming 12 months at a premium of $131,540.62 inclusive of GST. The Body Corporate warrants 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 the Managing Broker should the occupancy or the use of the unit change (including a unit becoming vacant) during the year.

Mover: John / Seconder: Heather

[Carried]

For claims please contact Rob Richards on 644 819 2478/ Robert.Richards@marsh.com

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.

Meeting Notes: The owners in attendance agreed to have the committee investigate alternative insurance coverage options, once route to possibly only have indemnity coverage. The body corporate manager advised the body corporate against this route. Legal advice will be obtained for the body corporate, to find out if is this is allowed.

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.

Mover: Lisa / Seconder: Andrew

[Carried]

Meeting Notes: Another audit will be undertaken, to find out which units need to repair/ replace their hot water cylinders. Owners were reminded that hot water cylinders are the responsibility of the owner, however should these burst/ cause damage (due to age) these resultant damages may effect other units.

10. LONG TERM MAINTENANCE PLAN - ADOPTION OF LTMP - (10 OR MORE UNITS):

Resolved by ordinary resolution **That** in accordance with the provisions in Section 157(C) of the Unit Titles Act 2010 the Body Corporate adopts the Long-Term Maintenance Plan prepared by Plan Heaven and dated 01 September 2024.

[Carried]

Mover: Heather / Seconder: Gail

11. COMMON MAINTENANCE:

The owners in attendance discussed the option of having more cameras installed through the common property areas.

12. RE-ASSESSMENT OF UTILITY INTERESTS:

Resolved By special resolution **That** The Body Corporate, in accordance with section 41 of the Unit Titles Act 2010 ("UTA"), resolves as follows:

a. **Resolved That** in accordance with sections 41(1), 41(5)(b), and 41(6) of the UTA, the Body Corporate agrees to reassess the utility interests for all units in the development and adopts the new utility interests for all units as set out in the Colliers "Thorndon Quay, 220 OI Letter and Cals' - Mar 24 and May 24" Reports dated March 2024 attached to this AGM Notice.

b. **Resolved That** the Body Corporate approves the method of apportionment of utility interests set out in that Report as being a fair and equitable basis, having regard to the relative benefits and costs to each unit.

c. **Resolved That** in accordance with section 41(4)(a) of the UTA, the new utility interests for all units approved under Resolution (a) shall take effect from the date that this special resolution is passed, unless a different effective date is determined as part of this resolution.

d. **Resolved That** the Body Corporate shall complete the designated resolution procedure in respect of this reassessment, in accordance with sections 41(7), 213, and 216 of the UTA, by:

Serving all unit owners and all persons with a registered interest in any unit with a Notice of Designated Resolution; and

Upon completion of the objection process, signing the Certificate of Designated Resolution required under section 216 of the UTA.

e. **Resolved That**, in accordance with section 42 of the UTA, the Body Corporate shall notify the Registrar-General of Land of the reassessment of utility interests, and the Registrar shall record the reassessed utility interests on Supplementary Record Sheet 149820 once the designated resolution procedure under clause (c) is complete.

f. **Resolved That** the Body Corporate is authorised and directed to sign and execute all documents necessary or desirable to give effect to this resolution, including any amendments or modifications required by Land Information New Zealand to ensure that all documentation is in registrable form.

Voting Requirements

This is a special resolution, which requires at least 75% of votes cast (by unit entitlement) in favour, and no more than 25% of votes cast against, for the resolution to pass.

If a poll is demanded, voting will be in accordance with section 95 of the UTA.

Additional Notes

Reason for reassessment: The current utility interests are based on outdated assessments and may not reflect the actual relative use, benefit, or cost for each unit.

Basis of calculation: The new utility interests have been calculated by JB Morrison Lawyers as detailed in the attached report, using a fair and equitable method consistent with section 41(5)(b) of the UTA.

Effect of approval: If this resolution is passed, the new utility interests will replace the existing ones. The Body Corporate will complete the statutory "designated resolution" process, issue notices to all affected parties, and then register the new interests with Land Information New Zealand (LINZ).

Impact on owners: utility interests determine how certain body corporate operational costs are apportioned among owners. Updated interests ensure fairness and compliance with current legislation.

Mover: Lisa / Seconder: Dave

[carried]

POST AGM NOTE: Following advice from the body corporate solicitor, it was found that the wording "Utility interest" should have been used, rather than "Ownership Interest". As such, a resolution without a general meeting will be issued, in an attempt to re-approve/ adopt the required resolution.

13. CONFIRM BUDGET (OPEX):

Prior to the meeting the Manager had circulated a draft Operating budget totalling $262,599.84 including GST.

Resolved by ordinary resolution **That**:

i) The Operating budget is fixed at $262,599.84 including GST in accordance with the provision of Section 121 of the Unit Titles Act 2010. The budget shall be raised by ownership interests in 12 instalment/s due for payment in 01 Sept, 01 Oct, 01 Nov, 01 Dec, 01 Jan, 01 Feb, 01 Mar, 01 Apr, 01 May, 01 June, 01 July, 01 Aug,
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.

Mover: Andrew / Seconder: Mary

[Carried]

14. 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.

Please note: There were no chairperson nominations received prior to the issue of the agenda, therefore, nominations for a chairperson were taken from the floor, at the AGM. Jack Morris nomained Dave Biggs as Chairperson, Dave accepted the nomination, before asking if anyone else would like to take the Chairperson role, to which nobody responded.

Resolved by ordinary resolution **That** Dave Biggs be appointed Chairperson of the Body Corporate.

Mover: Jack / Seconder: Graeme

[Carried]

15. COMMITTEE NUMBER and QUORUM:

Resolved by ordinary resolution **That** the Committee is to comprise (at a minimum) of 7 elected members and the total number of members required to constitute a quorum is no fewer than 4 members.

Mover: John / Seconder: Andrew

[Carried]

16. 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. **It was further advised;** There were an insufficient number of committee member nominations received prior to the issue of the AGM agenda, therefore nominations were taken from the floor, at the AGM.

Please note: There were an insufficient number of committee nominations received prior to the issue of the agenda, therefore, nominations for committee members were taken from the floor, at the AGM

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:

Simon Holdgate
John Dance
Gail Donaldson
Joe Martin
Jack Morris
Varvara Sidorenko
Pradeep Vadivel

Mover: Dave / Seconder: Andrew

[Carried]

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.

17. 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.

Mover: Graeme / Seconder: Mary

[Carried]

18. 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.

Mover: John / Seconder: Dave

[Carried]

19. OPERATIONAL RULES:

Resolved by ordinary resolution **That** pursuant to the provisions in Section 106 in the Unit Titles Act 2010 the proposed Operational Rules attached to the agenda and circulated prior to this meeting are approved and shall be registered as the Operational Rules of the Body Corporate.

The proposed rule changes are:

i) That existing clause Two.3.c.ii regarding the access of pets in the building to common property shall be amended:

From:

Such pets must be properly controlled at all times. No more than two domestic cats or caged birds may be kept. Such pets must be properly controlled and shall not occupy the common property at any time.

To:

Such pets must be properly controlled at all times. No more than two domestic cats or caged birds may be kept.

2. That existing clause Two.3.b regarding noise shall be amended:

From:

[A unit owner or occupier of a unit must not] make undue noise in or about any unit or common property which disturbs other occupiers, or after 11pm at night make any noise that can be heard inside another unit.

To:

A unit owner or occupier of a unit must not:

i. Make or permit any objectionable loud noises in or about any unit or common property which interferes with the peaceable enjoyment of another unit owner, occupier of a unit, or of any person lawfully using the common property;

ii. Breach any noise control regulations or the terms of any local authority permits or licences in relation to the operation of a business from the unit;

iii. Use or allow to be used any loud speakers outside of the unit unless otherwise approved in writing by the Body Corporate;

A unit owner or occupier of a unit must:

iv. Ensure all musical instruments, radios, stereo equipment, television sets or any other electronic device or instrument are controlled so that the sound arising there from shall be reasonable in the circumstances and not cause annoyance to any other unit owner or occupier of a unit;

v. Ensure that any social gathering in the unit shall not generate noise which unreasonably interferes with the peace and quietness of any other unit owner or occupier of a unit, at any time of day or night;

vi. Ensure that agents, guests and invitees leaving the unit after 11.00pm and before 6:00 am are required by the unit owner or occupier of the unit to leave quietly;

vii. Ensure that the unit owner or occupier of the unit (and any person under the control of a unit owner or occupier of a unit) returning to the building late at night or in the early hours of the morning do so quietly;

viii. Ensure that in the event of any unavoidable noise in the unit at any time, the unit owner or occupier of the unit shall take all practical means to minimise annoyance to other unit owners or occupiers of a unit.

3.That existing clause Two.3.m regarding dangerous substances shall be amended:

From:

[A unit owner or occupier of a unit must not] use any chemicals, burning fluids except recognised LPG and gas cookers/heaters, or alcohol in lighting or heating the unit nor in any other way cause or increase a risk of fire or explosion in the unit

To:

A unit owner or occupier of a unit must not:

i.use any chemicals or burning fluids except recognised LPG and gas cookers/heaters in lighting or heating the unit nor in any other way cause or increase a risk of fire or explosion in the unit, unit balcony, garage area or on any common property;

ii.cause or allow anything to be done in a unit, balcony, garage area or on the common property which may be or become a fire hazard;

iii.Produce, use or store any hazardous, illegal or flammable materials within any unit, unit balcony, garage area or on any common property;

iv.Smoke, or allow any guests to smoke, including vaping, inside any unit, unit balcony, the garage or the common property.

4.That the powers of the Body Corporate (captured in section One.9) shall be extended to include the following powers:

(r) Determination that a unit owner is using or allowing their unit to be used for short term rental or accommodation activities.

(s) Recovery from any unit owner which allows their unit to be used for short term rental or accommodation activities the additional costs in relation to this use or intended use of the unit, including additional insurance, administration and legal costs.

5. That existing clause Two.5.b regarding letting shall be amended:

From:

[every unit owner shall, when creating a lease or tenancy or other right of occupation] ensure that the proposed lessee, tenant or occupier has received and perused a copy of the Rules of the Body Corporate

To:

[every unit owner shall, when creating a lease or tenancy or other right of occupation] ensure that the proposed lessee, tenant or occupier has received, perused and signed a copy of the Rules of the Body Corporate, and has actively affirmed their consent to the Rules and their consent to the enforcement of the Rules by the unit owner and the Body Corporate.

Mover: Dave / Seconder: John

[Carried]

20. 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.

Mover: Graeme / Seconder: Dave

[Carried]

21. GENERAL BUSINESS:

Dave thanked the Committee, John, Louise and Caylie for all their work throughout the year.

Gail thanked Dave for all the progress he has made in the past 5-6 years and expressed a huge respect for all his hard work. All owners in attendance joined thanked Dave for all his efforts.

22. SEISMIC STRENGTHENING and PAINTING BUDGET:

The committee received an indicative cost for the seismic strengthening of the building, of $1.2 million, and $200K for the painting of the building. It has been discussed to have this funded over four financial years, in an effort to assist all owners to be able to pay this over a period of time.

While this does not undermine other important maintenance work needed, and as a starting point to work towards the maintenance needed, these two items have been proposed to commence with. It has been discussed to have these two projects funded through the Long-Term Maintenance Fund, as these are covered in the Long-Term Maintenance Plan, and proposed to have this funded through a four-year special levy.

Resolved by ordinary resolution **That** the body corporate gives its approval for the Committee to enter into all necessary commercial obligations to give effect to all expenditure required to complete seismic strengthening and external painting work (as per the provisions of Regulation 17 of the Unit Titles Regulations 2011).

Mover: Lisa/ Seconder: Graeme

[Carried]

23. CONFIRM BUDGET (LTMF):

Prior to the meeting Crockers had circulated a draft budget totalling $256,875.00 including GST

Resolved by ordinary resolution **That**:

i) The Long Term Maintenance budget is fixed at $256,875.00 including GST in accordance with the provision of Section 121 of the Unit Titles Act 2010. The budget shall be raised by Ownership Interest in 12 instalment/s due for payment in 01 Sept, 01 Oct, 01 Nov, 01 Dec, 01 Jan, 01 Feb, 01 Mar, 01 Apr, 01 May, 01 June, 01 July, 01 Aug.
ii) **The LTMF levies will be treated as Special Levies, to contribute towards the anticipated Seismic Strengthening and the Exterior Painting of the building. The total special levy to be collected is estimated to be $1.37M over 4 financial years.**
iii) **The Special Levy will take effect from 01st January 2025. Owners will have the option to pay the Special Levy upfront, or in monthly instalments through this duration. The total monthly instalments will be 48 months.**
iv) 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.

Mover: Dave / Seconder: Lisa

[Carried]

24. 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.

Mover: John / Seconder: Lisa

[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.

There being no further business, the meeting closed at 08:02 / pm.

For and on behalf of
Crockers Body Corporate Management Limited
Manager for Body Corporate 086157

Caylie Whitfield
Account Manager

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Email caylie@crockers.co.nz
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