

# MINUTES OF ANNUAL GENERAL MEETING

## BODY CORPORATE NO. 434350

### PROPERTY AT: 37 Waipa St, Birkenhead

THE ANNUAL GENERAL MEETING of this Body Corporate 434350 was held on 28<sup>th</sup> March 2023 at 6.00 pm in the Birkenhead Library

**Present:**

John Walsh (22), Charles Rafi (1), Vince & Diana Anderson (21), Cat Shields (2), Rachel O'Connor (19), Daniel Levine (4), Laura Armstrong (16) Kristin Mischler (3) Rudolf Arada (Barbara Macpherson (Body Corporate Manager),

**Apologies:**

Grant Gaffaney (10), Erin Paviour Smith (9), Melanie Adriaansen (15), Helen Wilson (5)

**Proxies:**

Sarah Wilkinson (17) to Laura Armstrong (16) Helen Smith (5) to Rachel O'Connor (19)

**Chair** It was moved that Kristen Mischler (3) be appointed as Chair

Minutes taken Barbara Macpherson

**Owners Committee**

The Body Corporate agrees by ordinary resolution that the Body Corporate Committee shall be made up of 6 Owners and the number of committee members required to constitute a Quorum will be 4 Owners.

Nominations Received for the Owners Committee are Melanie Adriaansen (15), Kristen Mischler (3), Charles Rafi (1), Rachel O'Connor (19), John Walsh (22), Grant Gaffaney (10)

**Motion Passed Unanimously**

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| <p><b>Minutes from last AGM</b><br/>It was moved that the minutes from the previous AGM 16<sup>th</sup> March 2022 were a true and accurate record of the meeting.</p>   | <p>Moved by Rachel O'Connor<br/>Seconded by Rudolf Arada<br/>Motion Passed Unanimously</p>  |
| <p><b>Financial Statements</b><br/>The accounts as presented to the Owners showed a Bank balance of \$26,670.71 as at 31 December 2022. Nett Assets \$32,066.53</p>  | <p>Moved by John Walsh<br/>Seconded by Rachel O'Connor<br/>Motion Passed Unanimously</p>  |
| <p><b>Interest</b><br/>The Body Corporate agrees by ordinary resolution that the interest rate on unpaid levies stay at 10% per annum</p>  | <p>Moved by Kristen Mischler<br/>Seconded by Rachel O'Connor<br/>Motion Passed Unanimously</p>  |
| <p><b>Audit</b><br/>The Body Corporate agrees by special resolution not to have the Financial Statements audited, reviewed or verified.</p>  | <p>Moved by John Walsh<br/>Seconded by Rachel O'Connor<br/>Motion Passed Unanimously</p>  |
| <p><b>Budget</b><br/>The Body Corporate agrees by ordinary resolution that the <b>budget be fixed at \$112,361.88</b>. The budget shall be raised by utility interest in 3 instalments due for payment 1 month after invoice date with 10% discount for prompt payment. Invoice Dates for Invoicing are 30/03/2023, 30/07/2023 and 30/11/2023</p> <hr/> <p>Pursuant to the provisions of Regulation 17 of the Unit Titles Regulations 2011, the Body Corporate gives its approval for the Manager or Committee to enter into all necessary obligations on commercial terms for any expenditure provided for in the Budget.</p> | <p>Moved by John Walsh<br/>Seconded by Rachel O'Connor<br/>Motion Passed Unanimously</p> <p>Moved by John Walsh<br/>Seconded by Rachel O'Connor<br/>Motion Passed Unanimously</p> |

**Insurance**

That the Body Corporate agrees by ordinary resolution that cover be placed with CPF via Aon NZ Ltd for the coming 12 months at a premium of \$26,738.20 plus \$1,437.50 for Association Liability Insurance.  
The body corporate undertakes to advise the Manager should the occupancy of the unit change (including a Unit becoming vacant for more than 90 days) during the year.

**Sinking Fund / Contingency**

That the Body Corporate agrees by ordinary resolution that in accordance with Section 118 of the Unit Titles Act 2010 and Regulation 31 in the Unit Titles Regulations 2011 to continue to operate a contingency fund / sinking fund with the contribution for this financial year as per the budgeted allowance of \$4600.

**Body Corporate Managers Contract**

That the Body Corporate agrees by ordinary resolution that Forte Property Management Ltd and the Committee renew the contract for a further period of 1 year.

That the Body Corporate agrees by ordinary resolution that the committee contracts with Forte Property Management Ltd to perform the functionary tasks associated with the duties prescribed in Regulation 11 (1) of the Unit Titles Regulations 2011 provided that the Committee may from time to time revoke the performance of any task that it has contracted with the company to perform

**Body Corporate Chairperson**

That the Body Corporate agrees 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.  
Discussion – A Chairperson will be selected at the first Committee meeting.

Moved by John Walsh  
Seconded by Rachel O’Connor  
Motion Passed Unanimously

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### Delegation

That the Body Corporate agrees by special resolution to delegate all of its powers and duties generally except as restricted by section 108(2) of the Act, to the Body Corporate Committee and provide the Body Corporate Committee with notice of this delegation. Maximum of \$5K per any item of expenditure not allowed for in the Budget.

### General Business

- a. **LTMP** Committee to discuss at first Meeting.
- b. **Pool Furniture** As the summer is over leave to next year to decide.
- c. **Drainage Work.** Enviropods cleaned and baskets were removed . This helped with water flow. Comm to look at the area near Unit 16,17 and 18.
- d. **EQC Claim.** Engineers report done 21/3/2023 they have advised that they are looking at least at 2-3 months before any thing will happen on site.
- e. **Pine Trees** Approach neighbours re trimming / removing trees
- f. **Unit 6 Owner** discussed the need to rectify the drain and waterproof the exterior wall as per quote from NSD. Owners advised that the OC were to look into the drainage for the whole site. Waterproofing exterior walls would be an individual owners cost. The BC can arrange the work to be done especially if units are adjoining and then the costs to be reimbursed by owners.

Meeting Closed 7pm

Moved by John Walsh  
Seconded by Rachel O'Connor  
Motion Passed Unanimously

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