

**ANNUAL GENERAL MEETING MINUTES**  
For the financial year ending 31/01/2024

**BODY CORPORATE 23531**

6 Liverpool Street, Hamilton Central, Hamilton 3204

**MEETING PLACE, DATE & TIME**

Quay, 69 Victoria Street, Hamilton, **8/05/2024 at 12:00 PM**

**PRESENT**

Lot #	Unit #	Attendance	Owner Name	Representative
1B	5	Yes	C K & R J Moore (Rose)	In Office
1C	6	Yes	C M O'Sullivan (Lyn)	Zoom
GC1	3	Yes	Aya Zabad & Thushanth Chandrakumar (Thushanth)	Zoom

**QUORUM**

Quorum of 25% was achieved.

**BODY CORPORATE CHAIRPERSON**

Lyn O'Sullivan

**MEETING CHAIRPERSON**

Karen Burgess

**1 QUORUM**

The chair of the meeting recorded any apologies, proxies and postal votes received, as well as received the attendance register and confirmed that the meeting had a quorum. The chair of the meeting also conduct a health and safety briefing and point out fire exits in the event of emergency.

**2 PREVIOUS MINUTES**

**Ordinary Resolution**

Resolved that the minutes of the last annual general meeting of the Body Corporate held on 03/04/2023 were confirmed as a true record of the proceedings of that meeting.

**Majority in favour**

**Carried**

**3 MATTERS ARISING**

- Gutter Clean - **04/08/23 - Green Agenda Limited - \$253.00**
- Gutter Clean - **29/02/2024 - Green Agenda Limited - \$253.00**
- Catchpit clear - **Done.**
- Health and Safety - **Urgent workorder to SIE ( To do following AGM meeting).**
- Fence Situation - **Not enough funds.**
- Painting Quotes - **JL Connolly LTD QU \$15,375.00 (Approved).**

#### 4 QUAY BODY CORPORATE SERVICE AGREEMENT

**Note:** The Chairperson and Committee have various duties under the Unit Titles Act 2010 and associated regulations and operational rules. The appointment of a Body Corporate Manager is desirable in order to assist the Body Corporate, it's the Chairperson and Committee to comply with their responsibilities and ensure the proper management, administration and record keeping of the Body Corporate.

##### **Ordinary Resolution**

Resolved that the Body Corporate appointed Commercial Property Solutions Limited, trading as Colliers, as Body Corporate Manager to assist the Chairperson, Committee and Body Corporate to fulfil their duties under the Unit Titles Act and associated regulations, and to perform the role and services specified, in accordance with the Service Agreement supplied to the Body Corporate and that the Chairperson execute the Service Agreement on behalf of the Body Corporate.

**Majority in favour**

**Carried**

#### 5 COMMITTEE REPORT

The Body Corporate does not have a Committee therefore no report was tabled.

#### 6 ELECTION OF CHAIRPERSON

**Note:** A Body Corporate must elect a Chairperson by ordinary resolution at every annual general meeting. The Chairperson has the duties in Regulation 11, subject to and delegation to the Body Corporate Committee, and is responsible for signing the management agreement appointing Quay Body Corporate to manage the Body Corporate. Unless the body corporate decides by ordinary resolution that the body corporate committee shall elect the Chairperson of the committee, the chairperson shall be elected by the body corporate and will also be the chair of the body corporate committee.

No nominations were received, a Chairperson was elected at the meeting.

##### **Ordinary Resolution**

Resolved that **Lyn O'Sullivan** was re-elected as chairperson of the body corporate and serve such until the earlier of the next AGM or their resignation.

**Majority in favour**

**Carried**

#### 7 ELECTION OF COMMITTEE

**Note:** A Body Corporate with 9 or fewer principal units may, but is not required to form a Body Corporate Committee.

##### **Ordinary Resolution**

Resolved that by ordinary resolution, the Body Corporate decided not to establish a committee.

**Majority in favour**

**Carried**

#### 8 PREVIOUS FINANCIAL STATEMENTS

##### **Ordinary Resolution**

Resolved that the financial accounts for the previous financial year were approved and adopted.

**Majority in favour**

**Carried**

## 9 INDEPENDENT REVIEW OF FINANCIAL STATEMENTS

### **Special Resolution**

Resolved that by special resolution the Body Corporate agreed not to appoint an auditor and that section 132(2) of the Unit Titles Act 2010 will not apply for the financial statements of the previous financial year.

**All in favour**  
**Carried**

## 10 BODY CORPORATE RULES

No changes to the operational rules were proposed.

- Reminder to owners and their tenants to be sent about what can and what cannot go down the drain to avoid blockages.

## 11 INSURANCE

**Note:** An insurance valuation is not required unless requested by the insurance underwriter. The valuation must include common property (including any common driveway) and car parks. A copy of the valuation for insurance purposes is available on written request.

### **Ordinary Resolution**

Resolved that for the purposes of insurance, if an updated valuation is not required by the insurer an inflationary provision of 6% will be applied to the sum insured at the time of the next renewal.

**Majority in favour**  
**Carried**

### **Ordinary Resolution**

Resolved that the Body Corporate remains with the existing broker and that insurance is renewed as per the brokers recommendation.

**Majority in favour**  
**Carried**

### **Ordinary Resolution**

That the Body Corporate is authorised to secure Office Bearers Liability Insurance with a cover of \$500,000.00 (if owners request it).

**Not passed**

### **Ordinary Resolution**

Resolved that the unit owner is to pay any excess in the event of a claim except where the claim relates to common property, in which case the Body Corporate is to pay the excess.

**Majority in favour**  
**Carried**

**Note:** A copy of the insurance policy schedule will be supplied once received and on request. Please read the policy schedule carefully, this is important to you and you need to ensure that the policy adequately covers you and your usage of the property. You must disclose all information that is relevant to the Insurer's decision to insure. Any questions around disclosure and/or change of use for your unit should be raised with your broker direct.

## 12 GENERAL MAINTENANCE

Resolved that the following maintenance items were discussed and will be actioned where instructed;

- Painting estimates - JL Connolly LTD Quote was approved for \$15,375.00 - Colour to closely match the colour already present - October/November 2024.
- Gutter Clean - 6 monthly - add carport to the next clean - June 2024 (owners to advise on further maintenance).
- Front tree - Rose to trim back.
- Ivy - Thusthant and Rose will contact next door neighbour.

**Majority in favour**

**Carried**

## 13 HEALTH AND SAFETY

Under the Health and Safety at Work Act 2015, the Body Corporate has a duty to:

- Identify hazards
- Eliminate or minimise any hazards and where appropriate put controls in place; and
- Regularly check the control measures are in place
- Where an incident occurs or the workplace changes, there will be a review to your Health and Safety Solution.

No new Health and Safety items have been brought to the attention of the Body Corporate.

**Ordinary Resolution**

Resolved that the Health and Safety Risk Register will be reviewed by the most cost effective consultant.

**Majority in favour**

**Carried**

**Note:** Work order to be sent following the AGM.

## 14 LONG-TERM MAINTENANCE PLAN

**Note:** The Long-Term Maintenance Plan must be reviewed at least once every 3 years (Regulation 30(2)). If the Body Corporate becomes aware of a matter that may materially impact the Long Term Maintenance Plan, the plan must be reviewed as soon as reasonably practicable.

Unless resolved otherwise, the Body Corporate must also consult with a building professional, or other appropriately qualified professionals, when developing or reviewing the LTMP.

The Long-Term Maintenance Plan was reviewed in 2021 and is due for review.

**Ordinary Resolution**

That the Body Corporate engages the most cost effective professional to review the Long Term Maintenance Plan.

**Not passed**

**Note:** Defer to next AGM

## 15 LONG-TERM MAINTENANCE FUND

**Special Resolution**

Resolved that the Body Corporate **opt out** of the Long-Term Maintenance Fund for the current financial year by way of special resolution.

**All in favour**

**Carried**

## 16 OPTIONAL CONTINGENCY INVESTMENT FUND

### **Ordinary Resolution**

That the amount collected for the Optional Contingency Fund in the current financial year is held in a non-interest bearing investment account.

### **Not passed**

**Note:** To remain in a non-interest bearing fund.

## 17 ANNUAL BUDGET

The budget was discussed and amended as instructed by owners at the meeting.

### **Ordinary Resolution**

Resolved that the Body Corporate approved and adopted the proposed annual budget for the year stated with the below changes:

- Increase The Optional Contingency Fund (or Sinking Fund) from \$3,600 to \$10,500 (to allow for painting in October / November 2024).
- The Administration Fund is approved with no changes.

### **Majority in favour**

**Carried**

### **LEVY PAYMENT**

**Resolved that notwithstanding the provisions of the Unit Titles Act 2020 and the Unit Titles Regulations 2011, the body corporate hereby agrees to continue to apportion the expenses on an "equal share basis" as it has done previously. This is not in accordance with the method prescribed in the said Act.**

### **Majority in favour**

**Carried**

### **Ordinary Resolution**

Resolved that the Body Corporate Manager be authorised to pay line items identified in the adopted budget as and when they fall due but refer to the Body Corporate Committee for approval for unexpected expenses outside of the budget.

### **Majority in favour**

**Carried**

## 18 LEVY COLLECTION

### **Ordinary Resolution**

Resolved that the Body Corporate raise levies in accordance with the approved budget and agreed above, with levy payments due on the 20th June 2024 and if insurance is levied separately, the insurance levy will be due 14 days from insurance levy being issued.

### **Majority in favour**

**Carried**

**Note:** Non or late payment can affect insurance cover.

### **Ordinary Resolution**

Resolved that the Body Corporate is authorised to recover any unpaid levies owed to the Body Corporate, whether through Court, Tenancy Tribunal or otherwise. The collection costs, although recoverable by the Body Corporate from the defaulting unit owners, will need to be paid by the Body Corporate in the interim.

### **Majority in favour**

**Carried**

**Ordinary Resolution**

Resolved that the Body Corporate charge interest at the rate of 10% per annum as provided in Section 128 of the Unit Titles Act 2010 on any monies overdue (including charging interest to those on payment plans) together with any administrative and legal costs the Body Corporate may incur in recovering due debts.

**Majority in favour**

**Carried**

**GST**

**Note:** Your Body Corporate is **not** registered for GST.

**19 GENERAL BUSINESS**

No general business was discussed.

**CLOSURE**

There being no further business, the Chairperson declared the meeting closed at 1:17 PM.

Please ensure you keep us informed of any changes to your contact details including your email address as all correspondence will be by email unless otherwise requested.