

ANNUAL GENERAL MEETING MINUTES

BODY CORPORATE 350553

46 York Street, Hamilton East HAMILTON 3216

MEETING PLACE, DATE & TIME

Quay Body Corporate, 69 Victoria Street, Hamilton, **13/11/2024 at 01:00 PM**

PRESENT

Lot #	Unit #	Attendance	Owner Name	Representative
1	A	Yes	Cox, Jordan Michael	Proxy to Nathalie Nowak
2	B	Yes	Gilroy, Martin James and Sarah Frances	Proxy to BCM
5	E	Yes	G N & K N Patterson & J Batelaan	George Patterson

BODY CORPORATE CHAIRPERSON

George Patterson

MEETING CHAIRPERSON

Nicole Sinclair

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 conducted a health and safety briefing and pointed out fire exits in the event of emergency.

2 PREVIOUS MINUTES

Ordinary Motion

Resolved that the minutes of the last annual general meeting of the Body Corporate held on **22 November 2023** are confirmed as a true record of the proceedings of that meeting.

Majority in favour

Carried

3 MATTERS ARISING

LTMP and Health & Safety Report - **Solutions in Engineering \$1,094**

Insurance Valuation - **CBRE Limited \$770.50**

Gutter clean - **Green Agenda \$230**

Letterboxes/Fence paling/soffit repair - **Viper, invoiced next financial year**

Introducing - Owners Online Portal

Following the meeting, an invitation will be sent to all owners for our new online portal, known as Smata or MRI Strata Connect. Owners will have access to AGM documents, their respective levy notices and other helpful information. Access will also soon be available via our website.

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 Motion

Resolved that the Body Corporate appoint Quay Body Corporate, 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 a report is not required.

6 ELECTION OF CHAIRPERSON

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

Ordinary Motion

Resolved that **George Patterson** be elected as Chairperson of the Body Corporate and serve as such until the earlier of the next AGM or their resignation.

Majority in favour
Carried

7 ELECTION OF COMMITTEE

Ordinary Motion

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

Majority in favour
Carried

8 PREVIOUS FINANCIAL STATEMENTS

Ordinary Motion

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

Majority in favour
Carried

Quay Body Corporate Management Limited under the terms of its agreement of services as Body Corporate Manager is responsible for the preparation of basic financial accounts. Provision of these accounts is on the basis that Quay Body Corporate Management Limited does not hold itself as a qualified or Chartered Accountant. Should the Body Corporate require the accounts to be prepared by a Chartered Accountant or the accounts be audited, this will be at the cost of the Body Corporate.

9 INDEPENDENT REVIEW OF FINANCIAL STATEMENTS

Special Motion

Resolved that by special resolution the Body Corporate agree 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 have been proposed.

11 INSURANCE

Ordinary Motion

That for the purposes of insurance, an updated valuation will be obtained shortly before renewal.

Not passed - Owners present agreed that the sum insured at 2024-2025 renewal will be increased by inflationary provision noted on the valuation.

Ordinary Motion

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 Motion

Resolved that the Body Corporate is authorised to secure Office Bearers Liability Insurance with a cover of \$500,000.

Majority in favour
Carried

Ordinary Motion

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 be actioned;

- Annual gutter clean

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.

The Health and Safety Risk Register was last reviewed in **2024**.

Ordinary Motion

Resolved that the following Health and Safety items be undertaken;

- Item 1 and 2: Electrical Switchboard install hazard stickers
- Item 21: Driveway speed sign install
- Item 22: Damaged grate be repaired or replaced
- Item 23, 24 and 25: Bollard installation by gas meters - **Obtain cost estimate/recommendation for next AGM.**

**Majority in favour
Carried**

Ordinary Motion

That the Health and Safety Risk Register be reviewed by the most cost effective consultant.

Not passed - Defer to next AGM

Although Quay Body Corporate strongly advise against it, the Body Corporate has decided to not review the risk register as an obligation under the Health and Safety at Work Act 2015. These minutes act as a record of that decision.

If a Committee Member or Body Corporate member choose to review the H&S register themselves and look for hazards themselves, they would be taking on this duty under the HSWA 2015 as an officer of the PCBU. Should they fail to identify a risk and someone hurts themselves or is killed, that individual, as an officer, is liable as is the PCBU and fines can range significantly up \$1.5 million for each offence under the Act. Individual members choosing to take on the task of H&S can be fined themselves.

14 LONG-TERM MAINTENANCE PLAN

The Long-Term Maintenance Plan was reviewed in 2024 and is due for review in 2027.

15 LONG-TERM MAINTENANCE FUND

Special Motion

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 SINKING INVESTMENT FUND

Ordinary Motion

That the Body Corporate agrees to transfer a sum to be agreed upon from the Optional Contingency Fund to an interest bearing investment account.

Not passed

An annual tax return will be required for any interest earned and return charges will apply. The amount collected for the Optional Contingency Fund in the current financial year is held in a non-interest bearing account until the current financial year is completed.

17 ANNUAL BUDGET

Ordinary Motion

Resolved that the Body Corporate approve and adopt the proposed annual budget for the year stated with the following changes and that the Body Corporate raise levies in accordance with a unit owner's utility interest.

- Remove consultants budget
- Remove Health & Safety budget
- Increase Repairs & Maintenance to \$2500
- Increase OCF Collection to \$4000
- Transfer \$3000 from admin fund to sinking fund

Majority in favour

Carried

Ordinary Motion

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 for approval for unexpected expenses outside of the budget.

Majority in favour

Carried

18 LEVY COLLECTION

Ordinary Motion

Resolved that the Body Corporate raise levies in accordance with the approved budget and agreed above, with levy payments due on the 20th of December 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 Motion

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 Motion

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

The following general business was discussed;

Question raised as to why the letterboxes took so long - Quay to report back to owners on this.

CLOSURE

There being no further business, the Chairperson declared the meeting closed at 01:41 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.