



**Minutes of Annual General Meeting**  
**Body Corporate for Opononi Hotel 403082**  
**19 State Highway 12**  
**Held on 10 Feb 2025 at 01:00 PM**

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**PARTICIPANTS:**

Unit 2, 4,6-Hokianga Stage 1, Tony Petrie  
Unit 3-Peter and Janette Fissenden  
Unit 5 - Larry Roach via postal vote  
Unit 7 - Shane Reti, proxy in favour of Melissa Belleville  
Unit 8 - William Catsburg via Zoom

Ivy Zhou for Boutique Body Corporates

The Secretary noted that the meeting had reached a quorum.

**1**            **APPOINTMENT OF MEETING CHAIR**

Under Regulation 11(1)(c) the Chairperson of the Body Corporate shall chair each General Meeting unless agreed otherwise. It is suggested the manager chair the meeting.

**Ordinary Resolution**

*Resolved that the manager chair the meeting.*

**Motion CARRIED.**

**2**            **APOLOGIES AND PROXIES**

Unit 5 - Larry Roach- Apology and voted in favour of all motions, abstained from motion 16.

Unit 7 - Shane Reti, proxy in favour of Melissa Belleville

Unit 9- Robert Bailey- Apology

**Ordinary Resolution**

*That the apologies, proxies, online and postal votes be accepted.*

**Motion CARRIED.**

**3** **MINUTES OF THE PREVIOUS ANNUAL GENERAL MEETING**

A copy of the minutes of the previous Annual Meeting were distributed with the agenda.

**Ordinary Resolution**

*Resolved that the minutes of the previous Annual General Meeting of 17/2/24 be taken as read and adopted as a true and correct record of the meeting.*

**Motion CARRIED.**

**4** **BODY CORPORATE CHAIRPERSON**

Every Body Corporate is required to elect a Chairperson at every Annual General Meeting to carry out the duties contained in Regulation 11 of the Unit Titles Act Regulations 2011. As seen from the list of duties, the vast majority of these duties are in practice carried out by the Secretary/Manager. Pursuant to Section 108 of the Act, a Body Corporate may delegate all of the duties vested in the Chairperson to the Committee.

There have been no nominations for Chairperson.

**Special Resolution**

*As there have been no nominations for Chairperson, the position will remain vacant for the year and the Body Corporate delegates to the Body Corporate Committee under Section 108(1) of the Act the powers and duties of the Chairperson set out in subparagraph 11(1)(a)-(m) of the Regulations.*

**Motion CARRIED.**

**5** **COMMITTEE**

There have been no nominations received for the Committee.

**Ordinary Resolution**

*As there have been no nominations for the Committee, one owner from each unit will form the Committee with the quorum fixed at 4.*

**Motion CARRIED.**

**6**                    **COMMITTEE CHAIRPERSON**

Under section 112A of the Unit Titles Act 2010, the chairperson of a body corporate is a member of the body corporate committee, and the chairperson of the body corporate committee, unless the body corporate passes an ordinary resolution at the AGM that allows another person elected to the committee to be the chairperson of the committee.

In most body corporates the Chairperson of the body corporate is also the Chairperson of the committee. However, in some body corporates the responsibilities are shared by two different individuals. By passing this resolution the body corporate retains the flexibility to have different Chairpersons for the body corporate and the committee.

**Ordinary Resolution**

*Pursuant to S.112A(2) of the Unit Titles Act 2010, the Body Corporate has decided that the Chairperson of the committee will be appointed by the new committee at their first meeting as prescribed by Regulation 26(1) of the Unit Titles Regulations 2011.*

**Motion CARRIED.**

**7**                    **COMMITTEE POWERS**

**Special Resolution**

*The Committee is delegated the full powers and authority of the Body Corporate, subject to any prior direction given at any General Meeting of the Body Corporate or prohibition as contained in Section 108(2) of the Act.*

**Motion CARRIED.**

**8**                    **COMMITTEE REPORT**

Regulation 28 requires the Committee to report to the Body Corporate at each Annual General Meeting which must include a description of the duties or powers delegated to it and an update of the fulfilment of those duties or the exercise of the powers. A report will be provided prior to or at the meeting.

**Ordinary Resolution**

*Resolved that the Committee report be received and entered into the records of the Body Corporate.*

**Motion CARRIED.**

**9**                    **COMMITTEE CONFLICT OF INTEREST REGISTER**

Regulation 6(5)(c) requires the notice of an annual general meeting must be accompanied by a copy of the body corporate committee interests register.

Electricity readings are carried out by Max (lot 10)

**10**            **FINANCIAL STATEMENTS**

A copy of the financial statements and notes for the year will be distributed with the agenda.

**Ordinary Resolution**

*That the accounts as presented to the meeting which show an Operating cash balance of \$12,817.77, Contingency/Long Term Maintenance Fund cash balance of \$11,746.94, and total Net Assets of \$25,449.18 be adopted.*

**Motion CARRIED.**

**11**            **AUDIT REVIEW**

Section 132(2) requires the Body Corporate within two months of the end of the financial year to either have the accounts audited, reviewed or verified, provided the Body Corporate may, by special resolution, determine subparagraph (2) does not apply for a particular year.

As part of Boutique’s management practice, accounts are reviewed quarterly, and every Body Corporate should be independently reviewed in each three-year cycle. There is no additional charge for this. Body Corporate 403082 OPONONI HOTEL accounts were last reviewed by Grant Thornton for year ending 30/11/22. A copy of Grant Thornton’s review letter is enclosed with the mailout.

**Special Resolution**

*Resolved that because complete financial accounts, including transactional records, are available to owners, the Body Corporate resolves to dispense with the need for audit, review or verification of the financial accounts to the latest balance date, provided the Body Corporate in a General Meeting, or the Committee, may at any time require the accounts to be audited, reviewed or verified.*

**Motion CARRIED.**

**12**            **INSURANCE RENEWAL**

The current insurance policy runs until 23/2/25. Quotes for the renewal of the insurance policy have been distributed with the agenda or will be tabled at the meeting.

**Ordinary Resolution**

*Resolved that the meeting renew the insurance policy when it falls due based on the terms and conditions as it deems appropriate.*

NB BBCL receives brokerage commission from some brokers in consideration of facilitating insurance. It has been BBCL’s standard practice to share any payment with the Body Corporate. The ex-gratia share credited to the Body Corporate will show up as revenue in the following year. Commission paid to your Body Corporate for the previous year was \$112.09.

**Motion CARRIED.**

**13**                    **LONG TERM MAINTENANCE PLAN**

Regulation 30 of the Unit Titles Regulations 2011 requires a body corporate must carry out a review of its LTMP at least once every 3 years. The Unit Titles Amendment Act and Regulation 30A (2) requires a large Body Corporate of 10 units or more to have a 30 year LTMP. A copy of the current LTMP is enclosed with the meeting agenda.

**Ordinary Resolution**

*Resolved that the meeting resolves what steps if any to address the Long-Term Maintenance Plan.*

**Motion CARRIED.**

**14**                    **DECISION NOT TO ESTABLISH A LONG-TERM MAINTENANCE FUND**

In accordance with Section 117(1) of the Unit Titles Act 2010 (UTA), the body corporate has previously passed a special resolution where it was agreed that the body corporate would not establish a Long-Term Maintenance Fund. Section 117(1B)(a) of the Unit Titles Amendments Act requires the body corporate must review the decision annually if the body corporate has decided not to establish a Long-Term Maintenance Fund. A contingency fund provides more flexibility but still ensures the body corporate has funding available for long-term maintenance requirements.

**Ordinary Resolution**

*Resolved that the Body Corporate reviewed its decision not to establish and maintain a Long-Term Maintenance Fund at the meeting and approved continuing on this basis until the next AGM.*

**Motion CARRIED.**

**15**                    **HEALTH AND SAFETY**

An opportunity will be given for any owners to comment on Health and Safety issues.

The following items have been added for discussion:

- The undermined concrete by the water metres that will collapse unless filled in-Tony has already looked into this matter and will have this recited this month.
- Solar lighting will be installed half up driveway on Left to ensure enough lighting when its dark.
- Gentle reminder that security lights shall be active at night in all units.
- Unit 3&5 uncompleted grinds-Tony will arrange it to be fixed.

**Ordinary Resolution**

*Resolved that no new hazards identified, or notifiable incidents occurred since the previous AGM.*

**Motion CARRIED.**

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**BUDGET AND LEVIES**

An expense budget and levy payment schedule for the operating account of the Body Corporate has been prepared by the Secretary and distributed with the Notice of Meeting.

Unit 9 would like to propose a decrease in the contingency contribution from \$10,000 to \$5,000.00 and payment due in two instalments. The Body Corporate manager explained to the meeting that the reason for the payment due in one instalment is because the insurance needs to be paid at the end of February. However, with the accumulated fund in the bank, the Body Corporate can consider amend the motion and change the proposed payment instalments from 1 into 2. Owners at the meeting agreed unanimously the proposed change to the motion.

**Ordinary Resolution (Amended)**

*Lost that levies be raised based on the expense budget of \$26,980.00 plus Contingency Fund of 5,000.00 inclusive of GST with payment due in two instalment[s] on 20 February 2025 and 20 May 2025.*

**Motion CARRIED.**

17

**INLAND REVENUE TAX AGENT AUTHORITY**

Due to a recent process change at the Inland Revenue, they now require a person, not a company to hold authority to act. As the Executive Office Holder for BBCL's tax agency, Nicole Diaz must therefore be named as holding authority to act for the body corporate.

**Ordinary Resolution**

*Body Corporate 403082 gives authority to to Boutique Body Corporates Limited to appoint a BBCL staff member (our tax agent) to act on our behalf for all tax types until such authority is withdrawn. 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.*

**Motion CARRIED.**

18

**GENERAL BUSINESS**

- Dead tree in garden opposite unit 8-The Body Corporate will arrange the dead tree to be removed.
- Driveway need further patch, quote will be shared with all owners in due course.

**FIRST COMMITTEE MEETING**

To satisfy the requirements of Regulation 27(1) of the Unit Titles Regulations 2011 the body corporate committee is required to meet within one month from the date of service of notice of delegation under section 108(1) of the Act. The notice of delegation will be issued to committee members at the meeting or with the minutes. To comply with Regulation 27(1), the committee present at the AGM will meet immediately after the meeting to receive the notice of delegation and to agree when any further meeting, if any, shall be scheduled. It is anticipated there will be no other business at this first committee meeting.

Under section 112A (1) (2) of the Act and Regulation 26 (1AA):

The chairperson of a body corporate is a member of the body corporate committee and also the chairperson of the body corporate committee unless the body corporate pass an ordinary resolution at the AGM to elect the chairperson of the committee to be a person other than the body corporate chairperson. Tony has been appointed as the Committee Chairperson.

There being no further business, the meeting closed at 1:31PM.

Ivy Zhou

for Boutique Body Corporates Limited