



30 August 2023

EXTRAORDINARY GENERAL MEETING NOTICE

BODY CORPORATE 90202

Village Gardens

16 Rototuna Road, Flagstaff HAMILTON 3210

MEETING PLACE, DATE & TIME

The Clubrooms, Village Gardens, 16 Rototuna Road Hamilton

Thursday, 21 September 2023 at 10:00 AM

Included are supporting documents:

- Half Year Financial Statements, including proposed budget
- Proxy Appointment form, if unable to attend
- Postal Voting form if unable to attend

A unit owner may not vote unless all body corporate levies and other amounts that are from time to time payable to the body corporate in respect of the unit have been paid.

If you are unable to attend the Extraordinary General meeting;

Body corporate managers cannot conduct the business of the body corporate without instruction. It is therefore imperative that owners attend meetings and vote or provide postal votes on the requisite resolutions even where those are merely to conduct business as usual. Without your involvement the body corporate is unable to function. Please complete the postal voting form or proxy form attached and return to our office via email to jane.kelly@colliers.com or our postal address at PO Box 19093, Hamilton. It is crucial that we have a quorum to be able to pass the resolutions required.

Please be advised Colliers Hamilton is able to act as your proxy on these matters. Please note that if 2 or more persons own one unit jointly, then they must jointly appoint the proxy (who may be one of those persons).

If there is no quorum at the meeting:

- (a) The meeting will be reconvened on the same day, one week later at the same time and place.
- (b) Where a quorum is not reached at the reconvened meeting, business can be transacted and resolutions passed if there is a minimum of one person present or one proxy is held.

Please contact us if you have any queries.

Kind Regards,
Colliers

Jane Kelly
Body Corporate Manager
jane.kelly@colliers.com

30 August 2023

EXTRAORDINARY GENERAL MEETING AGENDA

BODY CORPORATE 90202

Village Gardens, 16 Rototuna Road, Flagstaff HAMILTON 3210

MEETING PLACE, DATE & TIME

The Clubrooms, Village Gardens, 16 Rototuna Road, Hamilton

Thursday, 21 September 2023 at 10:00 AM

BODY CORPORATE CHAIRPERSON

Ian Turnbull

MEETING CHAIRPERSON

Jane Kelly

AGENDA ITEMS

1 QUORUM

The chair of the meeting will record apologies, proxies and postal votes within the attendance register and confirm the meeting has a quorum.

2 REMEMBRANCE & INTRODUCTION

We take this time to remember those who have passed on and introduce those new to the Village.

3 FINANCIAL STATEMENTS

That the half year financial accounts for the period ended 31/07/2023 be adopted.

4 ANNUAL BUDGET

That the proposed Annual Budget be approved. This will be an increase of \$10 per unit per month starting on the 1st February 2023.

That the levies are due on the 1st day of each month.

That the Body Corporate is authorised to recover any unpaid levies owed to the Body Corporate, whether through Court, Tenancy Tribunal or otherwise.

And to levy interest at the rate of 10% per annum as provided in Section 128 of the Unit Titles Act 2010 on any monies outstanding

Please note that the levies will be raised as per Section 121 of the Unit Titles Act 2010 next year as this is the legal way to do so. Please see attached explanation of this for further information.

5 GENERAL BUSINESS

Your Committee would like to advise you that the Long Term Maintenance Plan has been completed and if you wish to receive a copy please contact Jane at Colliers.

**PROXY APPOINTMENT FORM
BODY CORPORATE 90202**

I/We the undersigned being registered unit owners within Body Corporate 90202 appoint the Chairperson of the meeting

or

as my/our proxy at the general meeting to be held on 21/09/2023.

If the general meeting is adjourned and reconvened, this proxy appointment is valid for the purposes of the reconvened meeting.

Owner name:

Unit Number:

Signature:

Date:

Notes

1. This proxy appointment expires at the end of the general meeting referred to in the form or, if that meeting is adjourned, the end of the reconvened meeting.
2. The full text of motions is contained in the notice of general meeting, a copy of which should be provided to the proxy.
3. Your proxy may not vote unless all body corporate levies, and other amounts that are owing in respect of your unit, have been paid.
4. If the unit owner is a body corporate or an unincorporated body, the representative (recorded in the register of unit owners) of the unit owner must sign the form.
5. If the unit is owned by more than 1 person, every owner must sign the form.
6. If the unit is owned by more than 1 person, one of the unit owners may be appointed as proxy.

Form 12 | Postal Voting Form

Body Corporate 90202

To: BC Chairperson/BC Manager

Unit plan: 90202

Instructions

You are entitled to vote at the Body Corporate meeting to be held at [insert date, time and location details] by casting a postal vote. The motions to be decided at the meeting are summarized in the table below and more particularly set out in the notice of meeting. If you intend to cast a postal vote, you must indicate you vote in the final column of the table and return the form to Jane Kelly or Ian Turnbull so that it is received by Wednesday 20th September 2023.

Postal vote

I/We the undersigned, being the owners of the principal unit identified below, and therefore an eligible voter within the meaning of section 96(1) of the Unit Titles Act 2010, intend to cast the following postal vote(s) at the meeting of the Body Corporate to be held at 10am Thursday 21st September 2023.

Motions

Motion	Summary	Type of resolution (ordinary, special, designated)	Direction on resolution (Indicate in the case of each motion whether you vote for, or against, the motion, or that you wish to abstain)
1	Quorum/Attendees/Proxies	No Resolution	
2	Remembrance & Introduction	No Resolution	
3	Half Year Financial Statements	Ordinary	For [] Against [] Abstain []
4	Annual Budget: Approve and adopt the proposed annual budget	Ordinary	For [] Against [] Abstain []
	Annual Budget: Due date	Ordinary	For [] Against [] Abstain []
	Annual Budget: Collection of unpaid levies	Ordinary	For [] Against [] Abstain []
	Annual Budget: Interest charged on overdue	Ordinary	For [] Against [] Abstain []
19	General Business	No Resolution	

Owner name: _____

Unit Number: _____

Signature: _____

Date: _____

Notes

1. The Body Corporate completes the instructions section and the text of the motions. You should complete the postal vote section and the vote section.
2. Your postal vote will not be counted if any Body Corporate levies, or other amounts that are payable in respect of your unit, are outstanding.
3. If a poll is requested, your ownership interest will be counted as part of the poll. If no poll is requested, your postal vote will be counted as 1 vote. You cannot request a poll.
4. If at the general meeting of the Body Corporate the wording of a motion is materially altered, your postal vote in relation to that motion will not be counted. It is the responsibility of the chairperson to decide what constitutes a material alteration. If you are concerned that your postal vote may not be counted as a result of an amendment to a motion, you should consider appointing a proxy to attend and vote at the meeting on your behalf.
5. If a quorum is not present at the general meeting of the Body Corporate, and regulation 13(1) of the Unit Titles Regulations 2011 does not apply, the meeting will be adjourned until the same day 1 week later and your postal vote will be counted at that meeting.
6. If the unit owner is a body corporate or an unincorporated body, the form must be signed by the representative (recorded in the register of unit owners) of the unit owner.
7. If the unit is owned by more than 1 person, every owner or his or her authorised representative must sign the form.



Statement of Financial Position

As at 31/07/2023

Body Corporate 90202

Village Gardens, 16 Rototuna Road, Flagstaff
HAMILTON 3210

Current period

Owners' funds

Administrative Fund

Operating Surplus/Deficit--Admin	38,710.13
Owners Equity--Admin	87,214.32
	<u>125,924.45</u>

Sinking Fund

Operating Surplus/Deficit--Sinking	14,881.06
Owners Equity--Sinking	166,485.37
	<u>181,366.43</u>

Net owners' funds

\$307,290.88

Represented by:

Assets

Administrative Fund

Cash at Bank--Admin	107,589.33
Receivable--Levies--Admin	374.10
Bank Investment--Imprest Account	500.00
Vehicle--At Cost	23,000.00
	<u>131,463.43</u>

Sinking Fund

Cash at Bank--Sinking	10,316.99
Receivable--Levies--Sinking	135.90
Investments-Bank Term Deposit	101,142.54
Investments--Optional Cont Fund Additional	70,783.54
	<u>182,378.97</u>

Unallocated Money

0.00

Total assets

313,842.40

Less liabilities

Administrative Fund

Creditors--Other--Admin	2,751.68
Prepaid Levies--Admin	2,787.30
	<u>5,538.98</u>

Sinking Fund

Prepaid Levies--Sinking	1,012.54
	<u>1,012.54</u>

Unallocated Money

0.00

	Current period
<i>Total liabilities</i>	6,551.52
Net assets	\$307,290.88



Statement of Financial Performance

for the financial year-to-date

01/02/2023 to 31/07/2023

Body Corporate 90202

Village Gardens, 16 Rototuna Road, Flagstaff
HAMILTON 3210

Administrative Fund

	Current period 01/02/2023-31/07/2023	Annual budget 01/02/2023-31/01/2024	Variance (\$)
Revenue			
Income Tax Refund	810.66	0.00	810.66
Levies Due--Admin	87,319.56	174,641.20	(87,321.64)
Miscellaneous Income--Admin	697.20	0.00	697.20
Total revenue	88,827.42	174,641.20	(85,813.78)
Less expenses			
Admin--Agent Disbursements	259.98	520.00	(260.02)
Admin--Consultants	2,128.00	0.00	2,128.00
Admin--Health & Safety	0.00	1,500.00	(1,500.00)
Admin--Management Fees--Standard	8,610.60	17,221.20	(8,610.60)
Admin--Motor Vehicle	2,607.13	1,500.00	1,107.13
Admin--Other Expenses--Admin	200.46	1,000.00	(799.54)
Contractors--Contract Caretaker	22,087.50	42,750.00	(20,662.50)
Contractors--Contract Cleaner	244.00	500.00	(256.00)
Contractors--Contract Grounds	244.11	2,200.00	(1,955.89)
Insurance--Premiums	434.10	65,000.00	(64,565.90)
Insurance--Valuation	0.00	2,000.00	(2,000.00)
Maint Bldg--Compliance	751.76	1,500.00	(748.24)
Maint Bldg--General Repairs & Maintenance	7,324.99	30,000.00	(22,675.01)
Maint Grounds--Garden Bins	2,656.00	5,250.00	(2,594.00)
Maint Grounds--Lawns Gardening Rubbish	1,591.97	1,500.00	91.97
Utility--Electricity	976.69	2,200.00	(1,223.31)
Total expenses	50,117.29	174,641.20	(124,523.91)
Surplus/Deficit	38,710.13	0.00	38,710.13
Opening balance	87,214.32	87,214.32	0.00
Closing balance	\$125,924.45	\$87,214.32	\$38,710.13



Proposed Budget to apply from 01/02/2024

Body Corporate 90202

Village Gardens, 16 Rototuna Road, Flagstaff
HAMILTON 3210

General

Administrative Fund

Proposed budget

Revenue

Levies Due--Admin	182,873.20
<i>Total revenue</i>	182,873.20

Less expenses

Admin--Agent Disbursements	520.00
Admin--Health & Safety	1,500.00
Admin--Management Fees--Standard	17,221.20
Admin--Motor Vehicle	1,500.00
Admin--Other Expenses--Admin	1,000.00
Contractors--Contract Caretaker	48,950.00
Contractors--Contract Cleaner	500.00
Contractors--Contract Grounds	2,200.00
Insurance--Premiums	67,032.00
Insurance--Valuation	2,000.00
Maint Bldg--Compliance	1,500.00
Maint Bldg--General Repairs & Maintenance	30,000.00
Maint Grounds--Garden Bins	5,250.00
Maint Grounds--Lawns Gardening Rubbish	1,500.00
Utility--Electricity	2,200.00
<i>Total expenses</i>	182,873.20

Surplus/Deficit

	0.00
Opening balance	207,479.12

Closing balance

\$207,479.12

Total units of entitlement	6220
Levy contribution per unit entitlement	\$29.40

General**Sinking Fund****Proposed
budget****Revenue**

Levies Due OCF--Sinking

63,438.80

*Total revenue*63,438.80**Surplus/Deficit**63,438.80

Opening balance

213,086.87

Closing balance\$276,525.67

Total units of entitlement

6220

Levy contribution per unit entitlement

\$10.20

BODY CORPORATE FEES

As you are aware our monthly Body Corporate fees are budgeted on an even split between all Units, with the current fee of \$320.00 per month.

Merle and Wayne Fellingham have requested that this be changed to a Utility Interest split effective for the new financial year commencing 1 February 2024.

This change would affect only 3 Units (35, 36 and 62). Based on the registered Utility Interest Units and assuming the remaining Units fee is a figurative 100% then Units 35 and 36 would be required to pay 99.33% of the 100% amount and Unit 62 would be required to pay 121.34% of the 100% amount.

The proposal at the last monthly Committee meeting was that the monthly fee should be raised from \$320.00 to \$330.00 effective 1 February 2024.

Based on this, fees would be as follows:

\$330.00 Units 1-34 and 37-61

\$327.79 Units 35-36

\$400.42 Unit 62

Annual income based on equal split would be:

62 X \$3,960.00 = \$245,520.00

Annual income based on utility split would be:

59 X \$3,960.00 = \$233,640.00

2 X \$3,933.48 = \$ 7,866.96

1 X \$4,805.04 = \$ 4,805.04

Total = \$246,312.00