



## ANNUAL GENERAL MEETING MINUTES

### BODY CORPORATE 90202

Village Gardens, 16 Rototuna Road, Flagstaff, Hamilton, 3210

### MEETING PLACE, DATE & TIME

The Clubroom, Village Gardens, 16 Rototuna Road, Hamilton on **21 March 2024 at 10:00 AM**

### PRESENT

Lot #	Unit #	Attendance	Owner Name Representative
1	1	Yes	M P Hughes
2	2	Apology	Murphy, Terence & Kay
3	3	Yes	L M Cornes
4	4	Apology	Noel Williams
5	5	Apology	H J Stringer
6	6	Yes	Carol Gill
7	7	Yes	Lynn Goulding
8	8	Yes	Y L Moosberger
9	9	Yes	B G, L M, R A Dixon & S J Silvester
10	10	Apology	Jane Maree Morgan
11	11	Yes	Jurgens, Shirley Jane
12	12	Apology	Lynette Margaret Coombe
13	13	Yes	Winifred Lorraine Phillips and Heritage Trustee
14	14	Yes	R W & M Oldman
			Postal Vote & Proxy to S Jurgens
15	15	Yes	Ian Campbell Bothwell and Judith Annice Bothwell
16	16	Yes	Shane Holyoake
17	17	Yes	Jennifer Gaye Jackson
18	18	Yes	DM and A J Buchanan
19	19	Yes	J and A M G Winterbottom
20	20	Apology	K S Thomas
21	21	Yes	Edward & Maria Carrigan
22	22	Yes	Sharon Jocelyn Dunnet
23	23	Yes	Gerrard, Sandra
24	24	Apology	McWhannell Family Trust, Greg McWhannell
25	25	Yes	Heather Gray Harker
26	26	Apology	Vera Jones and Phillip Douglas Jones
27	27	Apology	Patricia Farrell
28	28	Apology	J E Lockie
			Proxy to I Turnbull
29	29	Yes	Kemp, Garry Bruce
30	30	Yes	Joanne Gwendoline Walsh
31	31	Yes	Simpson, Alan C
32	32	Yes	Flemming, Laurence & Jill
33	33	Yes	J L Gooch
34	34	Yes	S Locker
35	35	Apology	D W & M F Fellingham
36	36	Apology	Brook, Joanne

37	37	Yes	Peter & Jean Sims
38	38	Yes	Safe Family Trust, Janet, Gary & Paul Safe
39	39	Yes	V L Larsen
40	40	Apology	Gallichan, Joyce and Adrian
42	42	Yes	J and O M Westley
43	44	Apology	Raewyn Mary Motley & Jill Charlotte Cochrane
44	45	Apology	Retters Properties Limited
45	46	Yes	Muir, Elizabeth Anne
46	61	Apology	R V Dean
47	60	Apology	Reimer, Catherine Sophie
48	47	Apology	T M V Shaw and K R Shaw
49	48	Apology	Bernice Agnes Hartley
50	59	Yes	Margaret Bull, Keith Jackson & Rachael Hall
51	58	Yes	Tobin, Mervyn & Angeline
53	50	Yes	I M Smith
55	56	Yes	J L Massey-Hall
56	51	Apology	Linda & Michael Green
57	52	Yes	L Clarke
58	55	Yes	M A Ashton
59	54	Yes	I C Turnbull
60	53	Yes	Head, Noeline
61	43	Yes	Winchester, Carmen
62	62	Yes	A & L Brickland

## QUORUM

Quorum of 25% was achieved.

## BODY CORPORATE CHAIRPERSON

Ian Turnbull

## MEETING CHAIRPERSON

Jane Kelly

### 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 has a quorum. The chair of the meeting conducted a health and safety briefing and pointed out fire exits in the event of emergency.

### 2 REMEMBRANCE & INTRODUCTION NEW RESIDENTS

A minutes silence was held for the residents that passed in the last year:

- Virginia Collins
- John Ormsby
- Maureen Vercoe
- Malcolm Walker
- Dulcie Svendsen
- Valerie Taylor

Introduction and welcome to new residents:

- Shane Holyoake
- Jenny Jackson
- Judy & Ian Bothwell

### **3 PREVIOUS MINUTES**

#### **Ordinary Resolution**

Resolved that the minutes of the last annual general meeting held 23/03/2023 and the extraordinary general meeting held on the 21/09/2023 of the Body Corporate are confirmed as a true record of the proceedings of those meetings.

**Majority in favour**

**Carried**

### **4 MATTERS ARISING**

Nil

### **5 COLLIERS SERVICE AGREEMENT**

#### **Ordinary Resolution**

Resolved that the Body Corporate appoint 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**

### **6 COMMITTEE REPORT**

#### **Ordinary Resolution**

Resolved that the committee report, and exercise of delegated duties and powers were received and accepted.

**Majority in favour**

**Carried**

### **7 ELECTION OF CHAIRPERSON**

The following nominations were received;

- Ian Turnbull

#### **Ordinary Resolution**

Resolved that Ian Turnbull be re-elected as chairperson of the body corporate and body corporate committee and serve such until the earlier of the next AGM or their resignation.

**Majority in favour**

**Carried**

### **8 ELECTION OF COMMITTEE**

#### **Ordinary Resolution**

Resolved that the Body Corporate establishes a Committee with **7** members and that a quorum for Committee meetings and decisions made in person or by written confirmation shall be **4** members.

**Majority in favour**

**Carried**

**The following nominations for the Body Corporate Committee were received:**

- Ian Turnbull
- Liz Muir
- Shirley Jurgens
- Noeline Head
- Sharon Dunnet
- Allan Brickland
- Joy Stringer

**Ordinary Resolution**

Resolved that there being the same or fewer nominations than vacancies, all nominees are elected to the Committee.

**Majority in favour  
Carried**

**Delegation of Powers**

**Special Resolution**

Resolved that the Body Corporate resolves by special resolution to delegate all of its powers and duties under the Act, Rules and Regulations generally to the committee pursuant to Section 108 of the Unit Titles Act 2010, except those unable to be delegated under Section 108(2). This delegation shall last until the close of the next AGM.

**All in favour  
Carried**

**Ordinary Resolution**

Resolved that the committee shall report once annually at that annual general meeting. The minutes of this meeting will suffice as notice of the delegation to the committee members and is evidence of the committees' authority to perform each duty or exercise each power that is being delegated.

**Majority in favour  
Carried**

**9 SOCIAL CLUB COMMITTEE**

**The following nominations for the Social Club Committee were received:**

- Ian Turnbull
- Jill Flemming
- Liz Muir
- Shirley Jurgens
- Jo Walsh
- Noeline Head - if and when needed

**Ordinary Resolution**

Resolved that all nominees above are elected onto the Social Club Committee.

**Majority in favour  
Carried**

## **10 PREVIOUS FINANCIAL STATEMENTS**

### **Ordinary Resolution**

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

### **Majority in favour**

**Carried**

## **11 INDEPENDENT REVIEW OF FINANCIAL STATEMENTS**

### **Special Resolution**

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**

## **12 BODY CORPORATE RULES**

No changes to the operational rules were proposed.

## **13 INSURANCE**

### **Ordinary Resolution**

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

### **Not passed**

The committee will make this decision at the time of renewal.

### **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**

Resolved that the Body Corporate is authorised to secure Office Bearers Liability Insurance with a cover of \$1,000,000.

### **Majority in favour**

**Carried**

### **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**

## 14 GENERAL MAINTENANCE

The following maintenance items were discussed:

- No resident has the right to interfere with the common gardens and front garden [road garden] or its plants. If a resident feels some plants need trimming they must apply to the BC meeting in writing. The BC will discuss if it is a reasonable request, if so the Village gardening team will rectify the problem.
- No Resident or BC Committee member may alter, paint, or stain the front road fence without the approval at an AGM or EGM. As the VG rules state this would require a majority in favour.
- The Committee will continue with ongoing maintenance around the Village.

## 15 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.

### Ordinary Resolution

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

**Majority in favour**

**Carried**

**Unit 14 Against**

## 16 LONG-TERM MAINTENANCE PLAN

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 2023 and is due for review in 2026.

## 17 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**

## 18 OPTIONAL CONTINGENCY INVESTMENT FUND

The Committee have taken care of investing the body corporate funds accordingly.

## **19 ANNUAL BUDGET**

The annual budget was set and approved at the September 2023 EGM, and levies have been raised based on this already. The approved budget is attached.  
Confirmation that levies were raised as per section 121.

## **20 GENERAL BUSINESS**

The following general business was discussed:

Ideas for raising funds for the body corporate instead of putting up monthly fees - Liz spoke to this and explained that the Village is nearly 20 years old. We need to look at saving more. We are aware ongoing increases to fees can be upsetting for most but we must future proof our Village.

One suggestion was made around a percentage of sale price being collected by the body corporate upon sale of a unit. Liz asked residents to think about this idea.

Jane explained the transition to Quay taking place on the 1st April 2024.

## **CLOSURE**

There being no further business, the Chairperson declared the meeting closed at 10:30 AM.

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.