

UNIT TITLES ACT 2010

BODY CORPORATE 467074

UNITS 9-19/19 NGA MAHI ROAD, CHRISTCHURCH

MINUTES OF ANNUAL GENERAL MEETING – 2023

Date: Tuesday, 22nd August 2023 at 11.00 a.m.

Venue Held via Zoom, phone or at the offices of
Skyway Body Corporate Services
Unit 12, 21 Bealey Avenue
Christchurch

<u>Attendance</u>	David Leadbetter – In person	Unit 10
	Gary Reid – Via Zoom	Unit 12
	Ray McIntyre – In person	Unit 14 and Unit 16
	Wayne Moriarty – In person	Unit 15 and Unit 17
	Skyway Body Corporate Services Ltd	
	Ann Woods	Managing Director
	Anna Gardner	Body Corporate Manager

Apologies There were no Apologies

Postal Votes There were no Postal Votes

Proxies There were no Proxies

Ann thanked members for their attendance and noted that it seems to be the same owners who make the effort to attend the AGM each time.

The following Notified Resolutions were voted on:

“That the meeting confirms the Minutes of the 2022 Annual General Meeting held on the 23rd August 2022 are a true and accurate record of that Meeting.”

Moved: Wayne Moriarty Seconded: David Leadbetter Carried

“That the meeting confirms and accepts the Financial Statement for the period from 9th August 2022 to 8th August 2023.”

Ann reviewed the Financial Statement for members.

Moved: Wayne Moriarty Seconded: Ray McIntyre Carried

“That the meeting confirms and accepts the Draft Budget prepared for the period from 1st September 2023 to 31st August 2024.”

Insurance:

Ann referred to the insurance renewal report and it noted:

The insurance market is challenging, weather events in the North Island earlier this year have further compounded this. Insurers are imposing higher excesses and, in some cases, restricting the cover offered.

Building sum insured is based on the insurance valuation received last year and remains at \$8,175,000

The natural disaster excess remains at 1% of the sum insured, minimum \$1,000.00.

Liability policies have renewed at expiring rates, and the material damage policy has increased overall by 8%. This is a fair result in the current market.

***Note:** In order to ensure all units are fully covered the Insurer may request confirmation of annual rents. If requested it is important this information is provided to ensure there is sufficient cover in place.*

It is understood this information is confidential and is only supplied to the Insurance Broker for Insurance purposes.

The information regarding annual rents is also required so that the Broker can obtain insurance quotes at renewal to ensure competitive pricing.

Building wash

Due to remedial action required to cladding joints the building wash has been put on hold.

It was agreed this work is important and Ann suggested at the very least the gutters should be cleaned every two years.

Those at the meeting agreed that the building wash is to be delayed until the ongoing cladding issues are resolved. It was also thought that as the units are to be painted shortly all going well the units would be washed as part of this work.

David Leadbetter offer to go up and have a look at the condition of the gutters.

***Action (2):** No further action re gutter cleaning is to be taken until David has checked the condition of the gutters, confirmed if gutter cleaning is required and if moss treatment to the roof or skylights sheeting needs to be applied.*

Long Term Maintenance Plan

Due to recent Unit Titles Act Amendments 19 Nga Mahi Rd, Units 9-19 is considered to be a “large” (10 or more units Body Corporate). “Large” Bodies Corporate are required to increase the current 10-year Long Term Maintenance Plan to a 30-year Long Term Maintenance Plan. Having to update the plan will incur a minimal cost.

The aim of the 30-year Long Term Maintenance plan is to enable the Body Corporate to plan for the cost to maintain the common property, building elements and infrastructure that are not general repairs and maintenance and do not need replacing/maintenance in the short term.

Having a Long Term Maintenance Plan in place and regularly updating it helps prevent owners having to come up with large amounts of money to carry out a repair/replacement of building elements all at once.

Richard Johnstone Legal issue

Ann advised that disappointingly discussions between the Barrister representing the Body Corporate and CBC, in an attempt to get an offer from CBC, have not moved forward despite their being quite a number of requests from Richard Johnstone acting for both Bodies Corporate. At present the claim appears to be at a standstill. In a worst case scenario the BC may need to consider taking further action. Richard has today advised he is waiting for a further response from the QS and Ann will let owners know as soon as there is more information.

Members agreed to accept the Draft Budget.

Moved: Wayne Moriarty

Seconded: Ray McIntyre

Carried

“Members acknowledge that it is necessary to have a Body Corporate Committee for Body Corporate 467074 and it is agreed that all Owners form the Body Corporate Committee, the nomination and appointment of a chairperson will be attended to by members at the Meeting.”

AND

“The quorum required for a Committee Meeting will be three.”

Ann thanked Ray McIntyre for his support over the past years.

Ray confirmed he will remain on in the position of Chairperson.

“That Ray McIntyre be elected as Body Corporate Chairperson and all owners form the Committee”

Moved: David Leadbetter

Seconded: Wayne Moriarty

Carried

AND

“The quorum required for a Committee Meeting will be three.”

Moved: Ray McIntyre

Seconded: David Leadbetter

Carried

“That Skyway Body Corporate will provide management services to the Body Corporate for the coming year.”

Moved: Wayne Moriarty

Seconded: David Leadbetter

Carried

Special Resolution which requires notification:

“That the Body Corporate resolves by Special Resolution not to have its financial statements audited.”

Ann advised that as per the Unit Titles Act updates during the next financial year the Body Corporate financial information will need to be reviewed by someone with accounting knowledge on an annual basis

Moved: David Leadbetter

Seconded: Ray McIntyre

Carried

General Business:

Unit Titles Act Update

Bodies Corporate are governed by the Unit Titles Act 2010 which has recently been updated. Below are some of the changes that are taking place. Skyway will keep all owners up to date with any further relevant changes.

Note: The new legislation is called the Unit Titles (Strengthening Body Corporate Governance and other Matters) Amendment Act 2022.

- 1) The Committee has an obligation to disclose any conflicts of interest to all BC members.

If a Committee Member has a conflict of interest they will need to complete a conflict of interest form provided by Skyway.

If a conflict of interest is disclosed the Committee would review the conflict of interest and decide the most appropriate way to resolve the conflict. The resolution might be to exclude the Committee Member with the conflict of interest from any decision making relating to the item of conflict.

- 2) Both Skyway and the Committee need a Code of Conduct. Skyway has prepared their Code of Conduct to circulate and the Committee Code of Conduct along with the Conflict of Interest Form has been supplied. It is likely in the future that the Management Contract will need to be updated.
- 3) Owners are now to be given the option of attending meetings in person, via Zoom or via phone.
- 4) If the Committee has a formal meeting the Minutes of the Meeting need to be distributed to all BC members. The meeting must include an Agenda, discussion points and any resolutions moved and seconded that may be put forward for discussion.
- 5) There are quite a number of changes to requirements for Disclosure Statements for the sale of properties and this will affect the cost of those documents for anyone who is selling.

Action (1): *Skyway is to keep all BC members up to date with relevant Unit Titles Act amendments*

Building Warrant of Fitness

Buildings that contain central safety and essential systems, known as specified systems, need a Compliance Schedule.

Specified systems help ensure a building is safe and healthy for people to enter, occupy or work in. They require ongoing inspection and maintenance to ensure they function as required. If they fail to operate properly, they have the potential to affect health or life safety.

It is the responsibility of a building owner to ensure the specific systems continue to perform as was intended when they were installed.

When a building is constructed, owners will generally be issued with a compliance schedule at the same time as their Code Compliance certificate. In rare cases a Compliance Schedule may not be issued with a Code Compliance certificate.

The compliance schedule lists the building's specified systems, the performance standards and the inspection, maintenance and reporting procedures needed to keep them in good order. To verify these responsibilities have been met, owners/Body Corporate Managers need to ensure an updated BWOFF is displayed in a prominent position i.e. front window every 12 months.

The BC engages Fire Fighting Pacific to carry out BWOFF checks ensuring the buildings are compliant. FFP will notify the BC of any non-compliant issues and it is up to Owners to rectify the issues ensuring their unit is BWOFF compliant. If one owner in a BC doesn't comply then no BWOFF can be issued for the complex and the CCC could issue a fine or request an Audit be carried out.

Owners must take this seriously and if their unit is non-compliant ensure any failings notified are rectified ASAP when asked and certainly before the BWOFF renewal date.

There being no further business, Ann thanked the Owners for attending and the meeting closed at 11.45 a.m.