

VICTORIA COURT BODY CORPORATE 79636

2015 Annual General Meeting Agenda (s89, Unit Titles Act 2010)

Date: Saturday, 20th June 2015

Time: 9:00 (9am)

Venue: 2 Kio Road, Hataitai
Wellington

1. Welcome and introduction.
2. Registration of attendees and confirmation of quorum including proxies.

PRESENT: As per attendance list, **7** owners were present in person or by proxy representing **58.3%** of the present quorum.

- | | |
|--------------------------------------|---------|
| - Betty Babot | Unit 1 |
| - Nicola Hivon | Unit 4 |
| - Ashvini Savanthrapadian (by proxy) | Unit 5 |
| - Gina Butson | Unit 7 |
| - Marlena Dijkstra | Unit 8 |
| - Roanne Potts | Unit 9 |
| - Jim & Eve McMahon | Unit 12 |

Proxies

- | | |
|---------------------------|--------------------------------------|
| - Ashvini Savanthrapadian | Unit 5 (from Jayalakchimy Dorairaju) |
|---------------------------|--------------------------------------|

Other

- Paul Crew (The Body Corp Ltd – Former Body Corporate Manager)
- Ben Dufrou (Complete Body Corp Solutions Ltd – New Body Corporate Manager)
- Gracie Miles (Complete Body Corp Solutions Ltd)

Apologies Received

None

3. Confirmation of 2014 AGM Minutes.

Minutes of the Previous Annual General Meeting held on 21 June 2014 (A copy of the Minutes was attached to the Notice of 13 May 2015 of Intention to hold an AGM on 20 June 2015) and Matters Arising from the Minutes (Not included in other Agenda items) Consideration of the following Motion.

Motion 3: That the minutes of the Annual General Meeting held on 21 June 2014 be accepted as a true and correct record of that meeting.

Moved: Nicola Hivon / **Seconded:** Jim McMahon

Motion Carried Unanimously

4. Appointment of new Body Corporate Manager/Secretary Consideration of the following Motion.

Nicola outlined the process that Gina had undertaken. The process included a request for proposal, then a short list of 3. Nicola and Jim then reviewed the three proposals independently, assigning a ranking. Then spoke with/meet with with preferred providers, before recommending Complete Body Corp Solutions Ltd.

Motion 4: That Complete Body Corp Solutions Ltd be appointed as the new BC Manager at an annual fee of \$4,800 + GST for an initial term which will expire on 30 June 2016 subject to a review at the 2016 AGM.

Moved: Nicola Hivon / **Seconded:** Jim McMahon

Motion Carried Unanimously

5. Financial Statements to 31 March 2015.

Financial Year to 31 March 2015 (The Financial Report to 31 March 2015 and Draft 2015/2016 Budget was attached to the Notice of 13 May 2015 of Intention to hold an AGM on 20 June 2015).

Limited discussion around the financial reports. A question was raised around cleaning costs and scope by Gina, with further discussion had under general business.

5.1. Accounts for the year to 31 March 2015 Consideration of the following Motion.

Motion 5.1: That the Accounts for the year to 31 March 2015 be accepted.

Moved: Nicola Hivon / **Seconded:** Jim McMahon

Motion Carried Unanimously

5.2 Chair's 2015 report, provided by Chairperson.

Nicola provided a verbal report on recent activities. Main focus has been around painting (interior/exterior quotes), whether to commission seismic engineers report and seeking body corporate management replacement.

Motion 5.2: That the Chairperson's Report for 2014/2015 be accepted.

Moved: Marlena Dijkstra / **Seconded:** Eve McMahon

Motion Carried Unanimously

6. Long Term Maintenance Plan Consideration of the following Motion.

Discussions around whether to carry out exterior painting, given the decision to defer commissioning the engineers report on building. Nicola noted the quote from the painter that carried out the interior was slightly higher than another quote. Nicola suggested plan was to approach the interior painter to see if could match lowest exterior quote.

Nicola also identified the purpose for carrying out the exterior painting now, was because it was scheduled in the Long Term Maintenance Plan. Agreement was that building paint work was generally in good condition. Gina mentioned that some areas of the exterior had deteriorated; which lead to discussions on front fence and remedial work that is required (missing/broken pieces, moss/lichen & graffiti).

Agreed to arrange for front fence to be look at, including spraying moss/lichen, painting out graffiti and get quote for repainting broken pieces (concrete block construction). Also agreed that while painter on site addressing painting of fence, it would be worth them looking at patches identified on exterior of building.

Further discussions around exterior painting of building, including the potential impacts the new Health & Safety Act changes (1 April 2015) might have on the exterior painting costs. Agreed to defer painting exterior painting for another year.

Action point: To contact Neil, interior painter, to paint out graffiti and review patches on building.

Motion 6: That the AGM determine if a quote for painting the exterior of the building be accepted and if a quote is accepted how the cost will be met.

Motion REVOKED

7. Financial Year to 31 March 2016

7.1 Appointment of Auditor Consideration of the following Special Motion –

Motion 7.1: That no auditor be appointed for the Financial Year to 31 March 2016.

Moved: _____Jim_____ **Seconded:** _____Malana_____ **MOTION CARRIED**
6 in favour, 2 against Gina and Ash against

7.2 Budget for year 1 April 2015 to 31 March 2016 (The draft 2015/2016 Budget is included as part of the Financial Report to 31 March 2015 which was attached to the Notice of 13 May 2015 of Intention to hold an AGM on 20 June 2015).

BC management fees slightly higher for 2016, so needs to be factored into budget.

Motion 7.2.1: That the adjusted 2015/2016 budget be approved and that the levies per unit based on the Ownership Interests, formerly the Unit Entitlements, as prescribed by the Unit Title Plan be payable in monthly instalments in advance on the first day of each month by electronic/automatic payment to the Body Corporate's bank account.

Moved: _____Betty_____ **Seconded:** _____Nicola_____ **MOTION CARRIED**

Motion 7.2.2: That subject to the monthly instalments which are due to 1 July 2015 being paid by 31 July 2015, where a monthly instalment is not paid by the due date 10% interest in accordance with Section 128 of the Unit Titles Act 2010 and the BC Manager's administration charges will be added to the amounts owing.

Moved: _____Not needed____ **Seconded:** _____ **MOTION CARRIED**

8. Election of Chairperson

The following nomination has been received for the position of Chairperson and the nominee has consented to the nomination:

Jim McMahon (Unit L/12) Nominated by the owners of Unit D/4 Consideration of the following Motion.

Motion 8: That Jim McMahon be elected as the Chairperson of the Body Corporate.

Moved: _____ All in favour _____ **Seconded:** _____ **MOTION CARRIED**

9. Election of 2015/2016 Committee 9.1 Number of owners who shall comprise the Committee Consideration of the following Motion.

Motion 9.1: That the Committee shall consist of twelve owners.

Moved: _____ Motion stands _____ **Seconded:** _____ **MOTION CARRIED**

9.2 Quorum of Committee Consideration of the following Motion

Motion 9.2: That the quorum for Committee meetings shall be six members. 9.3 Election of Members of 2015/2016 Committee

Moved: _____ Motion stands _____ **Seconded:** _____ **MOTION CARRIED**

10. General Business

11. Date of Next Meeting

12. Closing. 10am on the dot.

MOTIONS

Ordinary Resolution: For an Ordinary Resolution to pass, 51% of eligible voters who vote on the resolution must vote in favour of the resolution (50% or more for a poll vote).

Special Resolution: For a Special Resolution to pass, 75% of eligible voters who vote on the resolution must vote in favour of the resolution (75% or more for a poll vote).

#	Motion	Type of Resolution Ordinary / Special	Vote For (Yes) Against (No)
3	That the minutes of the Annual General Meeting held on 21 June 2014 be accepted as a true and correct record of that meeting.	Ordinary	Yes
4	That Complete Body Corp Solutions Ltd be appointed as the new BC Manager at an annual fee of \$4,800 + GST for an initial term which will expire on 30 June 2016 subject to a review at the 2016 AGM.	Ordinary	Yes
5.1	That the Accounts for the year to 31 March 2015 be accepted.	Ordinary	Yes
5.2	That the Chairperson's Report for 2014/2015 be accepted.	Ordinary	Yes
6	That the AGM determine if a quote for painting the exterior of the building be accepted and if a quote is accepted how the cost will be met.	Ordinary	Revoked
7		Ordinary	
7		Ordinary	
8		Ordinary	
8a		Ordinary	

	Motion	Type of Resolution Ordinary / Special	Vote For (Yes) Against (No)
9		Ordinary	
10		Special (75%)	
11		Ordinary	
12		Ordinary	
13	-	Ordinary	
14		Special (75%)	
15		Ordinary	

	Motion	Type of	Vote
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		Resolution Ordinary / Special	For (Yes) Against (No)
16		Ordinary	
17		Special (75%)	

Meeting Requirements:

1. Section 101 (3) of the Unit Titles Act 2010 provides that any matter not on the agenda may be discussed at the meeting but unless all eligible voters are present at the meeting, no resolution may be voted on and made in respect of that matter except to include that matter on the agenda for a subsequent general meeting.
2. As provided for by Sections 97(2) and 98(2) of the Unit Titles Act 2010 unless a poll is properly requested one vote only may be exercised by each principal unit.
3. A poll may be requested by an eligible voter in person at the meeting. As provided for by Sections 100(3) and 100(4) of the Unit Titles Act 2010, the basis of the voting is the ownership interest represented by those voting.
4. To be eligible to vote an owner or the owner's representative or proxy, all body corporate levies and other amounts that are from time to time payable to the body corporate in respect of the unit must have been paid.
5. Quorum:
 - 5.1 Sections 95(1) and 95(2) of the Unit Titles Act 2010 provides that at a general meeting a quorum will comprise the persons entitled to exercise the voting power in respect of not less than 25% of the principal units or their proxies and that no business may be transacted unless a quorum is present.
 - 5.2 Regulation 13(1) of the Unit Titles Regulations 2011 provides that the persons who have cast postal ballots together with those present and entitled shall be counted for the purposes of determining whether other is a quorum.
 - 5.3 Regulation 13(2) of the Unit Titles Regulations 2011 requires that if a quorum is not reached the meeting must be adjourned until the same day 1 week later, that the reconvened meeting must be held at the same time and place, unless the chairperson has notified all unit owners of a change to the time or place (or both) at least 3 days before the reconvened meeting is due to take place and the reconvened meeting must proceed whether a quorum exists or not.