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SOLD ON KĀPITI

2022

Body Corporate 85858 – Maclean Street Apartments

MINUTES OF MACLEAN STREET APARTMENTS BODY CORPORATE ANNUAL GENERAL MEETING

HELD ON SUNDAY 3 JULY 2022 AT 4.00PM AT 1B MACLEAN STREET

1. Attendees:

Unit 1A: Murray Wood
Unit 1B: Sue Gallagher (Chair)
Unit 1E: Matthew Campbell (Video)
Unit 2A: Brandt Ashley (Video)
Unit 2B: Donna Platt
Unit 2D: Kirsty Joiner
Unit 2E: Ginny Radford (Video)
Unit 3A: Deidre Smith
Unit 3B: Kevin Burrows
Unit GA: Ben Murphy

Apologies:

Unit 1D : Earl Van Haeren Unit 2C: Ash Bhasin

Non Attendees:

Unit 1C: Robert Menzies Unit GB: Matthew O'Byrne

2. CONFIRMATION OF MINUTES

Ordinary Resolution

It was moved by Brandt Ashley/Seconded Ginny Radford

That the minutes of the annual general meeting held on 29/05/2021 be confirmed as a true and correct record of the proceedings of that meeting. **CARRIED**

3. BUSINESS ARISING

3.1 Body Corporate Rules

Agreed that these be reviewed again in two years time, as no pending issues had been identified.

3.2 LIM Report

Matt explained that the water tightness on the LIM made it difficult for people wanting to get a mortgage from the bank. The Council had advised that the only way it could be removed was by the Body Corporate engaging a water tightness expert to sign off that there were no issues. Brandt agreed to obtain a quote from someone who might be able to undertake the review.

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3.3 Roof of Ballantynes Building

Brandt asked if anything had been done about the nails and rubbish on the roof of the building next door. Denis advised that this was not anything the body corporate would undertake. It was suggested that Brandt contact the owner himself if the nails etc on the roof were a concern.

4. APPROVAL OF STATEMENT OF ACCOUNTS *Ordinary Resolution*

It was moved by Murray Wood/Seconded Kevin Burrows

That the non audited statement of accounts for the year ending 31 March 2022 attached to the agenda by adopted. **CARRIED**

5. CONSIDER APPOINTMENT OF AUDITOR *Special Resolution*

Sue explained that Grant Turner had completed the accounts for this financial year, and handed everything over to her for the coming year.

It was moved by Ginny Radford/Seconded Deidre Smith

That the Body Corporate's statement of accounts for the financial year 1 April 2022 to 31 March 2023 are not required to be audited. **CARRIED**

Following a discussion on whether it would be useful to have the accounts reviewed by someone other than the Treasurer, it was moved by Kevin Burrows/seconded Kirsty Joiner

That the Committee appoint an unpaid reviewer to review the Annual Accounts for the year ended March 2023. **CARRIED**

6. COMMITTEE REPORT *Ordinary Resolution*

Sue spoke to the report and acknowledged the work of the committee, and in particular Grant Turner. It was agreed that a vote of thanks be sent to Grant for all his efforts on the Body Corporate committee since 2008.

It was moved by Brandt Ashley/Seconded by Deidre Smith

That the Committee's Report as circulated be acknowledged. **CARRIED**

7. PROPERTY MANAGER'S REPORT *Ordinary Resolution*

Dennis spoke to his report and it was moved by Matthew Campbell/Seconded by Donna Platt:

That the Property Manager's Report as circulated be acknowledged. **CARRIED**

The committee asked Dennis to look into the sensor lights in the garage, as they were not turning off.

A vote of thanks was also extended to Dennis Gough **CARRIED**

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8. LONG TERM (10 YEAR) MAINTENANCE PLAN *Ordinary Resolution*

It was moved Donna Platt/Seconded Matthew Campbell

That the Body Corporate acknowledge that the long term maintenance plan continues to be reviewed annually and that the Committee is authorised to make adjustments as they deem appropriate. **CARRIED**

- 8.1 **Solar Panels** - Deidre asked if the committee had looked into installing solar panels Ginny commented that being so close to the sea there could be an issue with salt which might affect the panels. . Deidre offered to look into this issue with the help of her husband and report back to the committee for consideration as part of next year's LTM if a viable option is identified.
- 8.2 **Roof Guttering** - Dennis advised that he was obtaining a confirmed quote for the replacement of the waterproof cladding in the guttering. He requested that this be done at the same time as the other exterior work when the scaffolding was put up. The amount in the LTMP to be updated when quote obtained.
- 8.3 **Project Cashflow** was considered and Ginny queried if the external work could be delayed a further year to ensure positive cashflow. It was agreed to consider this closer to the time, but everyone felt it could be either 2028 or 2029.

It was moved Ginny Radford/Seconded Murray Wood

That the Projected Cashflow for the long term maintenance plan is endorsed, and the alteration to 2028 is noted. **CARRIED**

Dennis advised that this year's scheduled maintenance was painting internal walls and repairs to external walls. Murray queried if both ends of the building were being painted or just one as per the LTMP. Sue explained that we were awaiting a quote from the Painter, and the amount of paint that was required. The committee had negotiated to get the paint at half price. It was moved by Ginny Radford/seconded Kirsty Joiner:

That the Committee can determine which areas will be painted within the allocated budget in the LTMP for 2022/23. **CARRIED**

9. INSURANCE RENEWAL *Ordinary Resolution*

Dennis explained he had used the same valuation company to undertake the valuation of the building, which occurs once every three years. The valuer was impressed with the state of the building.

As a consequence of the increased valuation, the insurance premium had also increased. The Committee had agreed to not take up the loss of income insurance, as noted in the circulated paper. Owners were required to take their own insurance if required.

It was moved Murray Wood/seconded Matthew Campbell:

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That the Body Corporate ratifies the committee decision to proceed with the 2022 insurance renewal as per the renewal terms provided by the existing insurer. And further the committee is authorised to renew the insurance as they determine as appropriate for the following year (2023). **CARRIED**

10. ADOPTION OF BUDGET & LEVIES

Ordinary Resolution

Sue explained that the budget included a small increase for the Property Manager and Cleaner. Other costs were kept to a minimum and the Committee was looking at the Electricity Costs. It was agreed that quotes be obtained from alternative power companies, and that Dennis would review the timing of the sensor lights in the garage. Dennis confirmed that most lights in public areas were now LED.

Several members queried why the cost of rubbish was not evenly allocated across the units, rather than apportioned. Sue G advised that in accordance with the Unit Title Act, all Body Corporate charges were calculated on a percentage basis. Kevin undertook to seek advice on whether the AGM could change the way fees are calculated.

Sue advised that owners had to accept that there were pluses and minuses to the percentage allocation. Two years ago, following a court case, the owners had voted to take responsibility for the roof repairs in the LTMP, rather than require the owners of the two level 3 units to do this.

It was moved by Ginny Radford/Seconded Donna Platt

That the Budget and proposed levies for the period 1 April 2022 to 31 March 2023 attached to the agenda be adopted . **CARRIED**

Sue requested all owners adjust their automatic payments from 1 August to new levy. She would then provide an invoice to each owner for the one off payment for the four month increase in fees from 2022. All agreed to this proposal.

11. ELECTION OF COMMITTEE

The existing members were nominated and accepted for the following year as follows:

Sue Gallagher

Ashley Brandt

Deidre Smith

Murray Wood

Sue advised that she could only do the Secretary/Treasurer role this year, and that owners should be aware that she may not be able to continue in 2023, due to work and other possible commitments.

Kirsty proposed a vote of thanks to Sue for her role over the last year of Chairperson, Secretary and Treasurer. **CARRIED**

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12. GENERAL BUSINESS

12.1 PROPOSED HOTEL

Each owner was asked for their opinion on their concerns and suggested strategy in relation to the proposed hotel These include:

- Confirmation of height of the building and effect on daylight
- Confirmation on what is being built – hotel or apartments
- Possible devaluation of the property due to loss of views and sunlight
- Car parking for visitors, market goers, customers of businesses
- Car parking for residents – would a resident's parking permit be possible
- Noise and construction impact on the residents
- Possible requests from tenants for reduced rent during construction
- Possible privacy issues (depending on design of the structure)
- Possible impact on the building during piling and ground works

Dennis pointed out that previously a four storey building could have been built on that land, and that the concern would need to be directed to the additional two or three storeys (once confirmed).

It was agreed that the main option open to the group was through the Resource Consent Act. Most members agreed that it would be difficult to stop the Council on this path, and it would be better to work with them to ensure they understand our concerns, that the timeframes and processes are understood so that any submissions can be made.

Kevin agreed to continue to liaise with Council Officers over timelines, and would organise a meeting with the two local Councillors so they could explain the process going forward, and to express our concerns. It was agreed Kevin liaise with Donna over other likely people who might be invited to the meeting.

It was agreed that updates would be sent to all owners once factual information is obtained.

12.2 PROPOSED INTERNAL COLOUR SCHEME

Ordinary Resolution

Sue explained that Deidre and Dennis had undertaken research and proposed the colour scheme for the interior of the building.

It was moved Deidre Smith/Donna Platt

That the colour scheme as circulated be adopted for the internal common areas. CARRIED

12.3 CAR PARK

Murray Wood advised owners of the work undertaken to review the number of bicycles stored in the garage. Owners were asked to advise a Committee member if they wished to store something in the garage. Also owners were asked to advise tenants to ensure the garage door is closed before driving off as everyone's security is compromised if it does not close. Everyone agreed that it was difficult to manage five cars in the garage, and

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requested if any owner wished to sell or rent their space to the other four, to please contact Deidre.

There being no further business, the meeting closed at 5.30pm

2023

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MINUTES OF MACLEAN STREET APARTMENTS BODY CORPORATE ANNUAL GENERAL MEETING HELD ON SUNDAY 21 MAY 2023 AT 4.00PM AT 1B MACLEAN STREET

1. ATTENDEES

Unit 1A: Murray Wood, Unit 1B: Sue Gallagher; Unit 1D: Earl Van Haeren*; Unit 2A: Brandt Ashley*; Unit 2B: Donna Platt; Unit 2D: Kirsty Joiner*; Unit 2E: Ginny Radford*; Unit 3A: Deidre/Geoff Smith; Unit 3B: Kevin Burrows; Unit GA: Ben Murphy

* Attendees were online.

2. APOLOGIES

Unit GB: Matthew O'Byrne (nominated Sue Gallagher as Proxy if required)

Owners Non attendance

Unit 1C: Robert Menzies; Unit 1E: Matthew Campbell; Unit 2C: Ash Bashin

3. CONFIRMATION OF MINUTES

Ordinary Resolution

It was moved by Murray Wood/ Seconded Kevin Burrows:

That the minutes of the annual general meeting held on 3 July 2022 be confirmed as a true and correct record of the proceedings of that meeting.

Carried

4. BUSINESS ARISING

4.1 **Kapiti Coast District Council** – Kevin Burrows had prepared a submission on the Intensification Proposal to the Council. Three owners accompanied Kevin to the hearing of Independent Commissioners. The result of the hearing is due to be presented to the Council in July.

4.2 **Proposed Hotel/Apartment Building** – Donna Platt noted the sign on the container on the property announcing the coming hotel. She also referred to an article in the paper where the Mayor had welcomed the news of the new hotel. Donna had received information from Councillor Liz Koh advising that the owner has put an application for resource consent under the Fast Track Covid Process, which is currently being considered by the Ministry for the Environment. Kevin Burrows agreed to write to the council and enquire further of the process and whether there will be an opportunity to oppose the construction of the hotel. Sue suggested that, should construction be approved, that we request a survey of our building prior to any construction being undertaken (preferably paid for by the construction company) so that any damage caused due to vibration can be identified.

4.3 **Utilities Charges and Allocation** – Kevin Burrows advised that he thought changes to the allocation of expenditure could be undertaken by resolution at an AGM. Such changes had already been made for the shops who do not contribute to lift allocation. He would like changes considered for non area specific expenses such as rubbish removal, lift use. It was suggested that this could be included in a proposed review of the Body Corporate By Laws.

5. APPROVAL OF STATEMENT OF ACCOUNTS

Ordinary Resolution

Sue spoke to the profit and loss accounts and balance sheet that had been circulated. She noted there was a small error in last year's profit and loss accounts which did not make a material difference to the current state of accounts.

It was moved by Murray Wood, seconded Donna Platt

That the non audited statement of accounts for the year ending 31 March 2023 (profit and Loss and Balance Sheet) be adopted.

Carried

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6. APPOINTMENT OF AUDITOR for 2024

Special Resolution

Sue explained it was a requirement of the Unit Titles Act to discuss whether an auditor was required to review the coming year's annual accounts. After discussion it was moved by Ginny Radford, seconded by Kirsty Joiner:

That the Body Corporate's statement of accounts for the financial year 1 April 2023 to 31 March 2024 are not required to be audited. **Carried**

7. COMMITTEE REPORT

Ordinary Resolution

It was moved by Donna Platt, Seconded by Brandt Ashley

That the Committee's Report as circulated be acknowledged. **Carried**

8. PROPERTY MANAGER'S REPORT

Ordinary Resolution

It was moved by Deidre Smith, Seconded by Ben Murphy:

That the Property Manager's Report as circulated be acknowledged. **Carried**

There was a unanimous vote of thanks to Dennis for his support and assistance to the committee on behalf of owners in managing issues that have arisen.

9. LONG TERM (10 YEAR) MAINTENANCE PLAN

Ordinary Resolution

Maintenance for 2023/2024:

Sue spoke to the items noted in the LTMP as being considered in the coming financial year – this included

Chemical wash of external walls - \$3,849

Carpet Replacement North End - \$3,864

This was in addition to the carpet replacement of the South End and Painting of the South End which was deferred in the 2022/2023 year due to the higher cost of painting the North end.

She advised the committee had proposed for consideration the following maintenance items:

Installation of CCTV cameras – in light of security issues experienced over the past year, owners had requested these be installed at the front and back of the building.

Painting of South End of building – this was scheduled for last year but due to the cost of the painting the north end of the building, this was deferred.

Carpeting of the North End of building – the carpeting of the south end had been scheduled for last financial year, but was deferred due to cost of painting. Two quotes had been received for carpeting the north end – one for wool carpet and one for nylon carpet.

Repair of seams on level 3 decks – this was proposed by Dennis to assist with solving the leak issues to Units 2D and 2E. He recommended that this be included in the long term maintenance plan for attention every five years. Dennis noted that the waterproof membrane and coating was in good condition, but there would always be some expansion and retraction of the plywood. He proposed that the seams be recoated at a cost of approximately \$1500. Geoff advised that he proposed to lift up flooring above Unit 2A, and it was agreed that this be repaired if required as part of the repair work.

Ginny suggested that the Long Term Maintenance Plan was a guideline, and when reviewed each year, owners were able to determine priorities. After discussion it was agreed that the painting of the south end was not urgent and could be rescheduled. Also agreed that the washing of the exterior of the building should be

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delayed to the next financial year. It was noted that if construction of the hotel commences, it may not be suitable to wash the building until the completion of construction.

It was moved by Kevin Burrows and seconded by Brandt Ashley

That the purchase of CCTV system(\$3474) proceed as a capital item, and that the carpeting of the north end in nylon carpet (\$6,150) and the reseal of level 3 deck seams (\$1,500) be undertaken as maintenance projects in the 2023/2024 financial year.

Carried

Long Term Maintenance Plan

Sue noted that the Unit Titles Act now required a 30 year Long Term Maintenance Plan be developed by Body Corporates. In light of recent experience with the quotes for painting and carpeting, it appears that the figure in the plan would need to be reviewed. It was further suggested by Ben that as part of the review, the rate of inflation currently used (2%) be adjusted upwards, and the estimates currently being used be reviewed. It was suggested that the plan could be a rolling plan with a review every 3 or 5 years. It was suggested that the committee review the Long Term Maintenance Plan, and bring a revised plan to the next AGM. This plan would need to include the deferred items of carpeting and painting of south end, the and washing of the exterior of the building.

It was moved by Geoff Smith and seconded by Kevin Burrows

That the committee prepare a revised 30 year Long Term Maintenance Plan for review at the next AGM.

Carried

10. INSURANCE RENEWAL

Ordinary Resolution

Sue advised that she had discussed the renewal with the Broker who advised that the market was currently closed, and that we had benefited from revaluing the building the previous year. The Broker also advised that significant increases in excesses would need to apply for any major change in the premium. She advised the insurance for 2023/2024 was due for renewal on 20 May, and had been paid. Details of the policy had been circulated to Owners. Geoff Smith offered to undertake a review of the current policy and possibly obtain a second opinion prior to 20 May 2024 when the insurance was due.

It was agreed a review should include the following principles:

- Insurance for catastrophic events was required
- Property should be revalued every three years
- Adjustments for inflation (based on reserve bank rates) should be made in remaining two years

It was moved by Kirsty Joiner and Seconded by Brandt Ashley

Ordinary Resolution

That the committee review any recommendations from Geoff Smith prior to the insurance renewal date, with authority to renew the insurance as they determine appropriate for the year 2024/2025

Carried

11. ADOPTION OF BUDGET & LEVIES

Ordinary Resolution

Sue spoke to the budget presented and the proposed increase in levies for the period 1 April 2023 to 31 March 2024. She explained that increases had been allowed for to reflect the advised increases in contract prices for such items as lift maintenance, waste removal etc. She spoke to the two options for applying the increase. It was agreed that the standard allocation (option 1) should be applied this year. It was further agreed that the allocation of expenses be reviewed as part of the bylaw review.

It was moved by Kirsty Joiner, seconded by Murray Wood,

Ordinary Resolution

That the Budget and proposed levies (option 1) for the period 1 April 2023 to 31 March 2024 attached to the agenda be adopted.

Carried

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Sue requested that all owners change their automatic payments to the new levy from 1 June 2023. She would send out notifications for the outstanding amount for the two months (April/May), which should be made as a separate one off payment.

12. COMMITTEE ELECTION

Ordinary Resolution

The present Committee of Deidre Smith, Murray Wood, Brandt Ashley and Sue Gallagher agreed to continue for a further year. It was moved by Ginny Radford and seconded by Donna Platt:

That the committee for the coming year comprise of Deidre Smith, Murray Wood, Brandt Ashley and Sue Gallagher.

Carried

A vote of thanks was given to the committee for the management of the property during the past year.

13. GENERAL BUSINESS

13.1 Guidelines for Rental of Units

Deidre advised that the guidelines had been prepared to try and protect the residents who lived in their units. She explained that there were two tenants selected during the year which had caused much anxiety to residents, and resulted in one excellent tenant leaving. Sue noted that it was disappointing that the two owners had chosen not to attend the AGM. She thanked the owner of Unit 2C for acting quickly to remove the tenant in accordance with the Tenancy Tribunal Rules. Deidre advised that unfortunately the very good tenant in Unit 1D had decided to leave because of the situation with Unit 1E.

Sue explained that the guidelines were prepared to give to potential buyers, prior to them purchasing a unit within the complex. All agreed that the first priority in the selection of tenants should be the welfare and safety of residents. Ben advised that if such guidelines were adopted it may not be attractive to investors, and could devalue the property. Others queried whether it was appropriate to differentiate by age. Following discussion it was agreed that further legal advice be sought on what could be done to manage such situations, and any appropriate guidelines be included in the review of the Body Corporate By-laws being undertaken this year.

In the meantime, it was agreed that any owner who was having an issue with the tenants in Unit 1E contact the owner with evidence for him to proceed with eviction notices. Earl agreed to contact Matthew and provide advice as he was not able to rent out Unit 1D until the situation had been resolved. He may also consider selling the unit if this was not resolved.

13.2 Unit Title Act changes

Sue spoke to the changes that had occurred to the Unit Title Act which had been circulated to owners. The changes included:

- Clarification on voting – ordinary resolution (simple majority and special resolution (75% of owners present))
- Those entitled to vote must have paid their levies, and an eligible chairperson must have paid their levies
- Process for resolving disputes
- Owners must provide more detailed information in the form of a disclosure statement when selling their property
- Utility and ownership charges guidelines
- Responsibilities of committee and managers including code of conduct

Sue advised that previously the owner was responsible for the Pre-Contract Disclosure statement, and that the Secretary/Treasurer provided the Pre-Settlement Disclosure statement. Under the changes to the Act it was the responsibility of the owner. The owner would have all the information provided through AGM papers and committee reports. However, in a recent case the owner had requested assistance with obtaining various

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pieces of information. Following discussion it was agreed that this would be a time consuming task, and should an owner require assistance with the sale of their property, the Secretary/Treasurer could charge a fee for assisting. It was moved by Ginny Radford and seconded by Geoff Smith:

That the Secretary/Treasurer charge Owners a minimum amount of \$100 per hour for assistance in providing information required for the sale of property include a pre-contract disclosure, or any other disclosure statement. This reflects duties which are outside the scope of the Secretary/Treasurer role. **Carried**

13.3 Body Corporate By-Law review

As discussed earlier, it was agreed that a review of the Body Corporate By Laws should be undertaken. This review to take account:

- Changes to Unit Titles Act
- Process for the allocation of utility charges to units
- Expectations for investors when renting out apartments
- Principles for CCTV monitoring
- Long Term Maintenance Plan guidelines and process

It was agreed to set up a sub-committee of Geoff Smith and Sue Gallagher to prepare a draft for discussion, with a request to Matthew O'Bryne for assistance on legal matters. The revised Rules to be ready to present to the next AGM

13.4 Mains Valve Taps

Dennis advised that in recent months there have been cases of failed mains valve taps. He noted that it would usually be associated with the change of a hot water cylinder. Unit 1E has advised a possible leak, and Units 1B and 1C have had their valves replaced as part recent renovations. Owners were asked to check if the valve had been replaced when a hot water cylinder was replaced and to advise Dennis within the next two weeks if a replacement valve was required.

13.5 CCTV

With the decision to install CCTV cameras, owners were asked to advise their tenants. It was suggested that guidelines for use CCTV footage be developed, including:

- Tenants to be advised before signing agreements to lease
- Monitor to be kept in the locked meter room
- Any request to view footage may be made to the Committee
- Any viewing of recordings must be undertaken by other two committee members, or one owner and one committee member.

It was agreed to ask the security company to assist with finalising the guidelines, which would be submitted to the Committee for approval.

There being no further business, the meeting closed at 6.00pm.

2024

Body Corporate 85858 – Maclean Street Apartments

MINUTES OF MACLEAN STREET APARTMENTS BODY CORPORATE ANNUAL GENERAL MEETING HELD ON SUNDAY 26 MAY AT 4.00PM AT 3A MACLEAN STREET

1. ATTENDEES

Unit 1A: Murray Wood, Unit 1B: Sue Gallagher; Unit 1C: Hannah Cooper; Unit 2B: Donna Platt; Unit 2C: Ash Bhasin*; Unit 2D: Kirsty Joiner*; Unit 2E: Ginny Radford*; Unit 3A: Deidre Smith; Unit 3B: Kevin Burrows; Unit GA: Ben Murphy*; Unit GB: Matthew O'Byrne

* Attendees were online.

2. APOLOGIES

Unit 2A: Brandt Ashley (no proxy nominated)

Owners Non attendance

Unit 1D: Earl Van Haeren; Unit 1E: Matthew Campbell;

3. CONFIRMATION OF MINUTES

Ordinary Resolution

It was moved by Ginny Radford/ Seconded Murray Wood:

That the minutes of the annual general meeting held 21 May 2023 be confirmed as a true and correct record of the proceedings of that meeting.

Carried

4. BUSINESS ARISING

4.1 **Utilities charges and allocation/By Laws** - Sue advised that no action had been undertaken on this or the revision of the By-laws. Deidre and Kevin offered to undertake a review of the by laws and provide recommendations to the Committee for consideration by the end of November 2024. Matthew offered to assist with this. Following a review by the committee it was agreed that a proposal be provided to owners for consideration at the next AGM.

4.2 **Safari Group** – Donna advised that the Environmental Officer at the Council had informed her that the Council would advise her personally of any consent process. A rumour was reported that the project was not going ahead and Kevin agreed to contact the Council to enquire about the situation in relation to progress on the plans.

5. APPROVAL OF STATEMENT OF ACCOUNTS

Ordinary Resolution

Sue spoke to the profit and loss accounts and balance sheet that had been circulated. She advised that the excess of income over expenditure was \$13,488.20 for the year which included the allocation for the long term maintenance plan. It was noted that general expenses were higher than budget and that the carpet had not been purchased. This would be discussed later in the meeting.

Ash queried if any of the capital was invested and Sue advised it was not. It was agreed that a sum of money be placed on an interest bearing on call account with the ASB. Sue to investigate the amount to be invested and report to the committee.

It was moved by Ben Murphy , seconded Donna Platt

That the non audited statement of accounts for the year ending 31 March 2024 (Profit and Loss and Balance Sheet) be adopted.

Carried

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6. APPOINTMENT OF AUDITOR for 2025

Special Resolution

Sue explained it was a requirement of the Unit Titles Act to discuss whether an auditor was required to review the coming year's annual accounts. After discussion it was moved by Ash Bhasin, seconded by Matthew O'Byrne:

That the Body Corporate's statement of accounts for the financial year 1 April 2024 to 31 March 2025 are not required to be audited. **Carried**

7. COMMITTEE REPORT

Ordinary Resolution

7.1 **CCTV Camera** – Dennis confirmed that this had been installed successfully. Sue outlined the emergency process that the committee had agreed for viewing the CCTV during specific incidents during the year. Since the tenants in 1E had left, the viewing of footage had reverted to the approved process – An owner may request to view CCTV footage and the Property Manager and a Committee member would be in attendance. It was further agreed that if the police requested to view footage the Owner should be notified. All agreed this process protected the privacy of residents, and the process should be included in the revised By Laws. Sue reminded owners that they should inform tenants of the CCTV camera prior to them signing a tenancy lease.

7.2 Tenancy Unit GB

Matthew apologised for the miscommunication regarding the commencement of refurbishment work over the easter holiday. He confirmed that conditions advised by the Body Corporate committee had been included in the lease for the grooming business. It was confirmed that the water usage be reviewed in six months time.

8. CHAIRPERSON'S REPORT

Ordinary Resolution

8.1 Replacement Carpet

Deidre spoke to the decision regarding delaying the carpet. She explained that she had gone back to Flooring Xtra to obtain quotes for the option of wool carpet, wool carpet tiles or nylon carpet. Her preference was to have carpet tiles laid which would have a much longer life. The three quotes were:

Quote 1 – Wool Carpet Tiles \$11,478.00

Quote 2 – Nylon Carpet \$10,364.00

Quote 3 – Wool carpet \$10,968.00

In response to a question, Deidre replied that the carpet could be cleaned and perhaps last a couple more years. Following a discussion on the appearance of the building, it was suggested that it may be preferable to spend the money on painting the southern end of the building first, as this would have a much better impact. As the paint had already been purchased, it was moved by Deidre Smith and seconded by Murray Wood:

"That a quote to paint the southern end of the interior of the building be obtained and that the painting be a priority for this financial year, rather than the carpet." **Carried**

On behalf of the owners, Sue Gallagher expressed thanks to Deidre for her role as chairperson over the difficult year, and all in attendance agreed that she had done an exceptional job.

It was moved by Donna Platt, Seconded by Ginny Radford

That the Chairperson's Report as circulated be acknowledged.

Carried

Body Corporate 85858 – Maclean Street Apartments

9. PROPERTY MANAGER'S REPORT

Ordinary Resolution

It was moved by Deidre Smith, seconded by Ben Murphy:

That the Property Manager's Report as circulated be acknowledged.

Carried

There was a unanimous vote of thanks to Dennis for his support and assistance to the committee on behalf of owners in managing issues that have arisen.

10. LONG TERM (30 YEAR) MAINTENANCE PLAN

Ordinary Resolution

10.1 Sue noted that under the revised Unit Titles Act the maintenance plan is to cover 30 years. It was agreed that the 15 year plan be extended to 30 years by repeating the items in the first 15 years.

10.2 It was noted the inflation rate currently being used was 2%. It was recommended that this be changed to 3% for the first five years, and then revert back to 2% for the years after.

10.3 All agreed to continue the goal to put aside sufficient funds to meet the large expense of repainting the building scheduled for 2028. Kirsty and Ben agreed to look at the current funds and the amount required to ensure this can still be achieved.

10.4 Sue confirmed she would update the plan based on the above decisions.

It was moved by Kirsty Joiner and seconded by Ben Murphy

That the Long Term Maintenance Plan be adopted, based on the decisions previously discussed.

Carried

10.5 Maintenance for 2024/2025

Painting of southern public areas – quote to be obtained.

Chemical Wash of building – Denis explained that having the building regularly washed is maintaining the coating on the exterior and may extend the time frame for when it will need to be repainted. A quote for the wash had been received for \$3,200. This quote included a pictorial report on the state of the building.

Treatment of Roof and Guttering – a quote had been received for \$1440 to have the roof treated, and the roof gutterings cleared. It was agreed to proceed with this work, and to request that the company install permanent anchors to allow for any other safety work on the roof.

It was moved by Ginny Radford and seconded by Donna Platt

That the Committee proceed with the chemical wash of the building, the treatment of the roof and guttering, and the painting of the southern end of the building, subject to available funds.

Carried

11. INSURANCE RENEWAL

Ordinary Resolution

Sue informed the meeting of the Broker's recommendation and noted that the insurance had increased by just under 15%.

She advised the cost of the insurance for the year was \$50,441.00 for Material Damage and Business Interruption, \$360 for General and Statutory Liability and \$550 for Office Bearers Liability.

Ash advised that EQC covered a cost of \$300,000 per apartment. It was agreed to follow this up with the broker before the next renewal of insurance.

It was moved by Matthew O'Byrne and Seconded by Ginny Radford

Ordinary Resolution

That the insurance cover and premium, as recommended by the Broker, be accepted for the year 2024/2025

Carried

Body Corporate 85858 – Maclean Street Apartments

12. ADOPTION OF BUDGET & LEVIES

Ordinary Resolution

Sue spoke to the budget presented and the proposed increase in levies for the period 1 April 2024 to 31 March 2025. She explained that increases had been allowed for to reflect the advised increases in contract prices for such items as insurance lift maintenance, waste removal etc.

It was moved by Donna Platt, seconded by Murray Wood,

Ordinary Resolution

That the Budget and proposed for the period 1 April 2024 to 31 March 2025 attached to the agenda be adopted.

Carried

Sue requested that all owners change their automatic payments to the new levy from 1 June 2024. She would send out notifications for the outstanding amount for the two months (April/May), which should be made as a separate one off payment. She again requested that all owners ensure the date of their automatic payment is 1st of the month.

13. COMMITTEE ELECTION

Ordinary Resolution

The owners expressed thanks to the Committee for their involvement during the year. As all agreed to continue for a further year, it was moved by Ben Murphy and seconded by Kirsty Joiner:

That the committee for the coming year comprise of Deidre Smith, Murray Wood, Brandt Ashley and Sue Gallagher.

Carried

14. GENERAL BUSINESS

A vote of thanks was given to Sue Gallagher for her work as Secretary/Treasurer over the past year.

There being no further business, the meeting closed at 5.24pm.

2025

Body Corporate 85858 – Maclean Street Apartments

MINUTES OF MACLEAN STREET APARTMENTS BODY CORPORATE ANNUAL GENERAL MEETING HELD ON SUNDAY 10 August AT 3.00PM AT 3A MACLEAN STREET

1. ATTENDEES

Unit 1A: Murray Wood, Unit 1B: Sue Gallagher*; Unit 1C: Hannah Cooper; Unit 2A: Ann Neill, Unit 2B: Donna Platt; Unit 2C: Ash Bhasin (part)*; Unit 2D: Kirsty Joiner*; Unit 3A: Deidre Smith; Unit 3B: Kevin Burrows*; Unit GA: Ben Murphy*; Dennis Gough

* Attendees were online.

2. APOLOGIES

Unit GB: Matthew O'Byrne; Unit 1D: Earl Van Haeren; Unit 2E Ginny Radford

Owners Non attendance

Unit 1E: Matthew Campbell

3. CONFIRMATION OF MINUTES

Ordinary Resolution

It was moved by Ben Murphy / Seconded Murray Wood:

That the minutes of the annual general meeting held 26 May 2024 be confirmed as a true and correct record of the proceedings of that meeting.

Carried

4. BUSINESS ARISING

4.1 Review of Bylaws

Sue advised that this had not taken place during the year, and that Matthew OByrne had agreed to assist. She requested this be retained as an item to be done during this year.

5. APPROVAL OF STATEMENT OF ACCOUNTS

Ordinary Resolution

'Sue presented the accounts for the year, and it was moved by Kirsty Joiner , seconded Donna Platt

That the non audited statement of accounts for the year ending 31 March 2025 (Profit and Loss and Balance Sheet) be adopted.

Carried

6. APPOINTMENT OF AUDITOR for 2026

Special Resolution

Sue explained it was a requirement of the Unit Titles Act to discuss whether an auditor was required to review the coming year's annual accounts. After discussion it was moved by Ash Bhasin, seconded by Kirsty Joiner

That the Body Corporate's statement of accounts for the financial year 1 April 2025 to 31 March 2026 are not required to be audited.

Carried

7. CHAIRPERSON'S REPORT

Ordinary Resolution

Deidre spoke to her written report and noted with pleasure that it had been an uneventful year in relation to residents in the complex. It was moved by Murray Wood, seconded Kevin Burrows:

That the Chairperson's report for 2025 be accepted.

Carried

Sue gave a vote of thanks to Deidre for her work during the year and all agreed.

Body Corporate 85858 – Maclean Street Apartments

8. PROPERTY MANAGER'S REPORT

Ordinary Resolution

Dennis spoke to his written report. It was moved Deidre Smith, Seconded by Murray Wood

That the Property Manager's report for 2025 be accepted.

Carried

Dennis noted that the key maintenance items this year would be the washing of the building in September, and the purchase and laying of new carpet for the north end of the building. He also noted that there was a developing issue with the butynol membrane on the front level 1 verandah. He advised this may need further maintenance if the current repair did not last.

Dennis then advised that after 20 years of involvement with the Body Corporate, he would like to give 12 month's notice of his intention to retire (at the age of 80). He offered to prepare a detailed inventory of the building over the next 12 months, and to assist with any replacement. Sue noted that Dennis had made a substantial impact on the building, which he treated as if it was his own, and he would be missed. Deidre thanked him for his contribution, and all agreed that he was a valuable asset to the Body Corporate, and would be missed.

9. SECRETARY/TREASURER'S REPORT

Ordinary Resolution

Sue spoke to her report and apologies for the delay in organising the annual meeting. It was moved Hannah Cooper, seconded by Ann Neill

That the Secretary/Treasurer's report for 2025 as circulated, be acknowledged

Carried

10. LONG TERM MAINTENANCE PLAN

Ordinary Resolution

Sue presented the revised 30 year maintenance plan, and explained that time periods had been added, and that it was assumed that the routine over the first 15 years would be repeated over the second 15 years.

Dennis noted that the Butynol coating on the upper level decks was wearing and would be due for repair at the same time as the building painting, as scaffolding would be required. Deidre enquired about the timeliness of painting the building. Dennis explained that this would be required when the building began to look tired. The warranty on the coating was 20 years, (applied in 2015) but having the building washed every three years was assisting in maintaining the fresh look of the building.

Sue advised that mistakenly the inflation figure had been left at 2%, rather than 3% which was requested at the meeting last year. It was moved Ben Murphy, seconded Deidre Smith

That the Long Term Maintenance Plan be accepted, and reviewed in three year's time

Carried

Planned Maintenance 2025/2026

Replacement Carpet (North End)

The owners were asked to advise on their preference for wool carpet, wool carpet tiles or nylon carpet. After discussion it was agreed to proceed to get quotes for wool carpet. Ash agreed to provide a contact at a Carpet company he used in Paraparaumu. Ann queried if it would be possible to get the same carpet the following year for the south end. It was agreed that the Carpet Companies be advised of this requirement when obtaining quotes.

Chemical Building Wash/

Dennis confirmed that this work would take place later in the year. The company would be asked to provide a full written report on the state of the building, including details of any cracks that needed repair. This would cost approximately \$3,500.

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Roof/Guttering Clean

This work would see the tiles treated with a coating, and the roof gutterings cleared. The company would also be asked to install permanent anchors to allow for any other safety work on the roof.

It was moved by Murray Wood and seconded by Donna Platt

That the Committee proceed with the chemical wash of the building, the treatment of the roof and guttering, and the laying of wool carpet to the north end stairway and landings **Carried**

11. INSURANCE RENEWAL

Ordinary Resolution

Sue acknowledged the chance meeting of Geoff with the Insurance broker which had led to the recommended change of Insurance Broker, and the resulting large reduction in premium. She advised that as a result of the change in policy, two issues needed to be resolved prior to next year:

11.1 Loss of Rental Income/Alternative Accommodation

Sue explained that a previous decision was to provide this insurance for owners living in the building only. This cover had been included this year, but the broker had recommended that this be an option for owners in the future. Sue explained that reasonable insurance can be provided by the broker, under the Body Corporate insurance. The process would be that owners contacted the broker directly to arrange the level of cover they required, if any, and the Body Corporate would be invoiced separately for this insurance. The invoice would be passed to the owner who would reimburse the Body Corporate.

After discussion, and further explanation it was moved by Ben Murphy/Seconded Deidre Smith

That each owner be responsible for their own loss of rental income and alternative accommodation insurance, and that these be excluded from the Body Corporate insurance policy in the following year. **Carried**

It was agreed that owners should make contact with the Broker prior to May 2026 when the insurance cover would be renewed. (Contact details at the end of the minutes).

It was moved by Matthew O'Byrne and Seconded by Ginny Radford

Ordinary Resolution

That the insurance cover and premium, as recommended by the Broker, be accepted for the year 2024/2025

Carried

11.2 Insurance Policy Excess

Sue advised that the excess on any claim would remain as \$5,000. As a result of the insurance claim this year, in which the Body Corporate had covered the excess, the committee was recommending an addition to the bylaws as follows:

Should the cause of an incident to be covered by a Body Corporate Insurance Claim be attributed to a particular unit (owner or tenant) then the owner is responsible for reimbursing the Body Corporate for the excess. The Insurance Assessor is to determine the cause of the insurance claim, and if attributed to the fabric of the building, then the excess will be Covered from Body Corporate fees.

Ash advised that this was in keeping with the Unit Titles Act.

It was moved by Ash Bhasin, and seconded by Ben Murphy;

That the proposed By-Law in relation to payment of Insurance Excess be adopted as a Body Corporate By-Law. **Carried**

Body Corporate 85858 – Maclean Street Apartments

12. ADOPTION OF BUDGET & LEVIES

Ordinary Resolution

Sue presented the proposed budget for the period 1 April 2025 to 31 March 2026. As a result of the reduction in insurance cost, a drop in levies was proposed, commencing 1 September 2025.

It was moved by Donna Platt, seconded by Murray Wood,

Ordinary Resolution

That the Budget and proposed for the period 1 April 2025 to 31 March 2026 attached to the agenda be adopted, and that the reduction in fees commence from 1 September 2025.

Carried

Sue requested that all owners change their automatic payments to the new levy from 1 September 2025. She advised owners that fees were due on the 1st of each month.

13. COMMITTEE ELECTION

Ordinary Resolution

The owners expressed thanks to the Committee for their involvement during the year. As all agreed to continue for a further year, it was moved by Kevin Burrows and seconded by Kirsty Joiner:

That the committee for the coming year comprise of Deidre Smith, Murray Wood, and Sue Gallagher. Carried

14. GENERAL BUSINESS

14.1 Lessons learned from flooding incident

Murray spoke to the incident earlier in the year, and advised that thanks to Peggy doing her early morning walk at 4am, the damage was less than could have otherwise been. . Some issues arose that have now been addressed which included:

No one on-site had a master key to get into the empty apartment – now addressed with the Committee having a master key

Did not know where to turn the water off – now been addressed

Cause of flooding – tap left on, hose burst and water could not drain away due to leaves blocking the drain – all owners are responsible for keeping external drains clear at all times.

Ben noted that he did not have contact numbers and was unable to contact anybody when the shop owner called to say the shop had been flooded. – it was agreed to provide a list of contact phone numbers with the minutes.

14.2 Unit 2B balcony

Donna advised that she had looked into various alternatives to deal with the drainage of water from her balcony water following heavy rain, which causes flooding into the unit below. She has agreed to enclose the balcony with glass. She had hoped to speak with Ash to see if he wanted to do this to his balcony at the same time. Donna to contact Ash directly. Dennis confirmed that the drains are all in the wrong place throughout the building, and noted that it was the individual owner's responsibility to deal with flooding on their verandahs.

14.3 Front Door

Ann asked if the front door (Maclean Street) could be painted as the varnish was wearing. Sue advised the doors were due to be repainted in 2027. Ann asked if it would be possible for them to be painted earlier and recommended the door be painted Evergreen, rather than varnished. Agreed the committee would look into this request.

14.4 Contact phone numbers

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Kevin Burrows asked that a note be included with the list of Contact numbers to the effect “to be used for Body Corporate Business only” to protect the privacy of the owners.

Kirsty proposed a vote of thanks to the Body Corporate Committee and Dennis for all their hard work over the past year.

There being no further business, the meeting closed at 4.15pm.