

Minutes of the Annual General Meeting

Stoneybrook Body Corporate No. 208399

Venue:	Virtual Meeting via Google Meet
Prepared by:	Barfoot & Thompson Body Corporate
Date:	Wednesday, 25 November 2020
Time:	6:00pm

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In Attendance:

Unit	Name	Unit	Name
2	Ling Yan (Gladys) Leung	31	Yu Heung Lam (Alex)
3	Joesph Felizardo & Li Zhang	33	Stephen Taylor
8	Nicholas Harris	39	Kathleeya Stang-Veldhouse
11	Victor Wu on behalf of Mulfor Nominees Limited	45	Sheran de Silva
14	Bernard Chungues	50	William Jo
17	David Barber	51	Bhupinder Dalal
23	Zixwan Qiu	54	Lai Pui Chong
29	Dale Garey-Morris	58	Hamish Corbett
Kelly McKeown & Donna Barber for Barfoot & Thompson Body Corporate			

Proxies:

Unit	Name	Proxy to:
48	Weng-Key & Jennifer Chan	Body Corporate Chairperson
10 & 25	Jingyun Fei & Qing Du	Ling Yan (Gladys) Leung

Postal Votes:

Unit	Name
31	Yu Heung Lam

No apologies were received.

Meeting commenced at 6:11pm.

Welcome by the Body Corporate Manager

The Barfoot & Thompson Body Corporate manager welcomed the members to the meeting and advised the meeting was quorate.

- Chairperson of the Meeting** (Ordinary Resolution)
 Resolved that Kelly McKeown be appointed as chairperson of the meeting.
[W Jo / S de Silva] *Carried without dissent]*
- Apologies / Proxies / Postal Votes** (Ordinary Resolution)
 Resolved that the apologies, proxies and postal votes are received.
[W Jo / S de Silva] *Carried without dissent]*

3. **Conflicts Register** (No Motion)
No disclosures of interests were notified.
4. **Previous General Meeting Minutes** (Ordinary Resolution)
Resolved that the minutes from the Annual General Meeting held 23 October 2019 be approved and adopted as a true and correct record of proceedings.
[W Jo / S de Silva *Carried without dissent]*
5. **Chairperson's Report** (No Motion)
The Chairperson's report, having been circulated, was taken as read and is attached to these minutes.
6. **Body Corporate Committee** (Ordinary Resolution)
Resolved that the body corporate committee comprises of eight members and the number of members required to constitute a quorum is four, with the following members elected to the committee:
Ling Yan (Gladys) Leung Unit 2
Nicholas Harris Unit 8
David Barber Unit 17
Kathleeya Nan Stang-Veldhouse Unit 39
Sheran De Silva Unit 45
William Jo Unit 50
Bhupinder Dalal Unit 51
Hamish Corbett Unit 58
[W Jo / S de Silva *Carried without dissent]*
7. **Body Corporate Chairperson** (Ordinary Resolution)
Brian Brown-Sharpe – Unit 57, advised prior to the meeting that he withdrew his nomination.

Resolved that William Jo – Unit 50 is elected to the position of Body Corporate Chairperson.
[B Dalal / S de Silva *Carried without dissent]*
8. **Delegation of Powers and Duties to the Committee** (Special Resolution)
Resolved that the body corporate delegates to the committee -
i) All the duties of the Body Corporate Chairperson under Regulation 11(1), subclause (1)(a) to (m), along with all other Body Corporate Chairperson powers and duties conferred elsewhere by the Unit Titles Act 2010 and Unit Titles Regulations 2011; and
ii) All the general powers and duties of the body corporate that may be delegated in accordance with Section 108(1) of the Unit Titles Act 2010, excluding the powers and duties set out in Section 108(2), provided that in accordance with Section 110, no delegation affects or prevents the performance of any duty or the exercise of any power by the body corporate, or affects the responsibility of the body corporate for the actions of the body corporate committee acting under the delegation; and
iii) Further instructs that the body corporate committee is to report annually (or more often as the committee considers necessary) to the body corporate in relation to the delegation of powers and duties; and
iv) The delegation does not enable the committee to rescind or override resolutions and directives passed at a general meeting, nor act in contradiction to any restrictions (financial or otherwise) placed on the committee either contained within the Operational Rules of the Body Corporate or passed at a general meeting of the Body Corporate.
[W Jo / S de Silva *Carried without dissent]*
9. **Financial Statements** (Ordinary Resolution)
Resolved that the financial statements for the period ended 30 September 2020 as presented by Barfoot & Thompson Body Corporate are approved.
[W Jo / S de Silva *Carried without dissent]*
10. **Audit / Review / Verification** (Special Resolution)
Resolved that in accordance with Section 132(8) of the Unit Titles Act 2010 no audit, review or verification is required on the financial statements for the period ended 30 September 2020.



A query was raised regarding whether on completion of the reclad project, the accounts were required to be audited. The Body Corporate Manager will look into this and revert to the committee. An owner, a retired accountant, advised he believes it would be non-beneficial.

11. **Long Term Maintenance Plan** (Ordinary Resolution)

Resolved that the body corporate engages Solutions in Engineering to carry out Long Term Maintenance Plan, in accordance with the Unit Titles Act 2010, to be funded from Operating Funds budgeted in the year ending 30 September 2021.

[W Jo / S de Silva

Carried without dissent]

12. **Budget for year ending 30 September 2021** (Ordinary Resolution)

The draft budget was discussed with the following items noted:

1. **Funds:** The Operating Fund relates to expenditure in the annual budget as defined under Section 115 of the UTA. The Reserve Fund is for Long Term Maintenance items.
2. **Levy contributions:** The committee has taken into consideration the financial pressures of the Covid-19 situation and has proposed that total levies remain the same for the coming year. Due to the increase in operating costs there has been a reduction in the reserve levy contribution, this is intended for one year only.
3. **Lighting Maintenance:** Common area lighting issues are looking to be addressed this year with updated quotes to be obtained, for committee consideration, encompassing areas of concern raised by owners.
4. **Water issues:** Water issues are being investigated, however until the issues are resolved the shortfall in water costs will be budgeted for.
5. **Caretaking services:** It was queried whether a corporate company should be engaged to carry out onsite property management, with the committee to consider this with the review of the Caretaker's (Lindsay Stewart) contract.
6. **Valuation:** The last insurance valuation was carried out on 21 August 2020 and will be due for renewal in 2022. Owners are reminded they need to notify Barfoot & Thompson Body Corporate of alterations or additions to a unit that would affect any insurance valuation on the unit. Owners are also reminded they must seek body corporate written approval under Section 80 of the UTA for any structural alterations or additions to a unit, particularly if they are intending to alter plumbing, flooring or undertake any works that could impact on inter-tenancy walls, fire systems, insurance and / or structural integrity.
7. **Direct Debit:** A Direct debit facility is in place and owners can request direct debit forms to have this set up if they wish.

Resolved that in accordance with Section 121 of the Unit Titles Act 2010, for the year ending 30 September 2021, the Operating fund budget is set at \$270,848 and the Reserve fund budget is set at \$15,652 to be raised by Utility Interest in four instalments, due for payment 28 days after the invoice date which will be issued on or around the 1st of each quarter, with the committee authorised under Regulation 17 of the Unit Titles Regulations 2011, to enter into all necessary obligations to give effect to all expenditure provided for within the budget; with levies for the 2021/2022 financial year being raised in advance commencing 1 October 2021.

[W Jo / S de Silva

Carried without dissent]

13. **Levy Collection Procedure** (Ordinary Resolution)

Resolved that the Body Corporate committee is authorised to instruct Barfoot & Thompson Body Corporate to recover any unpaid levies, or other unpaid debt owed by a unit owner to the body corporate, together with interest set at 10% per annum and any costs incurred in collection of the debt, using the Barfoot & Thompson collection process (noted below), which may include an application to the appropriate decision maker.

[W Jo / S de Silva

Carried without dissent]



Barfoot & Thompson Levy Collection Process:

The Barfoot & Thompson Levy Collection Process is to send an arrears notice at 7 days and 14 days overdue, send a reminder letter at 28 days overdue stating interest at 10% per annum will be applied (administrative fees in accordance with the debt collection process will be applied), at 42 days overdue send a demand letter (administrative fees in accordance with the debt collection process will be applied), at 60 days overdue send a Final Demand letter (administrative fees in accordance with the debt collection process will be applied) advising legal action will be instigated if the debt remains unpaid within 14 days from date of final demand letter, with any costs incurred in the collection of the debt recoverable from the unit owner. A copy of our debt collection process can be obtained by logging into the web portal or emailing your body corporate manager.

14. Health & Safety (No Motion)

1. No incidents or near misses recorded since the last meeting. An accident by the House & Building Wash Company occurred during their job, where the contractor damaged sections of the roof on units 34 and 35, no persons were injured. Repairs of the damage are being arranged through insurance.
2. Risk Assessment and Health & Safety Management System: The body corporate was reminded they needed to review identified risk hazards and either mitigate or minimise the risks. The Body Corporate Manager recommended that a Safety Report be carried out for the common property, with the report budgeted for this coming year. A quote has been approved by the committee to proceed.
3. Potential Hazard: Unit 54 reported a potential hazard where the wood on the ramp installed between his garage and the roadway is starting to rot. Matter deferred to the committee, as it was queried whether this was a body corporate or unit owner's responsibility, as not all units have these ramps installed.
4. Noted that owner-occupiers can arrange their own contractors to work in their unit property as individuals do not fall under the Health & Safety at Work Act, however owners must ensure their contractors are inducted to site. Once the safety report is carried out, owners will be provided a copy and they should ensure that all contractors they engage are given a copy of the same, before they carry out work within their unit at Stoneybrook.
5. Pre-qualification of contractors: Barfoot & Thompson is requesting all contractors become pre-qualified to work on Barfoot & Thompson Bodies Corporate, including having suitable industry qualifications for their work speciality, as well as the necessary public liability insurances in place. Ultimately only those contractors who have approved health & safety systems will be engaged by Barfoot & Thompson Body Corporate to work on client sites.
6. Contractors' sign-in/sign-out process: The meeting was advised that a contractor management tool (Control Point), has been implemented for the complex to manage contractor engagement. A sign is in place at the entry to the site informing contractors they must login to the Control Point Application.
7. Evacuation Scheme: There is no formal scheme in place and owners are reminded to check smoke detectors and batteries on an ongoing and annual basis and ensure their tenants are advised of all emergency evacuation exit points.
8. Chemicals: The body corporate manager reminded owners any hazardous substances must be stored appropriately, with a chemical register required to be kept if hazardous substances are kept onsite.
9. Security: Query raised as to when CCTV cameras would be installed. It was advised that indicative costs for this had been received, however are under further review. Where and how the cameras would be installed and monitored, as well as the cost, needs further consideration. A proposal will be put back to the owners for voting, once finalised. The body corporate chairperson noted security is a concern and asked owners to provide input/direction, as it will be a large capital cost. Feedback received at the meeting was that CCTV location needs to cover entrances/exits to the complex.

15. General Business

Proposed by committee (No Motions)

1. Some noise complaints have been received throughout the year, with a reminder to all residents to be considerate of your neighbours with regards to noise and at reasonable hours.
2. Solar Panels: Refer chairperson's report.



3. Intercom: Refer chairperson's report. The owners discussed cancelling the Spark contract for the intercom system, with no indication from owners given as to any objections. It was requested that, for any units not present at the meeting, a notice be issued asking if anybody still uses the old intercom system. Owners also requested that the committee investigate alternate options for a replacement intercom system.
4. Electric Vehicle Charging: A query was raised as to whether any provisions for EV charging could be considered. At this time no investigation has been carried out into the matter. Options/technology for EV charging are continuing to be developed by the market and it was requested that if owners are interested in having provision for EV charging, to contact the body corporate manager in the first instance, so this can be raised further with the committee.

Proposed by owners (No Motion)

5. Discussion items / Motions submitted: Refer to the annual chairperson report addendum, no further questions were raised.

The body corporate chairperson raised that if owners have any suggestions to resolve the issues they are experiencing, please let the body corporate manager know so that these can be considered by the committee.

Motion proposed by Unit 58 (Ordinary Resolution)

6. Resolved that the general complex areas become smoke free.

[W Jo / S de Silva

Unit 33 against, Carried]

Query raised regarding how the no smoking would be policed. It was noted that owners/residents are responsible for abiding by the directives set by the body corporate and they would need to inform their visitors/guests about the smoke free zones. It was requested that the committee consider installing signage in these areas.

There being no further business, the meeting concluded at 7:18pm.

Barfoot & Thompson Body Corporate

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Body Corporate 208399 – Stoneybrook
CHAIR'S REPORT 2019/20

On behalf of the committee, I present to you a summary of the Body Corporate activities for the year.

At the 2019/20 AGM the body corporate resolved to delegate all of its powers and duties in accordance with Section 108 (1) of the Unit Titles Act 2010 to the appointed committee, excluding those items outlined in Section 108 (2) (a) - (d). The committee was also delegated the duties of the Chairperson under Regulation 11(1) (a) - (m) and Barfoot & Thompson Body Corporate were contracted to provide the administrative support to the committee.

Your committee of 6 worked harmoniously through what has been a turbulent year for all. We formally met three times and communicated by email in between as necessary.

The year 2020 has been an interesting year for all owners and residents, we experienced lockdown and in saying that we all came out of it safe and sound. The outbreak of the Covid virus in late March required some new protocols and disciplines from all, and we had no reports of poor compliance to government directives.

It has been a year of consolidation, with no major maintenance projects undertaken. The following work has been carried out around the complex with some issues requiring further investigation and solutions:

General Business/Maintenance

1. **Landscaping** around the complex has started to mature and the complex is looking greener and tidy. Extra Care Property Services Ltd continue to be engaged for monthly garden maintenance.
2. The **Stoneybrook complex sign** has been reinstated and will be an expense showing in the financial year ending 30 September 2021, due to late receipting of the invoice.
3. **Visitor parking** has been managed pretty well and the towing company has towed at least 10 cars prior to lockdown. There are rules in place for parking at Stoneybrook. The visitor parking situation is monitored and owners are sent reminders of the parking rules (#17) as breaches are reported. A tow truck company is contracted to monitor the complex and vehicles found breaching the parking rules are at risk of being towed. There are currently no exemptions permitted for long term visitor parking. Earlier this year the committee granted an exemption to some units that applied for long-term visitor parking, during the Covid-19 lockdown. All exemptions have been lifted and unit owners were notified in June 2020.
4. **Rubbish Bin Area:** Owners/residents need to take responsibility to ensure they are following general rules for rubbish disposal. The body corporate recently had the bins replaced. This area is showing improvement with less overflow of bins and rubbish generally being put in the bins and not on the ground. The rubbish situation continues to be monitored.
 - 3 Big Bins for GENERAL Rubbish are: For all household rubbish, garden waste, plastic bags, polystyrene & newspapers. All food scraps must be bagged first.
 - 3 Big Bins for RECYCLING: For all recycling of glass or plastic bottles, cans & tins only. Please ensure all boxes are broken down & folded before placing them in the bin.
 - 3 Black Bins for Property Manager use only.
 - If the Bins are full, please take your rubbish home again as the bins will be emptied in 2 to 3 days. Do not leave paper, rubbish, boxes, bottles or cans on the ground.
 - Any large items that cannot fit in the bin, must be taken off site and disposed of appropriately. Alternatively contact Property Manager Lindsay to organise.

The owners Information Package is currently being reviewed/updated and will be issued to all owners in due course.

5. The **yearly house wash** has occurred with slight glitches as the contractor damaged the roof and tiles of two units. Regretfully the repairs to these units (34 & 35) are taking longer than anticipated. The work is going through insurance and it has been advised that the repairs require multiple trades to coordinate and warranties with Forme Reclad. The work has also been pushed out several times due to timing issues with the contractors. The work is approved to proceed and the body corporate has been following up with the insurance broker regarding confirmation of dates for when the work will be carried out and completed.
6. **Letterboxes:** Lindsay Stewart (Caretaker) is expected to start maintenance work on the letterboxes shortly. There has been a delay in the work as quotes were sought for full letterbox replacement as an alternative. The committee has decided not to proceed with proposing full letterbox replacement at this time and will review it in future.
7. **Water issues:** Water costs have been reviewed this year and it is believed there are still issues with common property leaks. The Watercare bill has continued to increase and the committee has been looking at different options for a solution, from investigating leaks to major re-piping the whole complex. Quotes were sought for leak detection and Waterworks has been engaged to carry this out to determine the location of the leaks and provide a quote for repairs. Waterworks

(along with other Companies) have also been asked to quote on re-piping the entire complex for a comparison, as leaks have been experienced in the past and re-piping may be more cost-effective solution long term. This would be a major capital expense with further scope and costs to be determined before a full proposal would be put forward to owners. Based on the outcome of the current investigation underway and recommendations to be provided from Waterworks, the committee will look at next steps for a solution between repairing leaks or proposing to re-pipe. The matter has also been raised to Hydroflow who installed the electronic meters to check if there are any issues with the meter readings on site. The committee is awaiting further advice.

Insurance

A Government imposed increase in Earthquake Commission Levies came into effect 01 July 2019 (from \$200+GST p/unit to \$300+GST p/unit) and was applied to our premium from 21 October 2019. As a result of this the insurance premiums should have increased last year, however the body corporate sought competitive quotes from Rothbury Insurance Brokers and achieved a savings. The Body Corporate is now insured with Chubb Insurance New Zealand Ltd via the broker Rothbury.

An updated insurance valuation has also had to be carried out recently, as required by the insurer to be updated 2-yearly. The replacement value for our complex has increased 9% and is now \$43,650,000 (from \$39,900,000). As a result of this the insurance premium has increased this year. At renewal, the broker also advised that Chubb have increased their premium rates slightly in response to recent claims performance but removed the \$2,500 water damage excess/deductible.

Annual Financial Statements for the period ending 30 September 2020

These are included with your AGM pack. If you have any questions in regards to the accounts, please let the Body Corporate Manager know, prior to the AGM.

Proposed Budget for the period ending 30 September 2021

The Committee is mindful of the cost of levies given the current financial climate imposed by the Covid-19 situation. The proposed budget for the coming year is for levies to remain the same. This has been achieved by a reduction in the reserve levy (for one year). The situation will be reviewed throughout the year, once major items such as the water issues and CCTV installation are progressed with more information obtained and costs confirmed.

The committee is also looking to cancel the Spark landline connection for the intercom system. The intercom has an electrical unit (brain) that stores units phone numbers. This brain is broken so new phone numbers cannot be loaded to enable the intercom to call units. The intercom system also uses copper technology and does not support Fibre, so only units that still use ADSL/VDSL and have not moved out since the intercom brain has broken, can use the function of pressing 9 to open the gate when someone calls their unit. Copper will be phased out in the next year or so and due to above issue/limitation the committee is looking to disconnect the landline capability. Alternate options will need to be considered.

Health & Safety

1. Children playing around the complex has continued to be a challenge. Children are strictly not allowed to play on the common area driveways/roads. Adult supervision of children playing in all other common areas is required and within reasonable hours. Speed limits around the complex apply (15km/hour) and drivers must be watchful for pedestrians, especially children.
2. Security: The committee has been reviewing options to increase security. Installation of CCTV - Options regarding CCTV have been investigated to improve overall H&S (there has been a couple of occasions of mail theft and one attempted break in), and to deter illegal rubbish dumping. Indicative quotes/costs have been received ranging between \$25K to 175K (+ GST). This would be a major capital expense and the matter will be under further review by the new committee due to the varied scope and possible solutions provided for in the quotes.

Common area lighting - Quotes for replacement of the lighting bollards around common areas of the complex have been sought and are under review by the committee. These will be reviewed further by the new committee in respect to matters raised around security.

A security update will be provided to all owners once solutions are found and implemented. Owners are invited to put forward further proposals to assist the committee with solution(s) to the security issues within the complex.

Closing

Stoneybrook is a gated community and owners are asked to raise matters throughout the year so that the Committee, within their powers, can attend to these. In closing I thank owners for the support of your committee.

William Jo
Chairperson, Stoneybrook BC 208399
On behalf of the Body Corporate Committee

Motions and discussion items submitted by owners – 2020 AGM

Stoneybrook 2020 AGM

General Business

Agenda item 15.4 - Discussion items / Motions submitted by owners

Responses from the body corporate committee to the matters raised are in *blue italics* below.

A. Discussion items submitted by: Hamish Corbett (Unit 58)

1. "Confirmation that a 10 year maintenance plan has been developed and implemented (Needed by law and has not been issued to owners or sighted to date)"
A quote has been obtained from Solutions in Engineering to carry out a Long-Term Maintenance Plan for the complex and is provided with the AGM Agenda for owners to approve. The committee decision to proceed was held off as members reviewed the Long-Term plan provided by Maynard Marks at the time of the remedial project.
2. "Management of residents using visitor parking long term. (Does the body corporate request and hold vehicle registration numbers for all owners and occupiers)"
The body corporate is not required to hold vehicle registration numbers for all owners and occupiers.
3. "Repair or replacement of low and small lights posts around visitor parking and bin areas (security and deters night time cover rubbish dumping)" *Refer to Chair's Report.*
4. "Control of what goes into the rubbish bins and surrounding area" *Refer to Chair's Report.*
5. "Security lighting of the rubbish bin area" *The new committee will review this in conjunction with the review of common property lighting bollards.*
6. "Signage surrounding the rubbish area reinforcing of disposal rules"
A committee member is looking at suitable signage to install in the rubbish bin areas.
7. "Maintenance and protection to the retaining wall pile caps to slow rotting of tops"
This matter will be deferred to the new committee following the AGM. Clarification to be individually sought from Unit 58 regarding the area and the matter will be reviewed.
8. "Maintenance and painting of timber entrance stairs"
Any painted stairs will eventually need to be repainted. This will be considered in the review of a LTMP, however, may be an individual unit cost as the stairs fall within the unit boundary of each property.
9. "Confirmation of body corporate debt collection and what has been recovered to date"
The debt collection procedure was resolved at the 2019 AGM and is put forward again for owners' approval at this AGM. As notified to owners' earlier this year, the auto penalty for debtors was turned on effective from January 2020, following instruction from the committee. As at year end there was \$1,246.87 levies in arrears and \$36.79 of penalty interest has been applied to owners' levies/other charges for the financial year ending 30 September 2020.
10. "Confirmation of why body corporate general power and water expenses are high and what has been done to reduce costs"
*Electricity costs are within budget this financial year, however costs will be reviewed and provision for electricity put out to tender, if deemed necessary.
Water costs: Refer to Chair's Report 2019/20.*
11. "Development of external fixture and fitting body corporate approved rules, specifications and manufacturers (solar panels, skylights, blinds, lights, water tanks)"
At this time there are no proposed operational rules changes, however, this may be reviewed in future.

The Body Corporate is governed by the Unit Titles Act 2010. Owners are reminded they must seek body corporate written approval under Section 80 of the Unit Titles Act for any structural alterations or additions to a unit. Owners' applications will be considered on a case by case basis, with further information provided to owners as required.

Owners must also notify the Body Corporate of any medium work (e.g. replacement of blinds) and the design is to be in conformity with the current aesthetics of the complex.

The committee investigated the installation of Solar Panels as discussed at the 2019 AGM. Based on advice from Harrison Energy Solution, solar panel installation does not look viable. If an owner wishes to install solar panels to their individual unit they must put a proposal forward to the body corporate committee for consideration and to seek consent, the same as any other exterior alteration or addition to a unit.

Owners are reminded that as the complex recently underwent remedial work, there is also a question around warranty of the cladding for any penetrations to the exterior of units. Forme Reclad have advised that the warranty to a particular unit may be voided if an owner makes holes through the cladding. Forme Reclad would do a warranty check if a leak was ever discovered.

12. "What is being done about the lack of body corporate engagement and sharing of information, which is resulting in a lack of community direction within Stoney Brook (new external sign just appeared with no engagement or notification) The body corporate needs to be more transparent and assessable to show leadership and promote community feel"
The Committee has a requirement to issue an annual report to all owners, and may report more often as the committee considers necessary.
13. "Where is the value to unit owners paying for body corporate committee members to receive subsidised quarterly levies when all communication and decisions are paid for through Barfoot and Thompson"
Committee roles are voluntary. The current Body Corporate Chairperson however has received an honorarium (as per the approved 2019-20 budget) in recognition of the time and expense associated with the work carried out on behalf of all owners in the body corporate.
14. "The current community board is not suitable and not being used to communicate and it would be cheaper to establish either WhatsApp or Facebook to group. (Setting up WhatsApp has the added benefit of creating a community mobile number database)"
The MyCommunity portal is a part of Barfoot & Thompson Body Corporate's services which owners are given access to. It is not within the powers and duties of the body corporate to set up a WhatsApp / Facebook group, however, if owners wished to do so they may. This would have to be a privately managed system by an individual, with unit owners' opting in if they wished. Private and confidential information must not be released and the body corporate will not facilitate this. Body Corporate matters should be raised to the Body Corporate Manager for the attention of the committee.
15. "Maintenance and security of letter boxes needs to be done following Christmas break ins"
Refer to Chair's Report.
16. "Repair of Unit 34 roof following cleaning" *Refer to Chair's Report.*
17. "Confirmation of rules for children to play safely with complex" *Refer to Chair's Report.*
18. "Installation of speed limit signage to reduce speeding between bumps"
This matter will be deferred to the new committee following the AGM for further review.
19. "Maintenance of courtyards"
An owner is responsible to maintain their individual courtyard. If a courtyard is believed to be unkept, please raise this to the attention of the Body Corporate Manager who will address this with the committee and individual unit owner as/if required.

B. Discussion items submitted by: Brian Brown-Sharpe & Andrea Beechey (Unit 57)

1. "Bark yards – lack of upkeep" / Tidying of courtyards – weeding, rubbish removal etc per bc rules"
As above, item A.19.
2. "Lack of committee/chairman general communication" / "Lack of communication from committee to wider bodycorp" *As above, item A.12.*
3. "Broken roof tiles following complex wash" *Refer to Chair's Report.*
4. "Water consumption & leakage" *Refer to Chair's Report.*
5. "Maintenance of letter boxes" *Refer to Chair's Report.*
6. "Maintenance of lighting in rubbish area and in common areas" *Refer to Chair's Report.*
7. "Illegal dumping of rubbish" *Refer to Chair's Report.*
8. "Owner/tenants cars overnight in carpark" *Refer to Chair's Report.*

C. Discussion items submitted by: Leung Ling Chen (Camilla) (Unit 2)

1. "Security (gate code change, web cam installation)" *Refer to Chair's Report.*
2. "Night lamps with sensor along the driveway" *The new committee will review this suggestion in conjunction with the review of common property lighting bollards.*

D. Discussion item submitted by: Kathleeya Stang-Veldhouse and Thomas Veldhouse (Unit 39)

1. "Security measures regarding recent attempted burglary on Thursday 05 November"
Refer to Chair's Report

E. Motions submitted by: Hamish Corbett (Unit 58)

1. Motion: That the general complex areas become smoke free
Included on the AGM agenda for Owners to vote, agenda item 15.5.

The motions proposed below have not been included on the AGM agenda for various reasons.

2. Motion: That the chair person and committee members are changed
Chair and committee are elected each year at the AGM and you cannot override the Unit Titles Act.
3. Motion: That a WhatsApp is set-up for communications
This is outside the powers and duties of the body corporate.
4. Motion: That a 10 Management Plan is reviewed and implemented
This is already a legislative requirement under the Unit Titles Act and is a matter already stated on the agenda, so the motion is of no effect.
5. Motion: That the financial annual report is issued ahead of AGM question deadline
It is legislated that annual financials are sent with the AGM call (agenda) and at least 14 days prior to the meeting date. If owners have questions in regards to the body corporate's finances they may raise this to the Body Corporate Manager and committee throughout the year.
6. Motion: That the Body Corporate is operated with more transparency to protect owner's investment
This motion has no effect and is not within the powers and duties of the body corporate. The Committee has a requirement to issue an annual report, as noted above under item A.12.

If owners have questions regarding general body corporate matters they are asked to raise these to the Body Corporate Manager and committee throughout the year.

Minutes of the Annual General Meeting

Stoneybrook Body Corporate No. 208399

Venue: Virtual Meeting via Google Meet
Prepared by: Barfoot & Thompson Body Corporate
Date: Wednesday, 24 November 2021
Time: 6:00pm

In Attendance:

Unit	Name	Unit	Name
3	Sherry Zhang	33	Stephen Taylor
8	Nicholas Harris	39	Kathleeya Stang-Veldhouse
9	Paras Kumar	45	Sheran de Silva
14	Bernard Chungues	51	Bhupinder Dalal
17	David Barber	54	Lai Pui Chong
20	Josephine Pickering	56	Yu-Fang Chang (Julie)
22	Elizabeth Robinson	57	Andrea C Beechey
31	Yu Heung Lam (Alex)	58	Hamish Corbett
Barfoot & Thompson Body Corporate: Kelly McKeown & Jennifer Buckels			

Proxies:

Unit	Name	Proxy to:
9	Paras Kumar & Arpana Singh	Paras Kumar
26	Perry Stimpson	Brett Stimpson

No apologies or postal votes were received.

Meeting commenced at 6:11pm.

Welcome by the Body Corporate Manager

The Barfoot & Thompson Body Corporate manager welcomed the members to the meeting and advised the meeting was quorate.

- Chairperson of the Meeting** (Ordinary Resolution)
 Resolved that Kelly McKeown be appointed as chairperson of the meeting.
[S Taylor / D Barber *Carried without dissent]*
- Apologies / Proxies / Postal Votes** (Ordinary Resolution)
 Resolved that the apologies, proxies and postal votes are received.
[S Taylor / D Barber *Carried without dissent]*
- Conflicts Register** (No Motion)
 No disclosures of interests were notified.
- Previous General Meeting Minutes** (Ordinary Resolution)
 Resolved that the minutes from the Annual General Meeting held 25 November 2020 be approved and adopted as a true and correct record of proceedings.

5. **Committee Report** (No Motion)

The Committee's report, having been circulated, was taken as read and is attached to these minutes.

The financial statements circulated with the notice of meeting and the following AGM minutes should be read in conjunction with this report.

6. **Body Corporate Committee** (Ordinary Resolution)

Resolved that the body corporate committee comprises of eight members and the number of members required to constitute a quorum is four, with the following members elected to the committee:

Ling Yan (Camilla) Leung	Unit 2
Nicholas Harris	Unit 8
David Barber	Unit 17
Elizabeth Robinson	Unit 22
Kathleeya Nan Stang-Veldhouse	Unit 39
Sheran De Silva	Unit 45
Bhupinder Dalal	Unit 51
Hamish Corbett	Unit 58

[S Taylor / D Barber

Carried without dissent]

7. **Body Corporate Chairperson** (Ordinary Resolution)

Resolved that Hamish Corbett – Unit 58 is elected to the position of Body Corporate Chairperson.

[S Taylor / D Barber

Carried without dissent]

8. **Delegation of Powers and Duties to the Committee** (Special Resolution)

Resolved that the body corporate delegates to the committee -

- i) All the duties of the Body Corporate Chairperson under Regulation 11(1), subclause (1)(a) to (m), along with all other Body Corporate Chairperson powers and duties conferred elsewhere by the Unit Titles Act 2010 and Unit Titles Regulations 2011; and
- ii) All the general powers and duties of the body corporate that may be delegated in accordance with Section 108(1) of the Unit Titles Act 2010, excluding the powers and duties set out in Section 108(2), provided that in accordance with Section 110, no delegation affects or prevents the performance of any duty or the exercise of any power by the body corporate, or affects the responsibility of the body corporate for the actions of the body corporate committee acting under the delegation; and
- iii) Further instructs that the body corporate committee is to report annually (or more often as the committee considers necessary) to the body corporate in relation to the delegation of powers and duties; and
- iv) The delegation does not enable the committee to rescind or override resolutions and directives passed at a general meeting, nor act in contradiction to any restrictions (financial or otherwise) placed on the committee either contained within the Operational Rules of the Body Corporate or passed at a general meeting of the Body Corporate.

[S Taylor / D Barber

Carried without dissent]

9. **Financial Statements** (Ordinary Resolution)

Resolved that the financial statements for the period ended 30 September 2021 as presented by Barfoot & Thompson Body Corporate are approved.

[S Taylor / D Barber

Carried without dissent]

10. **Audit / Review / Verification** (Special Resolution)

Resolved that in accordance with Section 132(8) of the Unit Titles Act 2010 no audit, review or verification is required on the financial statements for the period ended 30 September 2021 and 30 September 2022.

[S Taylor / D Barber

Carried without dissent]

11. **Maintenance Items for the year** (No Motion)

Water issues: Hamish spoke further to the update given to all owners in the committee report (attached) and answered any questions raised, these included but were not limited to:

- The timeframe for the work to start may be 6-8 months from when the contractors are engaged, it is hoped that the work would take place at the tail end of winter, toward the mid-end of next year.



- Resealing the driveway may be an added cost to the figures already estimated, however, this would be confirmed with the contractor during the tender period.
- It is unlikely that the body corporate will be able to seek a Watercare rebate for water costs.
- Once the proposal is finalised, a General Meeting will be called to get approval from owners to proceed,
- A contingency sum will be built into the special levy to be raised, allowing for any unknowns or potential scope variation once the driveway is opened up.

12. Reserve Fund Type (Ordinary Resolution)

Resolved that the Reserve Fund be a Contingency Fund as defined under Section 118 of the Unit Titles Act 2010.

[S Taylor / D Barber

Carried without dissent]

Note: The contingency fund is intended primarily for use of long-term maintenance items and also unbudgeted or unexpected expenditure. The Body Corporate has previously resolved that the Body Corporate will not establish a Long-term Maintenance Fund as specified in Section 117 of the Unit Titles Act 2010.

13. CCTV Installation (Ordinary Resolution)

The meeting discussed the need for CCTV installation and that this was a directive from owners at the 2020 AGM. The primary reasons for installation are to improve complex security and to be able to monitor situations where there has been damage to common property or blatant breaking of common area rules, so that a more direct approach can hopefully be taken to address these issues. It was noted that the approval is for a maximum allowance of \$30K, with an expectation to deliver under that limit.

Resolved that the body corporate approves the installation of CCTV in common areas, with the committee authorised to engage a reputable contractor to proceed subject to majority approval and to a maximum allowance of \$30,000, to be funded from existing Reserve Funds.

[S Taylor / D Barber

Carried without dissent]

14. Budget for year ending 30 September 2022 (Ordinary Resolution)

The draft budget was discussed with the following items noted:

1. Funds: The Operating Fund relates to expenditure in the annual budget as defined under Section 115 of the Act. The Reserve Fund (Contingency Funds) relates to unbudgeted or unexpected expenditure as defined under Section 118 of the Act, and the fund is intended primarily for use of long-term maintenance items.
2. Transfer of Funds: The committee will confirm to the Body Corporate Manager any transfer of surplus Operating Funds to the Reserve Fund.
3. Long Term Maintenance Plan: A Body Corporate LTMP is under review and will be provided to all owners once completed. This will be a compilation of the Solutions in Engineering report dated 11 January 2021 and Forme Reclad's maintenance recommendations.
4. Valuation: The last insurance valuation was carried out 21 August 2020 and will be due for renewal in 2022. Owners were reminded they needed to notify Barfoot & Thompson Body Corporate of alterations or additions to a unit that would affect any insurance valuation on the unit. Owners are also reminded they must seek body corporate written approval under Section 80 of the Unit Titles Act for any structural alterations or additions, particularly if they are intending to alter plumbing, flooring or undertake any works that could impact on inter-tenancy walls, fire systems, insurance and / or structural integrity.
5. Levy Apportionment: In accordance with Section 121 of the Unit Titles Act 2010, owners are advised all expenses in the operating & contingency budget are required to be levied by Utility Interest percentage.
6. Levies 2022/2023: To ensure funds are raised in advance of costs being incurred, from the beginning of the next financial year the first levy instalment will be invoiced at the beginning of the period (i.e. 01 October 2022) based on the previous year's budget. Following the AGM the subsequent instalments will be calculated to ensure the full levy is raised.
7. Direct Debit: Owners were reminded that a direct debit facility was set up for levies and BC charges. Owners who wish to use this payment method should contact the Body Corporate Manager for more information.

Resolved that in accordance with Section 121 of the Unit Titles Act 2010, for the year ending 30 September 2022, the Operating Fund budget is set at \$263,779.04 including GST and the Reserve Fund (Contingency) budget is set at \$40,000.00 including GST, to be raised by Utility Interest in four (4) instalments due for payment on 29 October 2021, 29 January 2022, 29 April 2022, 29 July 2022, with the committee authorised under Regulation 17 of the Unit Titles Regulation 2011, to enter into all necessary obligations to give effect to



all expenditure provided for within the budget with interim levies for the next financial year being raised in advance commencing 01 October 2022 based on this approved budget, due for payment on 29 October 2022.
[S Taylor / D Barber *Carried without dissent]*

Please Note - when making payment of your levies, please ensure you use the LP reference number so that your payment to your account can be correctly identified and reconciled.

15. **Levy Collection Procedure** (Ordinary Resolution)

Resolved that the Body Corporate committee is authorised to instruct Barfoot & Thompson Body Corporate to recover any unpaid levies, or other unpaid debt owed by a unit owner to the body corporate, together with interest set at 10% per annum and any costs incurred in collection of the debt, using the Barfoot & Thompson collection process (noted below), which may include an application to the appropriate decision maker.
[S Taylor / D Barber *Carried without dissent]*

Barfoot & Thompson Levy Collection Process:

The Barfoot & Thompson Levy Collection Process is to send an arrears notice at 7 days and 14 days overdue, send a reminder letter at 28 days overdue stating interest at 10% per annum will be applied (administrative fees in accordance with the debt collection process will be applied), at 42 days overdue send a demand letter (administrative fees in accordance with the debt collection process will be applied), at 60 days overdue send a Final Demand letter (administrative fees in accordance with the debt collection process will be applied) advising legal action will be instigated if the debt remains unpaid within 14 days from date of final demand letter, with any costs incurred in the collection of the debt recoverable from the unit owner. A copy of our debt collection process can be obtained by logging into the web portal or emailing your body corporate manager.

16. **Body Corporate Operational Rules Amendment** (Ordinary Resolution)

The meeting discussed the proposed new operational rules in that they have been updated to provide a clearer base line and directive for residents in respects to the challenges faced with community living and shared spaces. Changes include but are not limited to the likes of rubbish disposal, visitor car parking, private car washing, pet ownership responsibility, reasonable noise and quiet enjoyment.

Resolved that pursuant to Section 105(3) of the Unit Titles Act 2010, the Body Corporate Operational Rules are changed as specified in the schedule of amendments attached to the agenda and circulated prior to this meeting, and shall be registered with Land Information NZ.

[S Taylor / D Barber

Carried without dissent]

Abstention recorded for A Beechey

17. **Health & Safety** (No Motion)

1. No incidents or accidents recorded since the last meeting. A near miss was reported regarding a vehicle and pedestrian, with reminders sent to all owners at the time of the event. The Owners/Residents Information Package has also been updated to provide further clarity regarding the use of the common areas. These will be circulated to all owners with the updated rules.
2. Health & Safety Risk Assessment: The body corporate was reminded they needed to review the identified risk hazards and either mitigate or minimise the risks. A Safety Report was carried out 11 January 2021 and is under review by the committee.
3. Noted that owner-occupiers can arrange their own contractors to work on their unit property as individuals do not fall under the Health & Safety at Work Act, however owners must ensure contractors' are supplied a copy of the Health & Safety report and are inducted to site.
4. Contractor Management: All contractors must have suitable industry qualifications for their work speciality, as well as the necessary public liability insurances in place. The contractor management tool (Control Point), has been implemented for the complex to manage contractor engagement. A sign should be placed at the entry to the site informing contractors they must login to the Control Point Application.
5. Evacuation Scheme: There is no formal scheme in place and owners are reminded to check smoke detectors and batteries on an ongoing and annual basis and ensure their tenants are advised of all emergency evacuation exit points.
6. Chemical register: The manager reminded owners any hazardous substances must be stored appropriately, with a chemical register required to be kept if hazardous substances are kept onsite.



18. **General Business (No Motion)**

1. **Short Term Accommodation & Apartment Usage:** A reminder was made that Short-Term Accommodation is not permitted in the apartment building, as per operational rule 22 (Short Term Renting of a unit).
2. **Service of Documents – Proprietors:** A reminder that where an owner provides an email address for the register of owners, that email address shall be the owner's preferred method of contact and address for service, as previously resolved.
3. **Inorganic Rubbish Dumping:** All owners were reminded that disposal of inorganic items, in the Stoneybrook common rubbish area, was not allowed and that these items must be disposed of appropriately offsite and at the individual unit's cost.
4. **Rubbish Direct Drivers:** An owner raised that the entry speed and early hours access of the Rubbish Direct Drivers was not acceptable, with the matter to be address with the contractor.
5. **Exterior Lighting:** An owner queried if the new exterior lighting sensitivity could be turned up or down and if the brightness could be reduced. It was noted that the new lights installed are LED's and cannot be reduced. The committee will investigate whether there are options to reduce or redirect light emitted from the bollard light outside unit 57, however noted that the unit cannot be turned off or blub replaced as it is a single sealed LED unit.

There being no further business, the meeting concluded at 8:08pm.

Barfoot & Thompson Body Corporate

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COMMITTEE REPORT 2020/21

The committee reports on the following activities during the 2020-2021 year for Body Corporate 208399.

Summary

The Committee hope that all owners and occupiers of the Stoneybrook complex have remained safe, well, healthy and sane during a year, which saw the continuation of Covid within New Zealand and the Regional locking down of Auckland.

The Stoneybrook complex has seen some upgrades within the year, like the replacement installation of new automatic LED bollards and bulkhead lights and additional security fencing. Maintenance inspection and washing was also completed between Regional lockdowns, however some planned works were not able to be undertaken due to the forementioned Covid situation.

The complex has also seen several units sold and changing ownership within the year, which has highlighted the importance of good Body Corporate financial and operational governance by supporting and maintaining the complex balance sheet and total overall asset value for all unit owners.

Your committee during their October 2021 meeting reviewed the financial impact of the Covid Regional Auckland lockdown and the culmination of no Body Corporate levy adjustments over the previous four years. These issues coupled with increasing costs, due to utility, insurance, plant, labour and material inflation, in relation to complex operation and maintenance requirements, as well as the growing sunk cost in relation to not fixing the historical complex water main leakage. Has led the committee to make the very difficult and not popular, however very necessary, decision to increase Body Corporate levies.

In the coming calendar year, Covid and Regional lockdowns permitting, your committee will be focusing on the continual operation and maintenance of the circa 20 year old Stoneybrook complex with two critical deliverables being to plan and hopefully install a new separate complex water main and to implement our Body Corporate Long Term Maintenance Plan "LTMP".

Finally, many owners and occupiers will know or have seen Lindsay Stewart, our Stoneybrook Property Manager, around the complex over the years. In fact, Lindsay has been helping to maintain Stoneybrook since its original stage one construction completion date of October 2001. Therefore, the committee would like to thank Lindsay for his efforts and wish him a Happy Stoneybrook 20th anniversary.

Committee

Over the year your committee has comprised of 8 stable members with a good representation of owners with diverse skills and knowledge, and they have continued to work together throughout the periods of Covid disruption, meeting digitally and in regular email contact. The Body Corporate Chairperson and committee member, William Jo, recently sold his unit and we thank him for the work he has done over many years with the committee. The remaining members are all offering themselves for re-election to the committee this coming year and we also welcome the nomination for Liz Robinson.

General Maintenance

Work around the complex was generally of routine nature this year, with a breakdown of the work carried out included in the transaction details of the annual accounts. The yearly exterior wash occurred again, thankfully with no glitches.

Security was improved with a metal fence being installed to raise the height of the stonewall, making unwelcome ingress a bit harder and as mentioned in the summary new common area LED lighting and controls were installed to provide automatic after dark lighting security.

Long Term Maintenance Plan

Following the last AGM, the committee engaged Solutions in Engineering “S.i.E” to undertake a Long Term Maintenance Plan “LTMP” for the Body Corporate. The S.i.E report has been reviewed and the committee feels that the plan does not yet adequately represent the future bespoke maintenance and funding needs of the Stoneybrook complex. The committee is now progressing work on a ‘Body Corporate LTMP’ that is a combination of S.i.E and Forme Reclad’s maintenance recommendations. Once this plan is finalised, it will be presented to all owners for information and consideration.

Health and Safety

A Health & Safety risk assessment was carried out this year for the common areas. Identified risks are under review to be mitigated or minimised as far as reasonably practicable. One near miss and one incident was reported to the committee throughout the year, which were both dealt with on a case by case basis. We remind residents to continue to be vigilant over all aspects of security and Health and Safety matters.

Insurance

Insurers are continuing to increase their premiums across the board due to perceived environmental and economic risks. The significant changes during the renewal process this year was the addition of QBE as an alternative Insurer for Strata-Plus Body Corporate cover and an increase in the overall complex asset insured value. The committee has agreed a 5% up lift to the August 2020 complex asset value inline with construction inflation (so the complex is insured up to \$45,832,500), and we have agreed to change insurer to QBE who matched Chubb’s Terms & Conditions, at a more competitive premium. An updated insurance valuation will be carried out in 2022 prior to the next renewal as required for insurance purposes.

Future Works

While COVID restrictions slowed a lot of our work, planning for these major maintenance or upgrade items has continued. Your committee plans for the following works to be carried out over the next 1-2 years.

1) Installation of CCTV

A more competitive quote has now been obtained for CCTV installation. While some finer details need to be refined, the committee is recommending that owners approve at this AGM for CCTV be installed. We can then start progressing this work with the expected installation costs to be under circa \$30k and is proposed to be funded by the existing reserve earnings. It should be noted that this option is of high quality with a reduced number of cameras, however less expensive than other monitored CCTV priced solutions.

2) Resolving long-standing water issues

From the annual accounts you will see that we are still experiencing severe water leaking issues throughout the complex, which is not an easy fix and costing the Body Corporate circa \$50k per year in additional water charges after the Watercare installed main meter, which therefore means the Body Corporate is responsible. The leaking water main is not a new issue and the recent emergency valve repairs has exposed the cheap and brittle condition of the existing plastic pipes and fittings.

Initial verbal conversations and feedback with contractors about the existing rigid PVC water main, was not to waste money and time on trying to repair existing leaks on an ad hoc basis, as pipe and fittings are brittle and will continue to fracture at the weakest pressure points, which will result in ongoing expensive leak detection and driveway surface excavation.

We are endeavouring to achieve a long-term solution with the current plan developing around advice to not repair or disturb the existing brittle rigid plastic water main, as it and its unit feeding connections will most likely break if excavated and exposed.

A detailed scope and plan have yet to fully developed, however the outline plan is to install a new complex wide water main pipe within the complex driveway, while the existing leaking water main

remains operational with units connected. Then as sections of the new water main pipe are commissioned in stages, units will be connected to the new water main pipe in stages. The scope of works is currently being refined and proposals will be sought from contractors.

Unfortunately, there has been some delay in this engagement due to Covid-restrictions and contractor demands, however once a proposal is finalised a General Meeting of owners will be called to agree the work scope and continue moving forward.

More information will be provided to owners as it becomes available, however, as this will be a major expense the committee is considering that the work will need to be funded by a future special levy valued between circa \$150K to \$300K.

It must be mentioned that the leaking water main has over the last five years cost the Body Corporate circa \$200k and the historical water leakage has been an issue since the original complex commissioning, so the actual cost is greater.

With water charges set to increase above inflation for the next five to ten years the cost of water is only going to increase and therefore the Body Corporate must stop wasting money on lost water as soon as possible and implement a future proofed and quality solution.

Financial Highlights for the period ending 30 September 2021

At year end, the Operating Fund Balance stood at circa \$240 and the Reserve Fund at circa \$359k. The full overview is included with your AGM pack. If you have any questions in regards to the accounts please let the Body Corporate Manager know, prior to the AGM.

Owners will note the increase of water expenses this year, which weighs on us all. As outlined above, the plan to resolve these water issues and long-term should see water costs reduce significantly. In the meantime, we do need to budget accordingly for the expenditure, and water on-charges are only carried out based on individual unit metered usage that leads to a circa \$50k per year shortfall for the complex.

The Operating Income and Expenditure Statement shows the usual line ups and downs against budget but we generally finished close to the budget figure, water expenses aside. The Reserve Fund balance grew from \$343K at the start of the year to \$358k at year end. Every dollar and more future contributions to this fund will be needed to for maintenance projects that will be identified in the Body Corporate LTMP for the years ahead.

Proposed Budget and Body Corporate Levies for the period ending 30 September 2022

The budget forecast for the year ahead shows consideration of the necessary costs to continue maintaining day to day operations and maintenance of our complex, as well as resume more sufficient provisions for long term maintenance. While we were able to hold levies for the previous four years including a decision last year to use the Reserve Fund instead of increasing levies due to Covid, unfortunately we do now need to cover historical and current inflation and water losses, which means levies increase this year and in future years in line with inflation.

The operating budget forecast for the coming year indicates expenditure of \$296,779 for the full year, with operating levies of \$263,779. The reserve budget levy forecast is proposed at \$40,000. The reserve is more in line with prior years and the current draft LTMP which is under review. To this end, your committee is recommending levy increase of 21.51% on the previous year's levies.

We know a funding increase is never welcome and recognise that this is significant, but the committee presents to you the facts as they see them, with no increase in four years and increasing inflation and contingency costs. The committee must act responsibly to provide adequately for general and future maintenance of our complex assets that have increased in value due to current market condition and their desirable location, excellent presentation and condition.

It is all essential expenditure to run and maintain the complex, both now and in the future, enhancing the value of this wonderful complex and community.

Body Corporate Operational Rules and Residents Information Package

We are proposing some changes to the Body Corporate Operational Rules “Rules” to help clearly and concisely identify for all owners and occupiers, the protocols in place for the complex and to reflect how some of our common area spaces are practicably used. In conjunction with this, a lot of work has also gone into updating the owners and occupiers Information Package “Package”; so that these two Body Corporate policy documents are aligned. The proposed updated Rules will require a majority vote in favour by Owners at the Annual General Meeting. Pending approval of the Rule changes, the updated Package will also be released. We thank owners in advance for their support of these needed update changes.

General Points to Note

Visitor car parking issues continue to arise periodically. A call to all owners and occupiers to please abide by the rules in place and ensure your visitors and contractors do the same. These rules are here to help ensure the smooth and fair running of the complex and nobody on the committee likes authorising vehicles to be towed or clamped, however if the rules are not adhered to, they will be enforced.

The committee is aware of activities and actions of some residents at the neighbouring Claude Avenue complex and that these are impacting on some of our Stoneybrook residents. It is a challenge to enforce any compliance; however, we are looking to find a solution to the parking, speeding, rubbish bin usage and noise issues and hope to engage positively with our neighbours on these issues.

The Auckland Council inorganic collection arranged by the committee for owners and occupiers was a success and we will look to do this annually with the committee nominating a time and location for owners and occupiers to neatly place their household (not commercial) inorganic items this year.

More owners independently undertook heat pump installations this year. The new committee is going to implement further guidelines to ensure the cladding warranty is not voided by incorrect installations, that heat pump units are not placed in locations that affect the complex and neighbouring unit aesthetics and highlight that heat pump units are not to be connected to inter-unit pre-cast concrete walls. We hope the issuing of the guidelines will assist owners with their heat pump installation requests and applications for committee approval.

Key Support services

This complex would not function without the support of several services, but we have two key providers who are essential, our Property Manager and Body Corporate Manager. We thank Kelly McKeown of Barfoot & Thompson for her administrative services and support to the committee. We also give a big thank you to Lindsay Stewart, our well-known Property Manager, for his care and attention to the complex. October 2021 marked Lindsay’s 20-year anniversary with Stoneybrook and he continues to work hard for our owners and keep the property looking tidy and well-kept.

Closing

It may not have been an easy year for owners collectively and individually, but the committee is calmly working its way through the issues and as they arise. Please, never forget the committee are voluntarily working hard for you to try and represent the owners’ collective best interests.

We thank you for your support of the committee over the past year and in coming years.

Stoneybrook Body Corporate Committee

Minutes of the Annual General Meeting

Stoneybrook Body Corporate No. 208399	
Venue:	as a Virtual Meeting, via Google Meet
Prepared by:	Barfoot & Thompson Body Corporate
Date:	Wednesday, 23 November 2022
Time:	6:00 PM

In Attendance:

Unit	Name
3	Sherry Zhang
8	Nick Harris
9	Paras Kumar
11	Victor Wu
17	David Barber
20	Josephine Pickering
31	Alex Intel
45	Sheran De Silva
51	Bhupinder Singh Dalal
54	Edwin Chong
57	Andrea Beechey
58	Hamish Corbett
Barfoot & Thompson Body Corporate: Sanjay Pradhan	

Apologies:

Unit	Name
4	Clare Barlow

Proxies:

Unit	Name	Proxy to:
4	Clare Barlow	Hamish Corbett (Chairman)
22	Elizabeth Robinson	Hamish Corbett
33	Stephen Taylor	Hamish Corbett
48	Weng-Key & Jennifer Chan	Hamish Corbett (Chairman)

Meeting commenced at 6:10pm.

Welcome by the Body Corporate Manager

The Barfoot & Thompson Body Corporate manager welcomed the members to the meeting and advised the meeting was quorate.

1. **Chairperson of the Meeting** (Ordinary Resolution)
Resolved that Sanjay Pradhan be appointed as chairperson of the meeting.
[Moved: B Dalal / Seconded: E Chong *Carried without dissent]*

2. **Apologies / Proxies** (Ordinary Resolution)
Resolved that the apologies, proxies and postal votes are received.
[Moved: D Barber / Seconded: S De Silva *Carried without dissent]*

3. **Conflicts Register** (No Motion)
No disclosures of interests were notified.

4. **Previous General Meeting Minutes** (Ordinary Resolution)
Resolved that the minutes from the Annual General Meeting held 24 November 2021 be approved and adopted as a true and correct record of proceedings.
[Moved: S De Silva / Seconded: D Barber *Carried without dissent]*

5. **Committee Report** (No Motion)
Report from committee that the body corporate resolved to delegate all of its powers and duties in accordance with Section 108 (1) of the Unit Titles Act 2010 to the appointed committee, excluding those items outlined in Section 108 (2) (a) - (d). The committee was also delegated the duties of the Chairperson under Regulation 11(1) (a) - (m) and that Barfoot & Thompson Body Corporate were contracted to provide the administrative support to the committee. The financial statements circulated with the notice of meeting and the following AGM minutes should be read in conjunction with this report.

Committee report was sent to all the owners with the AGM agenda and the report was accepted by the owners at the meeting.

6. **Body Corporate Committee** (Ordinary Resolution)
Resolved that the body corporate committee comprises of eight members and the number of members required to constitute a quorum is four, with the following members elected to the committee:

Ling Yan (Camilla) Leung	Unit 2
Nicholas Harris	Unit 8
David Barber	Unit 17
Elizabeth Robinson	Unit 22
Sheran De Silva	Unit 45
Bhupinder Dalal	Unit 51
Hamish Corbett	Unit 58
Kathleeya Stang-Veldhouse	Unit 39

[Moved: E Chong / Seconded: J Pickering *Carried without dissent]*

7. **Body Corporate Chairperson** (Ordinary Resolution)
Resolved that Hamish Corbett – Unit 58 is elected to the position of Body Corporate Chairperson.
[Moved: B Dalal / Seconded: S De Silva *Carried without dissent]*



8. **Delegation of Powers and Duties to the Committee** (Special Resolution)

Resolved that the body corporate delegates to the committee -

- i) All the duties of the Body Corporate Chairperson under Regulation 11(1), subclause (1)(a) to (m), along with all other Body Corporate Chairperson powers and duties conferred elsewhere by the Unit Titles Act 2010 and Unit Titles Regulations 2011; and
- ii) All the general powers and duties of the body corporate that may be delegated in accordance with Section 108(1) of the Unit Titles Act 2010, excluding the powers and duties set out in Section 108(2), provided that in accordance with Section 110, no delegation affects or prevents the performance of any duty or the exercise of any power by the body corporate, or affects the responsibility of the body corporate for the actions of the body corporate committee acting under the delegation; and
- iii) Further instructs that the body corporate committee is to report annually (or more often as the committee considers necessary) to the body corporate in relation to the delegation of powers and duties; and
- iv) The delegation does not enable the committee to rescind or override resolutions and directives passed at a general meeting, nor act in contradiction to any restrictions (financial or otherwise) placed on the committee either contained within the Operational Rules of the Body Corporate or passed at a general meeting of the Body Corporate.

[Moved: E Chong / Seconded: A Intel

Carried without dissent]

9. **Financial Statements** (Ordinary Resolution)

Resolved that the financial statements for the period ended 30 September 2022 as presented by Barfoot & Thompson Body Corporate are approved.

[Moved: B Dalal / Seconded: V Wu

Carried without dissent]

10. **Audit / Review / Verification** (Special Resolution)

Resolved that by way of Special Resolution, Body Corporate 208399 does not engage an independent auditor for the financial statements for the period ended 30 September 2023.

[Moved: B Dalal / Seconded: V Wu

Carried without dissent]

Note: Audit Costs are generally between \$5,000 to \$9,000 depending on the size of the body corporate for an independent auditor, in addition to Barfoot & Thompson Ltd costs for administration generally between \$1,200 to \$1,800 depending on size.

11. **Watermain Replacement** (Ordinary Resolution)

Resolved that the body corporate accepts the quote from City Contractors Ltd to replace the watermain.

[Moved: B Dalal / Seconded: E Chong

Carried without dissent]

Managers Notes: Hamish gave an update to all the owners and advised that the committee obtained 2 quotes which were emailed to all the owners with the AGM documents. He mentioned that the City Contractors Ltd are used by Watercare and they are the experts in this field, therefore it's better to go with them. Hamish also mentioned that the quote received is an estimate and committee will get the scope of work before the commencement of the replacement of watermain.

Over this year the committee undertook a below ground utilities survey, which lead to the spray paint location of services on our driveway. This survey highlighted some complexities in relation to utility service locations being condensed and under garden and exposed aggregate concrete areas. Following the survey two specialist contractors have provided tagged estimates to undertake the water main replacement scope for circa \$250k, however the committee has decided to budget a maximum of circa \$300k for the special water levy to provide risk and \$50k contingency that might occur due to unforeseen ground conditions, changes in utility locations and additional reinstatement scope that might include services for complex CCTV installation and operation.



A detailed scope and plan will be developed with the nominated specialist, however the outline plan remains to install a new complex wide water main pipe within the complex driveway, while the existing leaking water main remains operational with units connected. Then as sections of the new water main pipe are commissioned in stages, Units will be connected to the new water main pipe in stages. The aim is to reduce the impact of the works on our complex, however there will be unavoidable inconveniences on all Unit owners and occupiers. More information will be provided as it becomes available.

Water charges have increased and will continue to do so over the next five to ten years, so we need to install our new water main within the next 12 months to eliminate the Body Corporate wasting money, which would be better spent on covering other future maintenance costs.

Due to urgency it was decided to use the current long-term maintenance funds to fund the replacement of the water mains and recoup the \$300K over the next 3 years via body corporate levies. Once the water mains are replaced then the water will eventually be charged to the residents (i.e. Users) and owners won't be contributing additional towards the body corporate levies for the water that is getting wasted.

Time line: Committee is expecting the actual work to start by early February 2023 and it will take somewhere between 1 to 3 months to complete the work but again this is estimate time-frame.

12. **Budget for year ending 30 September 2023** (Ordinary Resolution)

The draft budget was discussed with the following items noted:

- The Operating Fund relates to expenditure in the annual budget as defined under Section 115 of the Act.
- Reserve Funds (Contingency Funds) relates to unbudgeted or unexpected expenditure as defined under Section 118 of the Act.
- Watermain Replacement Levy – To be levied for the next 3 years.
- Valuation: The last insurance valuation was carried out 10 August 2022 and will be due for renewal in 2024. Owners were reminded they needed to notify Barfoot & Thompson Body Corporate of alterations or additions to a unit that would affect any insurance valuation on the unit. Owners are also reminded they must seek body corporate written approval under Section 80 of the Unit Titles Act for any structural alterations or additions, particularly if they are intending to alter plumbing, flooring or undertake any works that could impact on inter-tenancy walls, fire systems, insurance and / or structural integrity.
- Levy Apportionment: In accordance with Section 121 of the Unit Titles Act 2010, owners are advised all expenses in the operating & contingency budget (including the Barfoot & Thompson Management fee) are required to be levied by Utility Interest percentage.
- Levies 2023/2024: To ensure funds are raised in advance of costs being incurred, from the beginning of the next financial year the first levy instalment will be invoiced at the beginning of the period (i.e. 2023) based on the previous year's budget. Following the AGM the subsequent instalments will be calculated to ensure the full levy is raised.

Resolved that in accordance with Section 121 of the Unit Titles Act 2010, for the year ending 30 September 2023, the Operating Fund budget is set at \$281,840.00 including GST and the Reserve Fund (Contingency) budget is set at \$141,500.00 including GST, to be raised by Utility Interest in four (4) instalments due for payment on 29 October 2022, 29 January 2023, 29 April 2023, 29 July 2023, with the committee authorised under Regulation 17 of the Unit Titles Regulation 2011, to enter into all necessary obligations to give effect to all expenditure provided for within the budget with interim levies for the next financial year being raised in advance commencing 01 October 2023 based on this approved budget, due for payment on 29 October 2023.

[Moved: D Barber / Seconded: E Chong

Carried without dissent]

Please Note - when making payment of your levies, please ensure you use the LP reference number so that your payment to your account can be correctly identified and reconciled.



13. **Levy Collection Procedure** (Ordinary Resolution)

Resolved that the Body Corporate authorises Barfoot & Thompson Body Corporate to recover any unpaid levies, or other unpaid debt owed by a unit owner to the body corporate, together with interest set at 10% per annum and any costs incurred in collection of the debt, using the Barfoot & Thompson collection process (noted below), which may include an application to the appropriate decision maker.

[Moved: B Dalal / Seconded: J Pickering

Carried without dissent]

Barfoot & Thompson Levy Collection Process:

The Barfoot & Thompson Levy Collection Process is to send an arrears notice at 7 days and 14 days overdue, send a reminder letter at 28 days overdue stating interest at 10% per annum will be applied (administrative fees in accordance with the debt collection process will be applied), at 42 days overdue send a demand letter (administrative fees in accordance with the debt collection process will be applied), at 60 days overdue send a Final Demand letter (administrative fees in accordance with the debt collection process will be applied) advising legal action will be instigated if the debt remains unpaid within 14 days from date of final demand letter, with any costs incurred in the collection of the debt recoverable from the unit owner. A copy of our debt collection process can be obtained by logging into the web portal or emailing your body corporate manager.

14. **Health & Safety** (No Motion)

- No incidents, near misses or accidents recorded since the last meeting.
- Risk Assessment and Health & Safety Management System: The body corporate was reminded they needed to review the identified risk hazards and either mitigate or minimise the risks.
- Noted that owner-occupiers can arrange their own contractors to work on their unit property as individuals do not fall under the Health & Safety at Work Act, however owners must ensure contractors' are supplied a copy of the Health & Safety report and are inducted to site.
- Contractor Management: All contractors should have suitable industry qualifications for their work speciality, as well as the necessary public liability insurances in place. A contractor management tool (Control Point), has been implemented for the complex to manage contractor engagement. A sign should be placed at the entry to the site informing contractors they must login to the Control Point Application.
- Evacuation Scheme - There is no formal scheme in place and owners are reminded to check smoke detectors and batteries on an ongoing and annual basis and ensure their tenants are advised of all emergency evacuation exit points.
- Asbestos Report: Barfoot & Thompson Body Corporate advised the body corporate should obtain an asbestos assessment prior to undertaking any remedial works in accordance with the Health & Safety at Work (Asbestos) Regulations 2016, however an Asbestos assessment is not required at this time as the complex was built post-2000.
- Chemical register: The manager reminded owners any hazardous substances must be stored appropriately, with a chemical register required to be kept if hazardous substances are kept onsite.

15. **General Business** (No Motion)

Gate:- Hamish gave an update to the owners at the meeting and informed that the spreadsheet with the mobile numbers of residents will go to the contractor to start the new gate system. Residents can open the gate with their mobile number if registered but they can still use keypad but in time keypad will also be removed once residents are familiar with the new system. Residents can use their mobile number to open the gate from anywhere in the world! Hopefully by the end of the year we will have the new controller in place. Claude Ave body corporate residents can use keypad for now and we are obligated to provide a throughfare out not in, and the committee will send further communication just before new system in place.

Letterboxes:- No reports of break-ins in recent times and the body corporate did repairs before but burglars came back with stronger tools to open the letterboxes and made worse damage. The SBCC have considered



replacement options, however to do a full replacement will be very expensive and currently not scheduled within the long term maintenance plan. Replacement of the locks has been considered however when we tested stronger latching mechanisms to stop thieves, the timber doors were fully broken and caused more letterbox damage. We will continue to do running repairs to the current letterboxes to try and make them more waterproof and secure. Hopefully the installation of CCTV in the near future will deter thieves.

Modification private units:- Hamish informed all the owners about the owners modifying units (i.e. installing fast electric chargers, heat pumps and building decking which caused storm water over flow) without body corporate approval which is impacting the integrity and structure of the building affecting the services which may become problem for the body corporate if not dealt properly or in-time. The SBCC requested all the owners to key an eye and if they see anyone/contractors doing something at any of the apartments then please let committee know so they can take proper action in timely manner. Also, the owner of the unit will be responsible for the cost to rectify any damage, to SBCC approval, caused due to their action through any unapproved illegal modification of their units.

Budget for legal action:- Hamish on behalf of the committee informed the meeting that there are few units who are continuously breaching the body corporate rules and the body corporate has to take some rigorous action against those residents, therefore a budget of \$5000 is set a side for legal fees to cover the legal action against the units who continuously breaching the body corporate rules.

Owners requested to use Zoom next year for AGM.

There being no further business, the meeting concluded at 7:03pm.

Barfoot & Thompson Body Corporate

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