



**quay**

property management ltd

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## MINUTES

**ANNUAL GENERAL MEETING  
ATRIUM BODY CORPORATE S90396  
HELD 31 JULY 2015, MOUNT OCEAN SPORTS CLUB, MOUNT MAUNGANUI**

*Meeting opened at 3.00pm*

**CHAIRPERSON** Bryan Norton

**PRESENT** Bryan Norton (Chairperson), Peter Manson, Ian Le Page, Bob Lancaster, Ray Anderson (Manager), Graeme Reardon, Margaret Reardon, Michael Boyes, David Higson, Gavin Hockly, Elizabeth Hockly, David Barnes, Gerald Clements, Janet Clements, Wayne Buchanan, Bill Robinson, Janelle Todd, Steven Todd, Louise Terpstra, Bruce Ferguson, Rosemary Ferguson, Stephen Rowe, Richelle Rowe, Frits Lang, Judith Lang, Trevor Skerrett, Jennifer Skerrett and David Shea (Body Corporate Administrator).

**APOLOGIES** Lynda Firth, Elizabeth Le Page, Jenny Fraser, Elizabeth Foggo-Thyme, Catherine McNeice, Mike Clinch, Murray Williams, Joanne Williams, Craig Eaton, Liane Eaton, Bevan Higgins, Judith Higgins, Blair Finlayson, Sue Finlayson, Terence de Vries-Wood, Dirkje de Vries-Wood, Phillip Collier & Lynda Collier.

**POSTAL VOTES** Elizabeth Foggo-Thyme, Mike Clinch, Murray & Joanne Williams, Craig & Liane Eaton, Blair & Sue Finlayson, Terence & Dirkje de Vries-Wood, Phillip & Lynda Collier.

**PROXY** Nil received.

**APPOINTMENTS**

| <u>AGENDA ITEM</u>                        | <u>DISCUSSION/RESOLUTION</u>  | <u>ACTION</u> |
|---|---|---------------|
| <b>1. CHAIRPERSON FOR THE MEETING</b>     | <u>Ordinary Resolution</u><br><i>That it is confirmed that the chairperson for the meeting shall be Bryan Norton of Unit 506.</i>   | PASSED        |
| <b>2. APOLOGIES AND PROXIES</b>           | <u>Ordinary Resolution</u><br><i>That the apologies and postal votes received be recorded and accepted.</i>   | PASSED        |
| <b>3. MINUTES OF THE PREVIOUS MEETING</b> | <u>Ordinary Resolution</u><br><i>That the minutes of the General Meeting held 1 August 2014 be accepted as a true and correct record of the meeting.</i>  | PASSED        |
| <b>4. MATTERS ARISING</b>                 | There were no matters arising.  |               |
| <b>5. DELEGATIONS</b>                     | <u>Special Resolution</u><br><i>That the powers and duties of the Body Corporate that may be delegated are delegated to the Committee.</i>  | PASSED        |
|   | <u>Special Resolution</u><br><i>That the powers and duties of the Chairperson are delegated to the Committee.</i>   | PASSED        |
| <b>6. NOMINATIONS AND ELECTIONS</b>       | <u>Body Corporate Chairperson</u><br><u>Ordinary Resolution</u><br><i>That Bryan Norton of Unit 506 is elected Chairperson for the Body Corporate until the end of the next Annual General Meeting.</i>   | PASSED        |
|   | <u>Minimum and maximum number of Committee members</u><br>There was a query regarding the number of nominees and whether or not it was necessary to increase the number. It was suggested nine Committee members may be too high. There was discussion on this with some owners in support of this view and some to the contrary. It was agreed however that the resolution should be voted on, but going forward there should be no more than a maximum of nine Committee members.<br><br><u>Ordinary Resolution</u><br><i>That the Body Corporate shall have the maximum of nine (9) and a minimum of three (3) members.</i><br><br><u>Body Corporate Committee</u> | PASSED        |

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|                                   | <p>Bryan Norton                      Unit 506<br/> Frits Lang                              Unit 408<br/> David Barnes                          Unit 210<br/> Graeme Reardon                      Unit 201<br/> Steven Todd                            Unit 311<br/> Bill Robinson                         Unit 309<br/> David Higson                          Unit 206<br/> Bob Lancaster                         Unit 111<br/> Ian Le Page                             Unit 102</p> <p><i>The Chairman confirmed that the owners listed above are confirmed as the Committee for the Body Corporate until the next Annual General Meeting.</i></p>  |                             |
| <p><b>7. CHAIRMANS REPORT</b></p> | <p>Frits Lang read a report to the meeting as per attached to these minutes.</p> <p>Ray Anderson wanted to comment on the Chairman's report and Frits concerns with the expenditure outlaid for recent work undertaken for the building. He also commented on the building WOF that has expired in June. The Chairperson advised however that the BWOF is in fact under control.</p> <p>There was a query regarding the lift floor button which is currently located on the side of the lift. It is suggested that this replaced with a more visible indicator.</p>  |                             |
| <p><b>8. ACCOUNTS/AUDIT</b></p>   | <p>Ray Anderson wanted to clarify the status quo on where the lifts are at present. It was advised that this would be revisited under General Business.</p> <p><u>Special Resolution</u><br/> <i>That the Body Corporate has submitted its Financial accounts for Year End 31 March 2015 to BDO Tauranga Limited Accountants without the requirement of verification or review pursuant to section 132 (2) of the Act, and the Body Corporate hereby approves the Financial accounts on this basis.</i></p> <p><u>Ordinary resolution</u><br/> <i>That the Body Corporate retain the net surplus of \$23,236.00 to off-set current years' levies to pay for Stage 2 &amp; 3 of the lift upgrade expense.</i></p> <p>There was a query whether the Administrator is happy with the accounting records and whether there is any risk for the Body Corporate if the accounts are not audited.</p> <p><u>Special Resolution</u><br/> <i>That the Body Corporate does not submit its accounts for Year End 31</i></p> | <p>PASSED</p> <p>PASSED</p> |

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|   | <i>March 2015 for audit.</i>   | PASSED |
| <b>9. BUDGET FOR YEAR<br/>END 31 MARCH 2016</b> | <u>Ordinary Resolution</u><br><i>That the budget for the twelve month period to 31 March 2016 be approved in the total amount of \$333,536.00 plus GST, and the amount levied to owners be \$310,300.00 plus GST.</i>  | PASSED |
| <b>10. INSURANCE</b>                            | There was a query around whether the best insurance is in place for the Body Corporate and is this cost comparable? The Administrator confirmed the insurance is appropriate and Crombie Lockwood put the insurance to the market for the best price.<br><br><u>Ordinary Resolution</u><br><i>That it is confirmed that Building insurance is renewed with Vero Insurance and Office Bearer's Liability Insurance (Committee) with NZI Insurance.</i>  | PASSED |
| <b>11. GENERAL<br/>BUSINESS</b>                 | <u>a) Wind protection for spa pool – PU 411</u><br><br>There was discussion on options to erect a wind barrier round the spa pool. Rather than consider the suggested solution to put a wind barrier up between the main and spa pools, it was suggested that the Committee could consider all options. It was agreed that this is an issue. An amendment to the resolution was proposed which will achieve the same outcome but enable the Committee to consider the best option.<br><br><u>Ordinary Resolution (Amended – not material)</u><br><i>That the Committee is empowered to investigate options for wind protection to the spa pool and proceed with the preferred option subject to a maximum cost of \$5,000.00.</i><br><br><i>Bruce Ferguson/Steven Todd</i><br><i>Carried</i> | PASSED |
|   | <u>B) Spa pool time usage – PU 411</u><br><br>There was a query on how this would be policed? It was agreed that policing would be difficult. It was suggested signage could be put up stating 30 minute use periods only? It was also suggested and agreed that the Manager could use discretions as to monitoring usage. It was further suggested this should be in the rules left in the rooms. Ray was asked to comment. His view is that now the access is blocked (prox tag access only), children are unable to use the toilet in the gymnasium. The Chairman felt that children should be accompanied by an adult in the pool area in any case.<br><br>After further discussion, it was agreed to vote on the proposed resolution.   |        |

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|  | <p><u>Ordinary Resolution</u><br/> <i>That a booking system is put in place whereby owners can book for 30 minute periods.</i></p>  | NOT PASSED |
|  | <p><u>C) No smoking rule adhered to – PU 310</u></p> <p>It was agreed that while the Body Corporate is able to stop smoking in common areas, it is unable to control smoking within the individual units.</p>   |            |
|  | <p><u>d) Out front parking 120m/24 hours – PU 508</u></p> <p>Jennifer Skerit felt that the Committee’s decision to control parking between 8.00pm-8.00am should have been made only after input from all owners. Bryan Norton agreed that while the time restriction is difficult to nominate this was considered the best option. It was suggested that use of these car parks will be abused without limits.</p> <p>There was concern raised about the requirement that any car in breach of the rules is able to be towed.</p> <p>It was suggested however that this rule will be to the benefit of all. It was pointed out that recently tradespeople had arrived on site to look at a unit upgrade but no parks were available. Ray Anderson felt however that most times there are places made available for tradespeople to park somewhere within the complex.</p> <p>It should be noted that the Body Corporate is able to tow a vehicle but there does need to be the correct signage groundless.</p> <p>Judith Lang suggested that those abusing parking are really the ones that make it necessary to consider restrictions and towing away.</p> <p>Discussion was concluded and it was suggested that given the Committee has already made this decision, status quo should remain.</p> |            |
|  | <p><u>e) Lift – PU 508</u></p> <p>Steven Todd updated the meeting on the lift upgrades (see attached).</p>  |            |
|  | <p><u>f) Sauna and gym – PU 306</u></p> <p>The owner of unit 306 had sought discussion on whether it is worth having the sauna and gym in terms of how often it is used and how much it costs. Bryan Norton advised that the main cost is hidden in the power bill. His calculation is that the cost to run the sauna is some</p>   |            |

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|  | <p>\$15.00 per week which appears to be quite an irrelevant cost.</p> <p>In terms of having value for the Atrium, enquiries with real estate agents confirm that it does add value.</p> <p>It was also suggested that the gym is well equipped it is well used. Accordingly it was generally agreed that both the gym and sauna are of benefit.</p>   |  |
|  | <p><u>g) Prox Security Tags</u></p> <p>There was discussion on the on-going issue of controlling prox tag access to the building. The Committee is reviewing this and it was reconfirmed that one option is that all prox tags could be cancelled and removed from the system, re-programmed and re-issued to owners.</p>   |  |
|  | <p><u>h)</u></p> <p>There was discussion on the Managers request that the Body Corporate make available a further 10 year renewal beyond the current expiry date of the management agreement.</p> <p>Ray Anderson advised the meeting that the Committee had declined to make this further term available. The Chairperson advised however that the Committee had given Ray some 15 months to sell the management rights to an assignee suitable to the Body Corporate however this time-frame had expired and the offer accordingly is no longer available. The Body Corporate has however still suggested that if the Managers are able to find an assignee suitable in all respects to the Body Corporate that a further ten year term may still be available only for that suitable assignee. The Committee will not offer a further ten year term to the current Manager.</p> <p>There was further considerable discussion on this matter and in order to crystallise and confirm that the Committee has the support of owners, the following was suggested by the Administrator.</p> <p>The meeting was asked to confirm their support that the Managers are able to market the Management Rights for sale with the balance of the current term together with a further ten year term that could be made available to an approved assignee.</p> <p>There was a suggestion however that if the Body Corporate does support this then there should be a time limit. There was some disagreement around there being a time limit. It was further suggested that an incentive for the Managers to actively and promptly market the Management Rights is that while the Body Corporate is supportive at present, the availability of a further term may be withdrawn at any future time.</p> |  |

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|                | For the sake of clarity, the above was summarised and put to the meeting and the Chairperson asked for a show of hands for those supporting this position. For the record, all vote in favour but two owners. |  |
|                | Graeme Reardon thanked the Committee for all work completed over the past year.   |  |
| <b>CLOSURE</b> | The meeting closed at approximately 5.04pm  |  |

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1. SAUNA replacement heater and internal upgrade to seats that were in a bad state through rotting away and had been missing for years.
  2. GYM upgrade. New equipment purchased and protected by having security toggle installed on entry. Windows fitted with cowling to allow them to remain open thereby releasing moisture build up from sauna causing mold on ceiling.
  3. TOILET repaint and re-seal tiles leaking water causing jib board to rot. Holes and damaged board replaced.
  4. TILES fitted to the base of wall adjacent to all lifts to eliminate black tyre marks and scuffs from trolleys.
  5. SLIPPERY TILES around swimming pool being trialed and a new film to be applied.
  6. SPA POOL railing made secure. And new cover installed
  7. BROKEN TILES throughout the complex being replaced. Slight differentiation in shading but best that can be achieved due to originals no longer available.
  8. MAJOR culling of all trees on property where some had grown so big they were causing structural damage to building.



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9. LEAKS into North Eastern basement eliminated by resealing of carpark above.
  10. LEAKS into South Eastern basement eliminated by resealing garden membrane.
  11. ONE last leak coming from air intake on south western basement ducting underway.
  12. ATRIUM Garden culled and new WHITE stones laid giving contrast thereby providing relief from a black hole.
  13. DONATED high quality artificial plants by the Langs added to garden to enhance and pad out the empty spots.
  14. SECURITY CAMERAS Replaced existing non working cameras and installed two more to cover exits from car parks. These are HD and have an average 3 month memory disk drive.
  15. SECURITY further enhanced through a log book held at the office that all service providers are requested to sign in and out of building. Manager to ensure this practice is adhered to.
  16. DOMESTIC DARLINGS are now our resident cleaners for the common area. They are doing a great job twice a week for \$150 a time.

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17. THE LAST CLEANERS were using dirty water on the floors subsequently spilt over the edge of the floor and over time stained the fascia of the Atrium giving the place a permanent grubby look. These have now been repainted.
  18. CAR PARK repainted and 120mins sign displayed on front common car-parks in order that all owners have fair usage, whether it be for themselves or their visitors. For consistent and blatant disregard of this time frame a TOW AWAY sign 8AM – 8PM max 2 hrs has been erected and enforced.
  19. SCULPTOR has been chosen to replace the front bit of round concrete along the footpath at the front of the Atrium. This will be installed shortly.
  20. LIGHTING on all floors has been replaced. 16W fluorescent bulbs have replaced the larger 28W and fewer lights have been activated. This now creates a nice balance between well lit passage ways and economical usage.
  21. WI-FI FIBRE OPTIC or UFB is being installed at this time at the Atrium. It will be a free service to all with unlimited data cap. User name and password will be provided downstream. Testing has shown the service will be obtained in all units. Once a year we will change the password for security. Cost is less than \$200 a month. The future of TV is streaming from the net and we will be ready to drop off Sky TV saving \$24K per year.

22. MARINE CARPET laid on entry and exit of ground level car park to reduced tyres from laying dirty marks on tiled floor outside lift.
23. WOF for building underway and expected to be issued next week. Problems with fire curtains and original emergency lighting installation having to be rectified.
24. Lift now upgraded with new ropes, computer and all compliance issues resolved.
25. ALL ABOVE COMPLETED WITH NO ADDITIONAL COSTS TO LEVIES!!!

## Atrium Lift.

### Background.

Lift installed in 2000.

Otis were contracted to maintain / service lift from early 2014.

Lift required upgrading or replacing to improve performance and to rectify faults.

### August 2014.

New expanded Atrium committee appointed and urgently decided to have a fresh look at the various options for the lift.

Concerns were raised within the committee over the ongoing maintenance costs so we had to decide whether to upgrade or replace.

A decision was made to upgrade as a lot of the remedial work had already been completed at considerable cost.

The cost of a new lift was quoted at approx \$130K. With an estimated downtime of two months.

The committee decided to obtain quotes in order to rectify / upgrade the lift. Both Assoc Lifts and Otis were asked to quote.

With the upgrade to the LPC ( controller ) , Buttons etc and the replacement of the ropes we were advised that we should have trouble free service for 10 years plus.

### Upgrade Costs

Lift Ropes. \$ 7672.00 Assoc Lifts ( Otis quoted \$16,600.00.)

LPC Controller \$13,458.00 ( Otis failed to supply a quote)

New Floor and car display buttons \$ 3200.00

Upgrade Lift Car \$6450.00.

Total \$ 30,780.00

## On going Maintenance.

With the upgrade now completed we have decided to appoint Assoc Lifts to carry out all servicing / breakdown & maintenance. Associated Lifts are a local company and now have in depth knowledge on the workings of our lift. We also have a warranty on their recent upgrades.

## Otis Elevators

We have been in regular contact with Otis . We currently have a few issues to resolve which they are yet to revert on.

We are holding two invoices for Sheave replacements which we believe are excessive or may be double charged.

We have asked for a review on costs for money spent on the earlier pending upgrade.

We have also asked them to comment on possible damage to the old ropes