

BODY CORPORATE 349938
30 Heather Street, Parnell, Auckland

**Minutes Of The Annual General Meeting Of The Body Corporate Held On Thursday,
27 October 2022 at 5.00pm via Zoom**

ONLINE ATTENDEES

1	A	Theo Field & Olivia Tibbetts
2	B	Heather Ellis
4	D	Melissa Tacy
8	H	Heather Investments Limited
10	J	Yusuke Oki
16	P	Heather Ellis
17	Q	Chris Taylor and Sandy Wilson
19	S	Jonathan Stephenson
20	T	Bruce Pain
21	U	Richard Cuthbert

Craig Bong - Building Manager

Tony Woodworth & Sarah Woodhams representing First Street Body Corp Management Ltd

PROXY

13	M	HA Smeeton Trust	appointed	First Street
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APOLOGIES

Nil

QUORUM:

The body corporate manager confirmed that the meeting was quorate as not less than 25% of the principal units entitled to exercise a power of voting were represented.

AGENDA

1. Confirmation of Chair of Meeting
Owners present agreed that Tony Woodworth Chair the meeting

2. Apologies, Proxies and Postal Votes
Consider the resolution that: the apologies, proxies and postal votes be received.
MOVED: Chris Taylor **SECONDED:** Jonathan Stephenson **CARRIED**

3. Minutes – General Meeting
Resolved that: If First Street does not receive within 14 days of the minutes of any General Meeting Minutes, being sent out any written request from a person who attended the meeting to amend any part of the minutes, then the minutes are adopted as a true and accurate record of the meeting.
MOVED: Sandy Wilson **SECONDED:** Jonathan Stephenson **CARRIED**

4. Election of Body Corporate Chairperson
Resolved that: Richard Cuthbert be elected as Chairperson for the Body Corporate until the next Annual General Meeting.
MOVED: Sandy Wilson **SECONDED:** Ginny Rees **CARRIED**

5. Committee Quorum
Resolved that: The Committee be number to be set at four (4) members with quorum set at no fewer than three (3) members.
MOVED: Ginny Rees **SECONDED:** Bruce Pain **CARRIED**

6. Election of Body Corporate Committee
Resolved that: The following owners be elected as Committee Members until the next Annual General Meeting.

Unit U (21) – Richard Cuthbert
Unit B (2) - Heather Ellis (also owner of P (16))
Unit Q (17) – Sandy Wilson
Unit K (11) – Tamzin Letele
MOVED: Ginny Rees **SECONDED:** Sandy Wilson **CARRIED**

7. Delegation of Duties of Chairperson
Resolved by special resolution that: The delegated powers and duties of the Chairperson under the Unit Titles Act 2010 be delegated to the Body Corporate Committee.
MOVED: Richard Cuthbert **SECONDED:** Ginny Rees **CARRIED**

8. Committee Authority
Resolved by special resolution that: The Body Corporate delegates the authority for entering into obligations as per the budget, regarding maintenance, amenities and servicing of the body corporate to the committee, until otherwise revoked at a general meeting. This motion serves as evidence of the Body Corporate Committee's authority to perform these delegated powers. The Committee shall report on this delegation no less frequently than each AGM of the Body Corporate.
MOVED: Ginny Rees **SECONDED:** Richard Cuthbert **CARRIED**

9. Adoption of Annual Accounts
Resolved that: The financial accounts for 1st September 2020 to 31st August 2021 be accepted with surplus funds from the year being transferred to the Contingency Fund.

MOVED: Ginny Rees

SECONDED: Heather Ellis

CARRIED

10. Auditor

Resolved by special resolution that: The Body Corporate agrees that no independent audit or review of the financial statements for the year ending 31st August 2022 is required.

MOVED: Bruce Pain

SECONDED: Ginny Rees

CARRIED

11. Insurance

Cover has been placed with Vero Insurance New Zealand Limited (Underwriter) via BrokerWeb Risk Services (Broker) for the year. Full policy documents can be obtained from First Street on request.

Please note that:

- I.** Owners are advised that any claims in relation to the Insurance Policy should be made directly with First Street Body Corporate.
- II.** The insurer needs to be notified if a unit is vacant for a period longer than 90 days. Please note that a unit that is vacant will attract a higher excess in the event of a claim.
In the event that an owner does not advise that the Unit will be vacant for longer than 90 days, any claim lodged by them will be denied and any other associated costs incurred by the Body Corporate policy resulting from the incident will be passed on to the owner of that unit by the insurers.
- III.** The Body Corporate warrant that the list of building occupants and their activities as set out in the valuation is accurate, as is the occupation status of the units and undertakes to advise the Manager should the occupancy or use of the unit change.
- IV.** The Body Corporate is advised that all claims should be notified as soon as practicable. The insurer advises that claims not notified within 30 days of the incident may be technically void.

For Mortgagee interests and insurance certificates please contact:

Email: Maureen.pua@bwrs.co.nz

Web: <https://www.bwrs.co.nz/>

12. Building Manager Report - sent with notice of the meeting was tabled for discussion.

Owners present commented that all security measures were working well with no issues. Craig confirmed he has access to the Buildings cameras when not on site. Any suspicious activity should be reported to the NZ Police in the first instance and also let the Building Manager know.

The Committee will review all current security measures.

Craig advised he is currently looking at options for EV charging and will report back to owners with options.

Fibre has been approved to be installed in the building so that any Residents wanting to connect their Unit to it can, at their cost if applicable. There is no cost to the Body Corporate for installation to the outside of each Unit.

13. Health and Safety Report

Resolved that: the Body Corporate authorises the Committee to review the current Health & Safety Report prepared by HSNZ on 17 May 2018, action and update the Hazard Register for the complex based on risks identified, carry out any work to remove, minimize or highlight them to ensure the complex is safe for all owner, resident or visitor.

MOVED: Jonathan Stephenson

SECONDED: Ginny Rees

CARRIED

14. Long Term Maintenance Plan

The committee and Building Manager will continue to review the LTMP and any changes will be presented to owners at the next AGM.

Pre- Meeting Note: A provision of \$500.00 has been included in the budget should the committee require the plan further updated by an external contractor.

15. Budget

Resolved that:

- i) The draft budget, with amendments of \$194,339.00 including gst made up of be approved and levied to all owners by utility interest as provided in section 121 of the Unit Titles Act 2010. Levies are to be paid in 4 instalments with payments due on:
 - 20th November 2022
 - 20th January 2023
 - 20th March 2023
 - 20th May 2023

- ii) Pursuant to the provisions of Regulation 17 of the Unit Titles Regulations 2011 the Body Corporate gives its approval for the Committee to enter into all necessary obligations on commercial terms that will give effect to any expenditures provided for in the budget.

MOVED: Jonathan Stephenson

SECONDED: Ginny Rees

CARRIED

Levy Letter:

Any owner that would like their annual levy amount and installments or a detailed breakdown of their individual levies compared to the approved budget should email bc@firststreet.co.nz

16. Debt Collection

Resolved that:

- i) Pursuant to Section 128 (2) of the Unit Titles Act 2010 interest of 10% per annum will accrue and will be charged on any debt unpaid after the due date until the date of payment.
- ii) The Body Corporate is authorised to instruct First Street Body Corp Management Limited to recover any unpaid levies or other unpaid debts owed

by a unit owner, together with interest and reasonable costs of collection, using First Street collection procedures (as outlined in attached Schedule of Services) where debt has been outstanding for more than 14 days.

- iii) The Committee is authorised to instruct First Street Body Corp Management Limited, or Lawyers of its choice to make an application to the appropriate decision maker to recover any unpaid debt owed by a unit owner where need be.

MOVED: Ginny Rees

SECONDED: Bruce Pain

CARRIED

Overdue fees, Body Corporate Manager's Costs, interest and Lawyer's expenses:

Any overdue fees, body corporate manager's costs, interest or Lawyer's expenses incurred in the recovery of an overdue levy for a unit are the Proprietor's responsibility to pay. These charges are not reversible unless by consented by majority vote of the Body Corporate at a General Meeting at which point the trust account of the Body Corporate becomes liable for payment of those fees.

17. Inland Revenue Tax Agent Authority

Resolved that: First Street Body Corp Management Limited (our tax agent) are authorised to act on our behalf for all tax types for the coming year. Authority is given to obtain information from Inland Revenue and other financial institutions to enable our tax returns to be completed. This includes obtaining information via online services available on the Inland Revenue's website.

MOVED: Jonathan Stephenson

SECONDED: Ginny Rees

CARRIED

18. Communication

Resolved that: If First Street has an email address on file for an owner, all correspondence will be sent by email only and not by post. Notwithstanding, if First Street is notified in writing by an owner that correspondence is to be sent to them by post then this request will be actioned and no information will be sent to that owner by email (except in an emergency situation).

MOVED: Heather Ellis

SECONDED: Sandy Wilson

CARRIED

19. General Business:

No items put forward.

Meeting Closed at 6.05pm

For and on behalf of Body Corporate **349938**



Tony Woodworth – Manager
First Street Body Corp