



# FIRSTSTREET

BODY CORP MANAGEMENT

**BODY CORPORATE 349938**

**30 Heather Street, Parnell**

**Minutes of the Annual General Meeting of the Body Corporate  
held on Wednesday 30th October 2024 at 6pm  
At Thinkspace Parnell, Level 1, 177 Parnell Road, Parnell and Via Zoom**

## **ATTENDEES**

Heather & Nick Ellis – Unit P (16)  
Sandy Taylor – Unit Q (17)  
Melissa Tacy – Unit D (4)  
Jonny Stephenson – Unit S (19)  
Rich Cuthbert – Unit U (21)  
Jonathan Ascough – Unit A (1)  
Hilary and Sally Smeeton – Unit M (13)  
Ginny Rees – Unit H (8)

Via Zoom:

Meleveti Utatao – Unit R (18)  
Bruce Pain – Unit T (20)

Craig Bong – Building Manager  
Nicki Pugh – First Street Body Corp Management Ltd

## **APOLOGIES**

Rowena Harris – Unit C (3)

## **PROXIES**

Jonathan Ascough as proxy for Beccy Hewitt & Jonathan M Ascough – Unit A (1)  
Craig Bong as proxy for Julian Fordyce – Unit I (9)  
Richard Cuthbert for Jacobi Kohu-Morris & Hannah Short – Unit O (15)

## **POSTAL VOTE**

Yusuke & Akemi Oki – Unit 10

## **Meeting Opened: 6.00pm**

The Body Corporate Manager welcomed all those in attendance and 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

**Resolved that:** Nicki Pugh be elected to chair the meeting.

**Moved:** Jonny Stephenson      **Seconded:** Heather Ellis      **CARRIED**

2. Acceptance of Apologies, Proxies & Postal Votes

The apology, proxies and postal vote were taken as read and accepted for the meeting.

3. Chairperson's Report

Rich Cuthbert and Craig Bong addressed the meeting and noted some of the key points from his report that was circulated prior to the meeting in particular the work that had been carried out over the past year in relation to security and health & safety. The Chairpersons report was taken as read.

4. Approval of General Meeting Minutes

**Resolved that:** If First Street does not receive within 14 days of the 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:** Ginny Rees      **Seconded:** Hilary Smeeton      **CARRIED**

5. Election of Body Corporate Chairperson

**Resolved that:** Richard Cuthbert be elected as Body Corporate Chairperson until the next Annual General Meeting.

**Moved:** Jonny Stephenson      **Seconded:** Heather Ellis      **CARRIED**

**Meeting Note:** The Chairperson of the Body Corporate will also become a member of, and Chairperson of the Committee unless decided otherwise by ordinary resolution at a general meeting (Section 112A Unit Titles Act).

6. Committee Quorum

**Resolved that:** The Committee be set at a maximum of four (4) members with quorum set at three (3) members.

**Moved:** Rich Cuthbert      **Seconded:** Heather Ellis      **CARRIED**

7. Election of Body Corporate Committee

**Resolved that:** the following members be elected as Committee Members until the next Annual General Meeting:

- Heather Ellis – Unit P (16)
- Jacobi Kohu-Morris – Unit O (15)
- Richard Cuthbert – Unit U (21)
- Sandy Taylor – Unit Q (17)

**Moved:** Heather Ellis      **Seconded:** Hilary Smeeton      **CARRIED**

**Note:** All committee members are required to comply with the Code of Conduct for committee members as prescribed in the Unit Titles Regulations. A copy of the Body Corporate Committee's Conflict of Interests Register has been provided to all owners as part of the AGM Pack.

8. Delegation of Duties of Chairperson

**Resolved by special resolution that:** The delegated powers and duties of the Chairperson set out in Regulation 11 of the Unit Titles Regulations 2011 be delegated to the Body Corporate Committee.

**Moved:** Rich Cuthbert

**Seconded:** Sandy Taylor

**CARRIED**

9. Committee Authority

**Resolved by Special resolution that:** The Body Corporate delegates the authority for entering into obligations regarding maintenance, amenities and servicing of the Body Corporate within budget, to the Committee, until otherwise revoked at a general meeting (pursuant to Section 108(1) of the Unit Titles Act 2010). 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:** Heather Ellis

**CARRIED**

10. Adoption of Annual Accounts

**10a. Resolved that:** The financial accounts for the period 1 September 2023 to 31 August 2024 be accepted.

**Moved:** Heather Ellis

**Seconded:** Sandy Taylor

**CARRIED**

**10b. Resolved that:** Any surplus at the end of the financial period be transferred to the Contingency Fund.

**Moved:** Ginny Rees

**Seconded:** Sandy Taylor

**CARRIED**

11. Auditor

**Resolved by Special resolution that:** The Body Corporate agrees that an independent audit or review of the financial statements for the year ending 31 August 2024 is not required.

**Moved:** Hilary Smeeton

**Seconded:** Jonny Stephenson

**CARRIED**

12. Insurance

To confirm that cover has been placed with Vero via PSC Connect Insurance Broking Services (Broker) for the year. Summary of cover will be loaded on the First Street Portal once available.

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.
- 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:**

Jolene Rautenbach

Email: [jolene@pscbroking.co.nz](mailto:jolene@pscbroking.co.nz)

Web: <http://www.pscbroking.co.nz>

13. Health and Safety

**Resolved that:** the Body Corporate authorises the committee to continually review, action and update the hazard register for the complex based on risks identified and notified by any owner, resident or visitor to ensure a safe environment.

**Moved:** Jonny Stephenson

**Seconded:** Rich Cuthbert

**CARRIED**

14. Long Term Maintenance Plan

**Resolved that:** The attached Long Term Maintenance Plan labelled v7 as prepared by Plan Heaven alongside your Body Corporate Committee be approved and adopted.

**Moved:** Heather Ellis

**Seconded:** Sandy Taylor

**CARRIED**

15. Budget

**Amended Resolution: Resolved that:**

- i) The draft budget of \$202,808.00 including gst made up of \$145,058.00 (Operating/Trust Account) and \$57,750 (LTMP Fund) be adopted 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 four **(4)** instalments with payments due on:

20<sup>th</sup> November 2024

20<sup>th</sup> January 2025

20<sup>th</sup> March 2025

20<sup>th</sup> May 2025

- 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:** Sandy Taylor

**Seconded:** Heather Ellis

**CARRIED**

**Levy Letter:**

Any owner that would like their annual levy amount and instalments or a detailed breakdown of their individual levies compared to the budget once approved at the AGM should email [bc@firststreet.co.nz](mailto:bc@firststreet.co.nz)

**Payment Plans and Direct Debits:**

Any owner that wishes to set up a payment plan are asked to please contact First Street in the first instance. Please note that any payment plan will need to be approved by the Body Corporate Committee.

Please also contact First Street if you would like a direct debit set up to arrange payment of your levies when they fall due.

For either of the above queries please contact via email [bc@firststreet.co.nz](mailto: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:** Jonny Stephenson

**Seconded:** Sandy Taylor

**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:** Jonny Stephenson

**Seconded:** Bruce Pain

**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:** Jonny Stephenson

**CARRIED**

19. General Business:

- Wood Staircases

Ginny Rees queried whether the staircases would be looked at for upgrade/repair. Craig noted that this had been looked at in the past however some complications were identified around not being able to use them for a few days while the repairs would be carried out which would restrict access to the building. The stairs were noted in the Long Term Maintenance Plan so would be looked at again in due course.

- Carpet Cleaning

It was noted that the carpets were due to be cleaned and would be done so in the coming year.

- Decks

A query was raised in regards to insurance cover for decks. Nicki advised that decks form part of the building elements so would be covered by insurance under an insurable event however general maintenance would not be covered by insurance.

- Gutter Overflow (above front staircase)

It was noted that there was an issue with a gutter in heavy rainfall in that one of the overflows could not support the amount of rain and caused water to overflow and down the building. In very heavy rain, this causes leaking into the staircase. This could be an expensive fix, but will be addressed in due course.

- Committee and Chairperson

Heather Ellis thanked Rich Cuthbert for his time and effort in taking care of Body Corporate matters over the year. She suggested that it would be good to have some new owners nominated for the committee next year to provide fresh ideas and assist with the running of the body corporate.

**Meeting Closed: 6.37pm**

Yours faithfully



First Street Body Corp  
On behalf of **BC 349938**