

**MINUTES OF
THE 2013 ANNUAL GENERAL MEETING OF
PATENT 326 BODY CORPORATE NO. 416018
Held at 5:30 on Wednesday 20th November 2013
At YPM 49 Boulcott St, Wellington**

Web site: www.ypm.co.nz/bc416018 Username: bc416018 Password: 416018

1.0 Meeting Formalities

1.1 Present

Sue Matehaere-Patten (S501)(Chair)	Julie Muir (H202)
David Patten (S501)	Helen Milner (H202)
Ray & Bobbie Patton (S403)	Paul Fraser (S 206)
Rob McGregor (S210)	Jill Griggs (S211)
Peter & Paula Sim (S401)	Maarten Groen (S408)

Sue Matehaere-Patten – YPM

Carl Coetzee – YPM

Peter Maurer – Switch Utilities

Proposal – Utility Interests

Peter Maurer from Switch Utilities was introduced by Rob McGregor who advised that Peter has been working with the Body Corporate on an aggregation model to deliver electricity to Patent Apartments. The proposal that will be delivered by Peter today will be similar to the model that is currently in place to pay for gas usage. Peter then proceeded to deliver his proposal during which he pointed out:

- (a) That Switch Utilities is a property- centric electricity retailer that specializes in working with on alternative electricity supply models that provided greater benefits to property Owners and Body Corporates.
- (b) That the proposal centers around the fact to aggregate all the electricity supply contracts to so that electricity could be delivered to them at a commercial rate which would generate considerable savings to the individual Owners. Peter the pointed out that that benefits to Owners will be threefold being:
 - Paying lower electricity rates which has been set with the Body Corporate being 19.5 cents per KWH instead of 22-24 cents per KWH. With no daily charges.
 - That the Body Corporate will receive a rebate which will be paid quarterly amounting to around \$7,000 per year which can be utilized to pay for maintenance or other projects and in so doing will have a positive effect in relation to the payment of levies.
 - The Body Corporate will have a fixed price in relation to the electricity supply contracted for a period of three years.

To implement the system some changes to the electrical infrastructure will however be necessary in order to aggregate the supply. Switch will however work in close consultation with the Body Corporate as the present billing meters will be removed and replaced with new meters. Owners will however still have their individual meters read and payment will only be in relation to the usage of that Apartment Owner. Peter concluded his discussion after answering several questions from the floor by stating that after a period of three years Patent will be free to go to the market for competitive prices. The fact however is that with an aggregated supply the rates charged will still be at a commercial rate instead of residential rates which will still

present a benefit to the Apartment Owners. Peter then after being thanked by the Chair left the meeting.

Moved: That the Committee is charged to follow the steps for implementation as outlined under the Switch proposal and then move forward after checking the supplier agreement.

Sue/Ray/carried

1.2 Proxies

Ian Possenniskie to the Chair

Robert Selwyn to the Chair

Steve Cody to the Chair

Robert Nair to the Chair

Andrew Creswell to the Chair

Justin Lee to Carl (YPM)

1.3 Apologies (other than proxies)

Kathy Tipler (S204)

1.4 Quorum

A quorum of 11 was achieved and the meeting proceeded.

The Chair welcomed all to the meeting.

2.0 Previous Minutes

Moved: That the Minutes of the 2012 AGM held on 26th November 2012 be accepted as a true and accurate record of proceedings.

Rob/Ray/carried

Moved: That the Minutes of the 2013 Extraordinary General Meeting on the 30th October 2013 be accepted as a true and accurate record of proceedings.

Peter/Ray/carried

Matters arising not covered elsewhere:

- None required.

3.0 Body Corporate Management Committee

3.1 Chairpersons Report

The Chair presented her report to the meeting specifically mentioning that it has been a big year for the Committee due to storm damage at the building as well as the damage to the gas supply resulting after the earthquake. It was also mentioned by the Chair that:

- The membrane installations have remedial work being carried out
- That the repairs necessary to the balustrades also were not progressing at an acceptable level. These are insurance claims from the storm
- The roofing people are attending to remedials but the people involved with the balustrades were not as forthcoming.

The Chair further extended a word of thanks to the Committee for their input during the year as well as a special word of thanks to Ray Patton for his involvement in getting the gas supply re-instated.

3.2 Election of Committee & Chairperson

Committee nominations:

Sue Matehaere-Patten

Peter Sim

Rob McGregor

Jill Griggs

Ian Possenniskie

Steve Cody

Maarten Groen

Jacques Alesha

Moved: That the above nominations are elected to serve as members of the Committee.

Paula/Helen/carried

Moved: That the Committee at any time should consist of at least seven (7) members

Rob/David/carried

Moved: That the number required for the quorum of the committee be set at 5 members.

Peter/Ray/carried

Chairperson nominations:

Sue Matehaere-Patten.

Moved: That Sue Matehaere-Patten is re-elected as Chairperson.

Rob/Martin/carried

A word of thanks was extended to the Chair by several members of the Committee for the Chair's handling of matters in relation to the Body Corporate in the last year.

4.0 Building Management

4.1 Building Manager's Report

The Building Managers Report was accepted as circulated.

5.0 Administration & Finance

Sue Matehaere-Patten spoke to the financial accounts as circulated.

5.1 2012-2013 End of the year accounts.

Moved: That the financial accounts to 30th September 2013 be accepted.

Jill/Peter/carried

5.2 Appointment of an Auditor

Moved: That the financial accounts to 30th September 2014 are not audited reviewed or undergo a special verification procedure.

Paula/Rob/carried

5.3 Delegation of Duties

Moved: That the body corporate committee share the powers and duties of the Body Corporate and Chairperson that are allowed to be delegated

Rob/Paula/carried

5.4 2013 – 2014 Proposed budget

Moved: That the proposed 2013-2014 budget of \$318,472 (GST exclusive) and levy schedule is approved with quarterly payments on the first day of each quarter by automatic payment, commencing 1st January 2014 and continuing until further notice.

Rob/David/carried

6.0 General Business

Notice Board

On a question from Paula as to where the Notice Board will be positioned, Paula was advised that it will be put up just outside the door going into the garage.

Long Term Maintenance Plan

During a short discussion of the LTMP it was mentioned by the Chair that the painting of the shutters and external wood panels will have to be considered in the near future as one of the items that has to be addressed under the LTMP.

Outstanding Levies

On discussion of the accounts the matter regarding outstanding levies were touched on by Peter Sim to which the Chair replied that there are:

- (a) Two people owing \$5,000 each have been given 7days to remedy the situation before their case will be referred to the tribunal.
- (b) One person owing \$15,000 of which the tribunal hearing has been scheduled to take place on the 4th December 2013.
- (c) Delta Developments against whom a statutory demand has been issued. The payment date has however already lapsed. On taking the matter up with Westpac requesting to be advised as to whether they have considered liquidation YPM were advised that they are presently not looking at this option. Some further discussion took place during which it was mentioned by the Chair that filing for liquidation in the High Court the costs would be in the vicinity of around \$5.000

Moved: That the Committee progress along the path of liquidation.

Dave /Rob/carried

Shutters

Some discussion took place around the shutters on the balconies of the Apartments of where some have been removed by the Owners. The feeling of the meeting however was that it as the shutters affect the overall appearance of the building from the outside, more stringent control should be exercised in relation to getting the shutters re-installed where they have been removed by Owners and stored elsewhere. This control should be exercised notwithstanding the fact that the shutters are classified as being an Owners responsibility.

Action: Committee

Gas installation

Some further feedback was given by Ray Patton in relation to the gas installation presently being done at the premises. Ray advised that he has spoken to Darren that morning who has advised that the hot water is up and running. Ray however mentioned two issues in relation to the installation that should be addressed being:

- (a) A problem that has been identified in respect of the valve going into Semaphore.
- (b) That due to possible future earthquakes flexible joints should be installed between Helmsman and Semaphore as a precaution in terms of the future.

The meeting was in agreement that this is in fact necessary and has to be done.

Action: Ray

Installation – Shutoff valve

During the discussion of the recent repairs that had to be undertaken in relation to the re-instatement of the gas at the premises the feeling of the meeting were of the opinion that a gas shutoff valve should installed in relation to the Apartments where the levies are presently in arrears . After some further discussion it was decided that the matter should be further investigated by YPM after which feedback has to be provided to the Committee in relation to the feasibility of such an option.

Action: Carl (YPM)

There being no further business the meeting closed at 6:45 p.m.

Signed Date
Chairperson

Chairman's Report November 2013

2012-2013 has been a hectic and demanding year for both Owner's and for your Committee. On behalf of all Owners, I'd like to take this opportunity to thank the Committee for their tireless resolve in working through numerous challenging issues – without complaint! There are many hours of behind the scenes meetings, discussions and even working bees.

I also thank Carl and YPM for their guidance in management matters and in chasing recalcitrant Owners when needed. The transition from Strata Management to YPM was relatively seamless, and a more cost effective, transparent model is now being followed.

This has been a year where the body corporate has had to pursue a debt of \$75,000 from one Owner alone (now recovered), along with others who have been slow to pay. Currently, YPM are awaiting a Tenancy Tribunal hearing date for debt recovery for one unit, a Notice of Statutory Demand has been served on another, and others have been sent reminders.

This is all so unnecessary and it means we, as owners, are in fact subsidizing those who for some reason do not meet their commitment to pay levies. It also creates unnecessary pressure on your Committee, and means finances need to be constantly juggled.

Nature also threw us a curve ball, with two severe storms over the winter and of course the earthquakes in July and August. Storm damage is slowly being repaired, and insurance claims have been lodged to meet most of the costs. For those owners whose deck shutters were damaged or dislodged in the storms, the committee can provide the name of a contractor who can reinstate them for you. There will be a cost for this work so you should talk to the contractor prior to him reinstating the shutters for you.

The repair of the earthquake damage to our gas system though, is proving a more long term project. A master claim has been lodged with EQC by YPM. EQC have advised the works will need to be funded by the body corporate and a retrospective claim lodged.

Assessors are not available for bodies corporate until all other assessments have been completed – they are considered by EQC as too difficult to deal with. This places the onus on the body corporate to carry out a *self-authorized emergency repair*. The process is somewhat cumbersome and the body corporate has been and is still working stringently to show they are following a robust process. This is required by EQC and also expected in respect of being responsible to all Owners.

The EGM held 30 October approved the raising of a special levy to cover the cost of repair. We are currently awaiting a plan and time line from the successful tenderer.

Other issues that have taken the attention of the Committee are the issue of roof/ deck membrane remedial works as a consequence of isolated leaks. This work has included the review of installation of some of the glass deck balustrades. The original contractors have been involved with the repairs to date, however to ensure a robust repair process the committee engaged a consultant to advise on

and monitor all works. This is not cheap but it has meant we have good advice on the scope of works and monitoring of repairs. It is hoped some of these costs will be recoverable.

There have been changes in some of the contractors used at Patent. We have a new gardener, new gas supplier and we are investigating a new system for supplying cheaper electricity. This will be explained in further detail at the AGM.

The facilities management role is being moved to YPM and took effect 9 November. It is hoped further coordination of services will provide a benefit to the Committee (and owners) in terms of the coordination and timely execution of tasks.


At this point I would like to thank Alive Building Solutions for their involvement over the past 2-3 years, and acknowledge the efforts of their team.

Moving on, the year ahead does not look too dissimilar to now:

- The gas system work is a priority
- Balustrade fittings will continue to be monitored and problems addressed
- Deck and membrane remedial work will continue.
- There will always be on-going maintenance (garage doors, rubbish monitoring, etc)
- There may be further recourse sought from the developers, contractors around some of the current issues.

In considering all of this, we must not lose sight of the fabulous lifestyle we enjoy, the unsurpassed views of our harbour and our proximity to the central city.

Finally, I ask that you support your Committee by taking a role where you can. We have an Owner who hoses out the rubbish room when he cleans his car; we have a small group who carry out gutter and drain cleans and a spot of pruning when needed; we have someone who monitors the 2 hour parking area and so the list goes on... these are not large tasks but make a huge difference to our environment and the general ambience of living at Patent.



Sue Matehaere-Patten

Chair