

MINUTES OF ANNUAL GENERAL MEETING

BODY CORPORATE No. 164980

PROPERTY AT: 148 Quay Street, Auckland City

AN ANNUAL GENERAL MEETING of this body corporate was held in the Fergusson Room, First Floor of the Mercure Hotel , 8 Custom Street, Auckland City, on Thursday, 25th March 2008 commencing at 7:00 p.m.

PRESENT: As per Attendance List completed by owners:
Anthony & Coral Jensen, Yvonne Lendrum, Stephen Dudding, David Vietmeyer, David Lawson, , WC Chang, Paul Chaplin & Andrew Sains, Linda Scott & Graham Brown, Con Micallef, Alan & Maryanne Mummery, Jeremy & Judith Stubbs, Kerrie & Alan Penny & Robert Gray, Ullrich Hoppenjans, Ngaire Roebuck, Noel Thompson, MJ Eardley-Wilmot, N Prentice & Arepa Morehu, Ross & Rosheen Boswell, Gabriel Wilson, Claudio Godoy, Peter Stratford, DG Dell, Mick & Genny Webb, Dimitri Margaritis & Ann Sullivan, Sarah McLauchlan
Paula Beaton representing Body Corporate Administration Limited as secretary.
Also in Attendance: Les Adrian, Building Supervisor

1. **CHAIRMAN:**
Mick Webb chaired the meeting

2. **APOLOGIES & PROXIES:**
Alan Mummery held a proxy from HAJ Haazen & AM McDiarmid, Unit 7B
Anthony Jensen held a proxy from Dadlea Investments Ltd, Unit 3D
Gabriel Wilson held a proxy from Shelly Jones, Units 4 & 5 (car park, part of the BA)
Gabriel Wilson held a proxy from Barbara Harris, Unit 8 (car park, part of the BA)
Gabriel Wilson held a proxy from Harry Law, Unit 16 (car park, part of the BA)
Gabriel Wilson held a proxy from Noel & Margaret Playle, Unit 1 (car park, part of the BA)
Gabriel Wilson held a proxy from Patricia Nelson, Unit 3 (car park, part of the BA)
Gabriel Wilson held a proxy from Barry Marsh, Unit 9 (car park, part of the BA)
Gabriel Wilson held a proxy from Marilyn Reynolds, Unit 2 (car park, part of the BA)
Ngaire Roebuck held a proxy from Mark Sinclair & Leslie Vyfhuis, Unit 3G
Paula Beaton held a proxy from Graham Currie, Unit 4G
The Chairman held a proxy from Tsui Ling & Wiwine Liu Sing, Unit 10D
The Chairman held a proxy from L Liu Sing, Unit 10A
Peter Stratford held a proxy from Dennis Gain, Unit 11B
Peter Stratford held a proxy from Tsiu Ling & Wiwine Liu Sing, Unit 10D
Peter Stratford held a proxy from Epsom Trust, Units 7G & 0D
Peter Stratford held a proxy from L Liu Sing, Unit 10A
Peter Stratford held a proxy from Ricky Gain, Units 2B & 2C
Peter Stratford held a proxy from Rong-Yu Chiang, Unit 0A
Peter Stratford held a proxy from Behrooz Kermani, Unit 0B,
Peter Stratford held a proxy from VM Cheung, Unit 0C
Peter Stratford held a proxy from Mark Knowles, Unit 2J
Peter Stratford held a proxy from Glenda Fraser, Unit 3I
Peter Stratford held a proxy from Nigel Robinson & Jenifer McDonald, Unit 6E
Peter Stratford held a proxy from William Houng Lee, Unit 6F
Peter Stratford held a proxy from Marie Simich, Unit 8C
Peter Stratford held a proxy from David Lawson, Unit 3B

Peter Stratford held a proxy from Geoff Crago, Unit 10E
Peter Stratford held a proxy from Don Robertson, Unit 10F
Sarah McLauchlan held a proxy from Michael Hooley, Unit 7E
Sarah McLauchlan held a proxy from Ray Fleming, Unit 8D
Yvonne Lendrum held a proxy from Robyn Anderson Family Trust, Units 4C
Yvonne Lendrum held a proxy from Jennifer Rendell, Unit 8A
Yvonne Lendrum held a proxy from David Yeo, Unit 10C
There were no apologies

Moved: Con Micallef Seconded: Alan Penny Carried

3. **CHAIRMAN'S REPORT:**

Mick Webb read out his report (as enclosed.)

4. **DISCUSSION ON THE VELICH CASE, which arose from the CHAIRMAN'S REPORT:**

a) Yvonne Lendrum objected to the mention of the lack of tolerance of the previous committee and also stated that legal counsel was taken throughout the entire period of the Velich case and that the previous committee had authority to make payments for legal costs. The latter statement was challenged by Alan Penny and others, who pointed out that it was 18 months after the injunction was first obtained that an EGM was held to discuss this case. In his reply the Chairman pointed out to Yvonne Lendrum that the reference to tolerance was inferred by the Judge's decision.

b) Andrew Sains made the suggestion that we needed to put the Velich case behind us and move forward, which appeared to be the consensus of the meeting.

5. **MAINTENANCE MATTERS:**

Alan Penny provided the following update on the exterior painting:

a) Painting is progressing well and will likely take up to two months to complete.

b) The canopy repairs have intentionally been deferred as the repair of this needs to be further explored in terms of options and costs. It was suggested by Graham Brown that we use this opportunity to have an engineer inspect the structure and it was agreed that this should be undertaken before any remedial work be proposed to owners.

c) Alan Mummery stated that it is normal that holes created for scaffolding access be patched up for cosmetic reasons and then re-used for future painting or maintenance.

d) It was noted that the service lift needed refurbishing, given the extensive use during recent major renovations to Level 9 and the Penthouse. Owners were advised that payment to undertake this had been received by both parties and that this would be undertaken once the scaffolding on the West side of the building had been removed.

6. **ANNUAL ACCOUNTS:**

The statement of receipts and payments for the body corporate for the period 1.2.07 to 31.1.08 was submitted to the meeting, discussed, and adopted.

Moved: David Vietmeyer Seconded: Anthony Jensen Carried

a) The cost relating to repairs of the leaking roof was queried and it was advised that this related to the Body Corporate side of the roof on Level 16, which upon inspection was discovered to be structurally unsound.. Alan Penny advised that, as discussed and approved at the December EGM, water proofing of the common guttering area on Level 12's roof had been completed.

Clarification: The committee notes that the previous committee had allocated \$15,000 for the roof repair on Level 16. In the event, even with the subsequent and unexpected structural repairs, the cost was kept to only \$17,000 primarily as a result of Mick Webb allowing the contractors access to this area and free use of their crane (neither of which were incorporated into the original quote).

7. **AUDIT:**

It was resolved that because the secretary's trust account is subject to audit by chartered accountant auditors that no separate audit be commissioned to audit the accounts of the body corporate.

Moved: David Vietmeyer

Seconded: Anthony Jensen

Carried

8. **BUDGET:**

- a) Apart from the Velich case and cost of the leaking roof repair, the only other significant expenditure on the 07/08 budget was the huge increase in the water bill.
- b) It was believed that the reason for the lower power costs was largely due to the new ventilation motor, which has been running at 50% of capacity due to the yet unresolved issue over the noise levels when in operation.

(continued on next page)

Items	Budget 2008 / 2009 12 Months	Comments
	\$	
Administration Fees	10,650.00	@ \$150 / Unit *71
Sundries	3,000.00	For Disbursements, Petty Cash & etc
GST	3,000.00	Based on Last Year's Budget
Titles / Legal / Consultancy	5,000.00	As per OCM
Insurance Reinstatement	35,182.32	Actual Allianz via Aon NZ Quote
Insurance Officer Bearers	6,075.00	Est. 20% – Subject to Change
Insurance Valuation	1,071.00	Actual Seagars Invoice
Alarm	0.00	As per OCM
Building Manager Wages	38,625.00	Avg @ \$3218.75 / Mth *12 – Changed by CPI 3%
Cleaning & Cleaning Materials	5,000.00	Additional Work for Supervision
Additional Contingency Work	1,500.00	Based on Last Year's Actual
Window Cleaning	13,860.00	@ \$3080 / Qtr + GST as per Off The Ledge
Rubbish Collection	360.00	@ \$90 / Qtr for Rubbish Bins
Pest Control	1,814.12	@ \$453.53 / Qtr *4 To Be Confirmed
Fire Services / WOF	10,832.00	@ \$486 / Mth *12 + \$5,000 To Cover Other Costs
Lift	26,820.00	Based On Current Services Contract (\$6137 / Qtr) + \$5000 For Other Lift Maintenance Costs
Repairs, Maintenance	37,000.00	As per OCM
Contingency Fund	2,500.00	Same as Last Year's Budget
Common Power	35,000.00	As per OCM
Gas	0.00	To be Recovered From Owners
SKY TV	26,513.88	@ \$2209.49 / Mth (includes Feb 08)
Telecom	2,034.00	@ Avg \$169.50 / Mth *12
Water	60,000.00	@ Avg \$5000 / Mth *12
Professional Carpet Care	800.00	As per OCM
Roof Repair	0.00	As per OCM
Sinking Fund	47,325.96	Same as Last Year's Budget to include Drawdown for Lift Upgrade
TOTAL	\$373,963.28	As Agreed at AGM

It was resolved that the 08/09 budget as outlined above be approved.

Moved: David Vietmeyer

Seconded: MJ Eardley-Wilmot

Carried

9. ACCESSORY UNIT UPGRADE & FIRE SAFETY REPORT:

- a) The upgrade of Accessory Units is still a work in progress with the fire safety expert indicating that at this stage most doors appeared to be fire rated.
- b) However, this inspection also highlighted other fire safety issues which, despite approval from the Council when the building was refitted into apartments, need to be addressed. These relate to various penetrations in the walls throughout the building which will have to be fire stopped. An initial estimate for this work was presented by the Chairman for \$19,000 + GST (copy attached). Until each apartment is inspected, however, it is difficult to ascertain the full cost. Graham Brown suggested urgency on this matter in his capacity as an engineer.
- c) It was agreed that the committee would follow up on AU costings and notify AU owners of these. It was also agreed that a complete assessment be undertaken on all fire-related issues emanating from the above inspection.

10. WATER CHECK METERS:

- a) As previously mentioned in the 07/08 budget discussion, the issue over the huge increase in water rates was raised, with the option proposed to install water metres in each apartment. It was agreed that the BCA would explore cost options for installing these, which they will present to owners in due course. Con Micallef expressed a preference for placing the job out to public tender.

11. WINDOW CLEANING:

- a) It was advised that no further cleaning would take place until the exterior painting had been completed. It was also noted that some owners continue to be unhappy with cleaning, particularly those on the upper levels. It was agreed that this would be raised with the current contractor and that other contractors should be considered.

12. BUILDING MAINTENANCE UNIT:

- a) It was explained that this unit had been decommissioned some years ago as it was deemed uneconomical. Body Corporate No. 164980 has been offered \$1,000 to purchase some parts of the unit and it was recommended that we accept this offer.. It was resolved that parts be sold at \$1,000.

Moved: Ross Boswell Seconded: Ann Sullivan Carried

- b) Alan Mummery suggested that we put thin granite tiles along the white wall outside the front entrance in order to enhance its appearance. The committee agreed to look into this.

13. COMMERCE STREET EXIT:

- a) It was advised that at the entrance to the Commerce Street emergency exit door there is a doorway structure surrounding this that was possibly erected pre canopy days. Given this is no longer required and that it is primarily used as a urinal for passers by, it was recommended that we remove this while exterior painting is being undertaken. A quote of \$3,500 + GST was given to undertake this.

Moved: Yvonne Lendrum Seconded: Maryanne Mummery Carried

14. SECURITY UPGRADE:

Yvonne Lendrum queried the security upgrade citing a lack of information for her to make an informed decision. Sarah McLauchlan addressed this by stating that a matrix of what would be entailed in each stage was provided to owners prior to and at the last EGM and that it was on that basis that owners voted to proceed. She then provided an update on the upgrade that was agreed on and has largely been implemented as follows:

- a) New cameras have been installed in common areas, including the exterior of the front entrance, within the main lobby, all lifts, Level One lobby, car park, cart dock and Commerce/Tyler Street exit areas.
- b) New sensors and alarms have been installed in all non essential exit/entry points.
- c) A new computer monitor and DVD recorder have been installed.
- d) Locks will be installed on all stairwell doors and that owners of accessory units within these stairwells will be provided with a key to their floor to enable access to their AUs.
Clarification: There was a query over the issue of a fire emanating from the lower floors impeding access to the Ground floor. The committee has subsequently agreed to seek further clarification from the NZ Fire Services.
- e) Cart Dock tags would be available to owners and residents for the purpose of moving in/out and for tradespeople. These can be obtained through the Building Supervisor.

- f) It was noted, however, that there were still a number of owners who hadn't responded with their new security tag access requirements and that if they didn't do so in due course they and/or their tenants may well find themselves locked out of the building.
- g) The committee has not yet proceeded with the cheaper intercom option, which was voted on at the last EGM as an interim first step to a possible more fully integrated system.

This latter item led to a discussion by owners who felt that the fully integrated system, which enables residents to provide visitor access to their floor, as well as retain the current videocom type of system, was a more effective system that would meet everyone's requirements.

It was agreed that the committee proceed with the more fully integrated intercom system within this financial year at a cost of up to \$80,000 + GST.

Moved: David Vietmeyer Seconded: Anthony Jensen Carried

28 in support of this proposal

18 against this proposal

(Note: Three registered proprietors were not eligible to vote due non payment of levies)

The levy shall be due in two instalments, of which the Committee will decide the specific dates for invoicing.

15. ELECTION OF NEW COMMITTEE:

David Vietmeyer thanked the current committee for their work and this was carried by acclamation. He then proceeded to nominate the current committee for re-election, which was carried unanimously.

The owners' committee is to comprise Mick Webb, Dimitri Margaritis, Sarah McLauchlan and Alan Penny.

Moved: David Vietmeyer Seconded: Anthony Jensen Carried

It was proposed that Stephen Dudding be appointed as an additional committee member.

Moved: Yvonne Lendrum Seconded: Kerrie Penny Carried

Hence, the owners' committee is to comprise Mick Webb, Dimitri Margaritis, Sarah McLauchlan, Alan Penny and Stephen Dudding.

16. VALUATION & INSURANCE:

An updated valuer's reinstatement insurance certificate and several insurance quotes for the body corporate, which had been obtained by the secretary were provided to owners at the meeting.

The owners' committee had previously resolved that the body corporate be insured with Aon NZ Insurance Brokers via Allianz Insurance Company for the forthcoming year and that the policy have the following excesses: a \$250 Owner Occupied; \$500 Commercial Units; \$500 Water Damage; \$500 Public Liability Claim; \$500 Public Liability Claim; \$500 Burglary & Theft; Earthquake 1% of Loss with a Minimum of \$10,000; and \$4,000 on All Claims with Respect to Unit 11D.

Claudio Godoy queried the insurance excess on his apartment and it was agreed that the BCA would ask Aon NZ to review this.

17. LEVIES:

a) The levies are due in two installments:

- The first is due 31 May 2008
- The last is due 31 August 2008

18. GENERAL BUSINESS:

a) The following documents are to be sent to the owners with the Minutes of the Meeting:

- I. A copy of the reinstatement insurance valuation certificate
- II. A copy of the Chairperson's Report

b) Maryanne Mummery appealed for the mass email exchanges between the owners to cease and that if anyone had issues these should be directed through the BCA and/or committee members. There appeared to be a consensus amongst those present at the meeting.

There being no further general business, the meeting closed at 9.50 p.m.