

ADLS/SCA (NZ) Unit Titles/Bodies Corporate Half-Day Conference



Tuesday, 27 August 2019
12.30pm - 5.00pm

Ellerslie Event Centre, Auckland
4 CPD hours

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Programme



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12.30 - 12.35pm Introduction and Welcome by the Chair

Thomas Gibbons, Director, McCaw Lewis

12.35 - 1.25pm When Owners go Rogue

Both lawyers and managers will be faced, from time to time, with owners who have gone beyond the realms of reason and reasonableness. Dealing with such owners is difficult from an administrative point of view and requires skill and fortitude as well as legal knowledge.

This session will explore the problem looking at its causes, possible legal solutions and how to manage the conflicts that arise.

Clinton Baker, Partner, Price Baker Berridge

Paula Beaton, General Manager,
Body Corporate Administration Ltd

Denise Evans, Principal, Dispute Resolution, FairWay

1.25 - 2.00pm Issues with Managers: The Role and its Risks

The role of a Body Corporate Manager is often misunderstood. It is essentially to provide administration support to bodies corporate under the terms of a contract rather than making decisions for a body corporate. However, there are occasions where the role is expanded, opening up the manager to greater risks.

This session looks at the nature of the manager's role, risks which managers may face, and how to minimise those risks.

Joanna Pidgeon, Partner, Pidgeon Law

Wendy Baker, Senior Corporate Manager,
StrataTitles Administration Ltd

2.00 - 2.40pm Developments Across the Ditch

This session, presented by two strata experts from Australia, will look at a number of cases from that jurisdiction which relate to equal opportunity and defamation issues in the context of Owners Corporations as well as matters relating to whether the Administrative Tribunal in Australia has the jurisdiction to hear and determine owners corporation disputes.

The session will also consider strata law reform, and changes to consumer protection law and how these might be relevant to New Zealand. There will also be an update on SCA initiatives across the Ditch.

Julie Mclean, Senior Strata Consultant,
ACE Body Corporate Consulting

Tim Graham, Partner, HWL Ebsworth Lawyers

2.40 - 2.55pm Afternoon Tea

2.55 - 3.20pm Case Law: Update and Review

Keeping up to speed with recent case law is critical, particularly given that the Courts have at times boldly interpreted key provisions of the UTA 2010.

The focus in this session will be on the *Otway* decision and its impact on the earlier *Cook* judgment as well as the *Gu v Body Corporate 211747* and the *Escrow Holdings* decision.

Thomas Gibbons, Director, McCaw Lewis

3.20 - 3.50pm Conveyancing: Dealing with Unit Titles

The conveyance of a unit title is not always plain sailing. Referring to relevant case law, this session will look at some of the main issues that may arise when transferring unit titles and highlight the pitfalls that can commonly occur.

Denise Marsden, Partner, Alexander Dorrington

3.50 - 4.25pm The Life and Times of a Unit Plan

Putting careful thought into the creation of the unit plan at the outset will help avoid future issues around ownership, costs and access. Once the plan is in place, it is generally static until the building needs to change. This session provides practical tips to help lawyers and Body Corporate managers navigate the world of unit plans.

Liza Fry-Irvine, Partner, Pidgeon Law

Kayleanne Mercer, Senior Portfolio Manager,
Property 101 Group Ltd

4.25 - 4.50pm Panel Discussion: Ethical Considerations for Managers and Lawyers

4.50 - 5.00pm Closing from the Chair

5.00pm Networking Function

ADLS CPD



Chair and Presenters' Biographies



Chair: Thomas Gibbons
Director, McCaw Lewis

Thomas is a director of McCaw Lewis Limited. He focuses on property law including unit titles, subdivisions, land development, and infrastructure issues. He regularly advises other lawyers and has given expert evidence in the High Court. Thomas is the author of *Unit Titles Law & Practice*. He has presented at numerous conferences and sits on the Property Transactions Committee and the national council of the Property Council, New Zealand.



Clinton Baker
Partner, Price Baker Berridge

Clinton is on the SCA (NZ) executive and is a partner in the firm Price Baker Berridge, specialising in unit titles issues since the mid-1990s. He provides advice relating to governance, meetings, and powers and duties of bodies corporate. He also acts on s 74 schemes, remedial works, litigation and intra-body corporate disputes such as rules enforcement and enforcement powers or duties owed by bodies corporate, committees and individuals. Clinton also provides assistance with redevelopments and opinion work and advice relating to building encroachments, easements and land covenants as they relate to unit titles.



Paula Beaton
General Manager,
Body Corporate Administration Ltd

Paula is the general manager of Body Corporate Administration Ltd which manages multi-unit properties. She is a trainer for SCA (NZ) and has been involved with assisting clients with s 74 schemes, building remediation, earthquake strengthening and general upgrades. Paula has also been involved in facilitating solutions for multi-units, whether in respect of unit titles or with free holding.



Denise Evans
Principal, Dispute Resolution, FairWay

Denise Evans is Principal, Dispute Resolution at FairWay Resolution Limited. She has a law degree, a Masters in conflict resolution and is a Fellow of the Arbitrators and Mediators Institute of New Zealand. With over thirty years' experience, she is passionate about finding the right option to help people resolve disputes while recognising individual needs. She is committed to finding a way forward that maintains relationships and achieves the best outcome for all parties. She champions this as a thought-leader in the dispute resolution industry and regularly publishes articles, facilitates training workshops and presents at conferences.



Joanna Pidgeon
Partner, Pidgeon Law

Joanna, a partner of Pidgeon Law, advises a range of clients, including investors, developers, project managers, construction companies and bodies corporate, on property and commercial law. She is an expert on the Unit Titles Act 2010 and the rules and administration of bodies corporate. Joanna is a past President of ADLS and a trustee of the Auckland City Mission.



Wendy Baker
Senior Body Corporate Manager,
Strata Title Administration Ltd

Wendy heads the Strata Solutions team for Strata Title Administration. The team specialise in weathertight buildings and bodies corporate with issues including maintenance, legal and seismic. Alongside this, the team handles both administration and upskilling of new bodies corporate and their committees. Wendy also holds a large portfolio of buildings which she manages on a day-to-day basis.



Julie McLean
Senior Strata Consultant,
ACE Body Corporate Consulting

Julie has over 25 years' experience in the building construction industry. She has operated her own successful strata management business for over 17 years with Ace Body Corporate Management, while fulfilling the dual role of Ace National Training Manager to 120 franchised areas nationally. Julie is considered a subject matter expert and presents at a number of state government, council and peak industry events on various areas of strata management. Julie is the immediate past President of SCA (Vic) and is a current SCA National board member.



Tim Graham
Partner, HWL Ebsworth Lawyers

Tim is a partner of HWL Ebsworth Lawyers, Australia's largest independent law firm and leads the Owners Corporations & Strata team. He is one of Australia's pre-eminent strata lawyers and is internationally recognised. He is the President of the Australian College of Strata Lawyers (ACSL) and a Fellow of the College; he is also a Council Member of Strata Communities Australia. Tim has published regularly in a variety of publications.



Denise Marsden
Partner, Alexander Dorrington

Denise has more than 20 years' experience in property law and has been a director at Alexander Dorrington since 2007. She is an expert in all aspects of property law including due diligence, funding, acquisition, leasing, sales, unit titles, management rights, subdivision, development contracts, and building contracts. Denise also has expertise with business sales and purchases or joint ventures or similar structures. She is named as a leading individual in the real estate and construction category for The Legal 500.



Liza Fry-Irvine
Partner, Pidgeon Law

Liza is a partner at Pidgeon Law, a property and commercial firm. She is an acknowledged specialist in body corporate and unit title law, and advises bodies corporate, committees, unit owners and body corporate managers and others in the industry on a variety of related issues. She regularly presents seminars around New Zealand, trains body corporate managers, and is part of the Working Group seeking legislation changes. She is on the Executive of SCA (NZ). Liza is also on the ADLS Property Law Committee and was invited by the Society to draft a suite of Model Body Corporate Rules for use across NZ.



Kayleanne Mercer
Senior Portfolio Manager, Property 101 Group Ltd

Kayleanne is a Senior Portfolio Manager for the Property 101 Group. She has been involved within the Strata industry for 19 years during which she has been an active committee member within a large body corporate, as well as a body corporate manager. Recently, she has specialised in major remediation projects.

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Tuesday, 27 August, 12.30pm - 5.00pm

In Person Via live stream

Ellerslie Event Centre
80-100 Ascot Avenue
Greenland East
Auckland

At your desk or on your
portable device

Early Bird Rates (Ends 11 August 2019):

- ADLS/SCA (NZ) Members** \$295 + GST
(\$339.25 incl. GST)
- Non-members** \$370 + GST
(\$425.50 incl. GST)

Standard Rates (From 12 August 2019):

- ADLS/SCA (NZ) Members** \$340 + GST
(\$391.00 incl. GST)
- Non-members** \$425 + GST
(\$488.75 incl. GST)

Register online at adls.org.nz/cpd

Send your registration to: **Other registration options:**

PO Box 58
Shortland Street
Auckland 1140
DX CP24001

Phone: 09 303 5278
Fax: 09 309 3726
Email: cpd@adls.org.nz

Who is attending?

Firm: _____

Attendee: _____

Email: _____

Attendee: _____

Email: _____

Attendee: _____

Email: _____

Telephone: _____

Payment Method:

- Charge to firm account
- Cheque enclosed
- Charge to personal account

For credit card payments please contact us

Payment total: _____
(incl GST)

Purchase Order number: _____
(if required)

Authorised signatory: _____

Cancellation Policy: Registrations can be cancelled up to 5 working days before the date of the conference upon which a refund will be made, less a \$100 administration fee. No refunds will be made after that time, however, you may send someone else in your place.

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