



SPECIAL GENERAL MEETING

MINUTES

ARDOCH VILLAGE, OCPS 341300K
226 DANDENONG ROAD, ST KILDA EAST

Held at the German Club, Tivoli and via Zoom
Thursday 16th December at 6.00pm

1. Attendance, Proxies and Apologies

PROXIES

- 3 Mrs V & Mr M Reiger to Megan Nichols
- 13 Ptolemys Map Pty Ltd to Anne Hope
- 14 Ptolemys Map Pty Ltd to Anne Hope
- 15 Mr Stewart Monckton & Ms Sarah Turnbull to Alan Baskin
- 18 Mr Allan McKenzie & Ms Jillian Yeatman to Alan Baskin
- 19 Clive Champion to Claire McFarlane
- 29 Ms Lynette Tu to Ramona Koval
- 36 Ms Melissa King
- 38 Mr Wayne McDonald to Namo Jigme
- 47 Mr Luke & Mrs Katrina Smith to Meredith Doig
- 48 Ms Teresa Miraglia to Meredith Doig
- 50 Mrs Rowan Frew to Barry Bowler
- 52 Ms Cara Nabb to Judelle Scheer
- 55 Mr Miles Campell Dacre to Judelle Scheer
- 60 Miss A Francis to Judelle Scheer
- 62 Ms Susan Drakeford to Michelle Guiney
- 63 Mr Riley Badawy to Ben Harewood
- 64 Ms Bethany Peebles & Mr Beau Bruce to David Peebles
- 72 Mr Mathew Wood to Michelle Guiney
- 75 Miss Tova Crossman & Dr Scott Shemer to Sarah Perry
- 78 Ms H F Brown to Alan Baskin
- 84 Ms C A Santo to Marea Letho
- 85 Ms Melanie Bahath to Judelle Scheer
- 90 Mr Michael Reilly to Marian Reilly

PRESENT

- 1 Mr W L Keay
- 5 Mr Udo Ruckdaschel & Ms Veronica Zeltzer
- 6 Mr Luke Hodge & Ms Elisabeth Agren
- 7 Mrs G L Bell
- 8 Ms Amanda Higgs
- 9 Claire Victoria McFarlane
- 10 Mr A & Mrs D Akritidis
- 11 Ms Katrina Holland
- 12 Ms Elizabeth Egan
- 17 Mr Stephen Hedger & Ms Melinda Bird
- 20 Mr Mark & Mrs Lynda Osborne
- 21 Ms Camilla Speirs
- 22 Black Property Nominees Pty Ltd
- 24 Mr I G & Ms J L Pigginn
- 25 Mr Matthew Tanner & Ms Natalie Bell
- 26 Dr Meredith Doig
- 27 Mr Stuart & Mrs Sarah Perry
- 28 Dundas Terrace Pty Ltd
- 30 Ms Jennifer Davis
- 32 Mr I Jay
- 33 Ms Ramona Koval
- 34 Ms Lee Walker
- 35 Ms Debra Hart
- 37 Nowicki Investments Pty Ltd
- 38 Namu Jigme (P)
- 40 Ms Lee Walker
- 41 Ms Judelle Scheer
- 45 Dr Thomas Jackson
Mr Barry George William Bowler & Ms Michelle Leanne
Richardson
- 49
- 51 Mrs Emma Desiderio
- 57 Mr Brian & Mrs Colleen Duxbury
- 58 Ms Megan Nicholas
- 59 Mr Roy & Mrs Anna Con Foo
- 61 Ms Anne Hope
- 64 David Peebles (P)
- 66 Ms Leah Boulton
- 67 Ms Michelle Guiney
- 68 Ms Helen Ogg & Mr Francisco Correa
- 69 Mr Robert Colson
- 71 Mr Ryan & Mrs Jacqueline Fischer
- 74 Ms Margalit Casey
- 79 Alan & Sandra Baskin
- 80 Mr Marjan Peric
- 81 Ms M Letho
- 86 Mr G N White & Ms B A O'Brien

Select Strata 711 High Street

Kew East Vic 3102

Phone: 03 9862 3731

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87 Mr John Reynolds and Ms Aimee Dixon
90 Marian Reilly (P)

ARREARS A lot owner (or their proxy) is not entitled to vote or stand for election to the Committee if fees or other amounts owing to the Owners Corporation are in arrears (s.94 and s.103(7) *Owners Corporation Act 2006*)
Except in the case of a payment in cash, an amount is only taken to be paid in full if it is paid not less than four business days before the vote (s.94(3) *Owners Corporation Act 2006*).

13 Ptolemys Map Pty Ltd
14 Ptolemys Map Pty Ltd
32 Mr I Jay
84 Ms C A Santo

APOLOGIES Nil

IN ATTENDANCE Ben Harewood – Select Strata Communities
Shaun O’Connell – Select Strata Communities
Stuart Mellington – Select Strata Communities
John Herniman – Herniman Group

2. Quorum

Pursuant to Owners Corporation Act 2006, Part 4, Section 77, a quorum did exist with 66 lots of 92 represented.

3. Chairperson

Ben Harewood was nominated to chair the meeting

Judelle Scheer moved that the voting be held via poll requiring a written vote and recorded according to units of entitlement. Seconded by Meredith Doig

Proposals presented to the members:

Item 4: Minutes

Proposed Resolution: *That the resolutions by paragraphs numbered paragraph 9 (Long Term Maintenance Plan), paragraph 10 (Contributions – Administrative Fund and Maintenance Fund), and paragraph 13 (Delegation of Powers to the Committee) as recorded in the minutes of the Annual General Meeting held 4 November 2021 **be revoked.***

Result via poll of owners according to units of entitlement.

In favour: 23 – 25.8% UOE

Opposed: 38 – 42.0% UOE

Motion Failed

Item 5: Long Term Maintenance Plan

Proposed Resolution: That a sub-committee be established to determine an appropriate program and process to prepare an updated LTMP to be completed before 30 June 2023.

Result via poll of owners according to units of entitlement.

In favour: 24 – 27.1% UOE

Opposed: 37 – 40.7% UOE

Motion Failed

Item 6: Special Levy for Works to 3 Ardoch Avenue

Proposed Resolution: That necessary repair works to 3 Ardoch Avenue be funded by a special levy on all members and the amount be determined and implemented as soon as sufficient planned, engineers and costed information is available.

Result via poll of owners according to units of entitlement.

In favour: 17 – 18.8% UOE

Opposed: 44 – 48.9% UOE

Motion Failed

Item 7: Contributions – Administration Fund and Maintenance Fund

Proposed Resolution: That approval of the maintenance fund component of the Proposed Contributions as tabled at the 2021 AGM **be amended** to the maintenance fund contributions according to the continuing and previously approved LTMP (2019).

Result via poll of owners according to units of entitlement.

In favour: 19 – 21.6% UOE

Opposed: 42 – 46.1% UOE

Motion Failed

Item 8: Committee and Secretary Appointments

Proposed Resolution: By this resolution, the Owners Corporation hereby appoints the Owners Corporations Manager as Secretary of the Owners Corporation.

This item was struck from the Agenda as the Owner's Corporation Act and Amendments 2021 states explicitly.

S. 107 amended by Nos 2/2008 s. 17, 1/2010 s. 35 (ILA s. 39B(1)).

107 Secretary of committee

*(1) The members of the committee **must** appoint a member of the committee or the manager of the owners corporation to be the secretary of the committee.*

As the Act states that the committee is solely responsible for appointment of office bearers it was determined this resolution could not proceed

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Item 9: Delegation of Powers to the Committee

Proposed Resolution: *By this resolution, the Owners Corporation hereby delegates all its powers and functions other than:*

- a) a power or function that requires a unanimous resolution*
 - b) a power or function that requires a special resolution*
 - c) the power to raise a special levy*
 - ~~*d) the power to remove or appoint an owner's corporation manager*~~
 - ~~*e) the power to remove or appoint the Secretary of the Owners Corporation*~~
 - f) the power to approve or modify a Long Term Maintenance Plan*
- to the committee and that a resolution of the committee made in respect of any other matter has the effect of a resolution of the Owners Corporation.*

Items (d) & (e) were struck from the resolution due to being inconsistent with the law as stated in the Owner's Corporation Act and Amendments 2021.

Result via poll of owners according to units of entitlement.

In favour: 21 – 23.5% UOE

Opposed: 40 – 44.2% UOE

Motion Failed

Item 10: General Business

The petitioners moved for the meeting to be closed and no further business brought.

Meeting closed at 7.50pm

Please note due to the results from the SGM recorded here, all resolutions made at the AGM on the 4th of November are now formal resolutions of the Owner's Corporation for Ardoch Village.

Signed as a record of the meeting:

Ben Harewood



Owner's Corporation Manager