

OWNERS CORPORATION PLAN 2470

162 POWER STREET, HAWTHORN

MINUTES

Minutes of the Special General Meeting of Owners Corporation Plan No.2470 held on Thursday 27 March 2008 at Unit 7, 162 Power St., Hawthorn commencing at 7.30 pm

No. Description

1 Attendees

Unit 1	Nan Durance	Proxy to Zofia Sagala
Unit 2	Sue Bowman	✓
Unit 3	Zofia & Norbet Sagala	✓
Unit 4	Amanda Dymond	✓
Unit 5	Margaret Wallis	✓
Unit 6	Simon McDonald	Proxy to Russell Dawe
Unit 7	Sisters of Mercy Melbourne Congregation	Proxy to Robyn Lawrence
Unit 8	Joyce Grimshaw	Proxy to Russell Dawe
Unit 9	Sisters of Mercy Melbourne Congregation	Proxy to Robyn Lawrence
Unit 10	Elizabeth Dawe	✓
Unit 11	Anthony Lewis	✓
Unit 12	Carl & Angela Chen	Proxy to Russell Dawe
By invitation		Sr Maureen McManus Sr Rosemary Duck

2 Chairperson (record who was elected/authorised to chair the meeting)
Russell Dawe was elected to take the chair

3 Minute taker (record who was authorised to take minutes)
Anthony Lewis and Russell Dawe were authorised to take minutes

4 Apologies
Carl & Angela Chen (in Singapore) Nan Durance
Simon McDonald Beth Calthorp
Joyce Grimshaw

5 Proxies:
as indicated above

6 Entitlement to vote
It was noted that all attending the meeting either in person or by proxy were entitled to vote.

7 Quorum
It was declared that a quorum was present

8 As a Special General Meeting there were no minutes of Previous Meeting to be reviewed by the meeting

9 **Management of the Owners Corporation**

Russell outlined the changes to the management of Owners Corporations, as they are now known, under the recently introduced Owners Corporations Act 2006, and the perceived consequences of that legislative change to the 162 Power St, Plan 2470 Owners Corporation. He also outlined the

- concerns of the Committee to the contract proposed for the forthcoming period by Melbourne Body Corporate Management (Hawthorn) (MBCM), in particular indicating the duties which the manager would undertake within their proposed fee, the duties which they indicated they would not undertake, and the list of activities for which they

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would charge.

- The unequal terms for termination of the proposed contract- immediate and without any specific or given reason my MBCMH, whereas the Owners Corporation would be required to give 28 days notice and could only terminate the contract at its anniversary date
- The levels of indemnity to MBCMH being required of the Owners Corporation
- Concerns over the financial management and planning which had been shown by MBCMH in terms of invoicing 2008 first half year contributions and proposed budget items.

It was noted that the Committee had reviewed the proposed contract, duties and consequential requirements and obligations of the Owners Corporation and, in particular, its Committee. It had obtained legal advice on the proposed contract and had discussed its issues with an officer of the Consumer Affairs Department (the responsible government department). It had also investigated the possibility of appointing an alternate organisation as manager of the Owners Corporation for the next 12 months.

The Committee recommended that the contract proposed by MBCMH not be accepted.

It was resolved:

1. That Melbourne Body Corporate Management Hawthorn be terminated as managing agent as from the soonest possible date allowed for under the existing contract
Moved R Dawe, Seconded R. Lawrence. (12/0/0¹)
2. That for the coming twelve months that a Manager for the Owners Corporation not be appointed and that the Committee be authorised to undertake all such activities as may be necessary for the management of the Owners Corporation
Moved R Dawe, Seconded Z. Sagala. (11/1/0)
3. That the Committee be authorised to establish and operate, with dual signatories, a bank account on behalf of the Owners Corporation; and
that, as the committee may see as appropriate and/or necessary, that a firm of accountants be retained to assist the committee in carrying out its functions; and
that, as the committee may see as appropriate and/or necessary, that a firm of solicitors be retained to assist the committee in carrying out its functions; and
that the common seal of the Owners Corporation be authorised to be affixed to delegations consequent upon the meeting's decisions
Moved R Dawe, Seconded R. Lawrence. (11/0/1)

It was noted that the Annual General Meeting would be held shortly. Sr Maureen McManus was thanked for her hospitality for the meeting.

There being no other business for the Special General Meeting, the meeting closed at 8:15pm.

Signed by the Chairperson

Date

¹ Voting figures shown as Votes for / Votes against / Abstentions.