

Waterways Owners Corporation – Committee



Committee Minutes

Date: Wednesday 15th January 2020

Time: 7.30 PM

Place: Ace Body Corporate Offices, 222 Beach Rd Mordialloc 3195

1. Procedural Meeting Commencement

1.1. Attendance

Expected: Rob Cocks, David Flew, Craig Whatman, Marita Anderson, Tuan Do

Apologies: Tim De La Zilwa, Fred Alale,

In Attendance: Julie McLean representing Ace Body Corporate

1.2. Appointment of Chairperson and minute taker of the meeting.

Chairperson: David Flew

Minutes: Julie McLean

1.3. Entitlement to Vote & Quorum Declaration

As there was 5 out of 7 either in person or by proxy a quorum was present. All members present were entitled to vote.

1.4 Acknowledgements

It was acknowledged that Tim De La Zilwa has been deployed to assist in the bush fire recovery process.

2. Special Business

2.1. Correspondence from Bardsley & Alexander

The committee acknowledges receipt of the letter and confirms that the committee has always acted in good faith and is committed to complying with the relevant laws and available mechanisms provided by the Owners Corporation Act 2006, Subdivision Act 1988, the VCAT Act 1998 and associated regulations.

The Committee discussed the legal advice received in respect of this issue, which contains conflicting opinions regarding the OC's power to fund community events from OC funds. However, in the interests of resolving this matter and seeking a practical way forward, the Committee decided that all future approvals for community event funding will require a special resolution under section 12 of the OC Act and as a result future Waterways Festivals will not be funded until a special resolution is obtained by ballot. A letter of response to be sent.

2.2. Request for additional motions to be considered at AGM

The committee has received two requests for motions to be put on the AGM agenda for winding up of the OC and a CCTV proposal.

It was agreed that the motions will be included as requested and that the proceedings on the night would allow for a debate with the following rules:

- The speaker for the motion can speak up to 10 mins
- Up to 3 speakers supporting the motion for 3 mins each
- Up to 3 speakers against the motion for 3 mins each
- The motion will then be put to the meeting

2.2.1. Winding up of OC

Ordinary Resolution: That the owners corporation undertake a ballot seeking a special resolution to commence VCAT proceedings to wind up the owners corporation.

2.2.2. CCTV

Ordinary Resolution: That the owners corporation undertake a ballot seeking a special resolution to provide funding in support of the CCTV proposal prepared by the Waterways Neighbourhood Watch group.

It was agreed that the speakers be notified of the format and proposed resolutions. It was also confirmed

Chairperson:

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that the speakers can prepare a written statement that will be circulated with the Agenda. Letters of response will be sent to the members who have requested the relevant motions.

3. Meeting closed at 9pm next Meeting – 5th February if required

Chairperson:



Date:

27-1-20