

From: [Andy Doves](#)
To: [Alexander Jock](#); [Blake John](#); [Day Fiona](#); [Glover Kaye](#); [John & Barb \(QuayN\) Mandile](#)
(johnandbarb125@gmail.com); [Mathew Christine](#); [McLean Darren](#)
Cc: ["QUAYS"](#)
Bcc: [REDACTED]
Subject: Minutes of 2022 AGM
Date: Monday, 4 July 2022 14:39:00

TO: The Secretary, Emerald Lakes - The Quays

Thank you for the minutes of the AGM held on 16 June 2022. Unfortunately there are a number of inaccuracies in these minutes.

1. MEETING LOCATION - the meeting was not held at 3108 The Boulevard, Carrara, Qld, 4211 which is a block of low-rise apartments directly opposite the Chairman's residence. The meeting was held at 3030 The Boulevard, Carrara, Qld 4211

2. LOTS REPRESENTED

- a) Lot 3006 - Sue Doves and Andy Doves are joint owners of this lot and both were present at the meeting, not just Sue Doves.
- b) Lot 3030 - Dennis Waterford was present at the meeting.

3. MOTION 3, Motion to Amend, Explanatory Note.

- a) The minutes state: *"The statutory audit motion of AGM 2021 failed to carry."* This is incorrect as it was the **statutory non-audit motion** that failed to carry as follows.

"3. NON-AUDIT OF ACCOUNTS SPECIAL RESOLUTION

That the body corporate statement of accounts for the period ending 31 March 2022 not be audited.

Motion Lost Yes 6 No 55 Abstain 4"

Which of course means that for Motion 3, 55 owners voted for an audit of the FY22 statement of accounts.

- b) The minutes in full state: *"The statutory audit (sic) motion of AGM 2021 failed to carry. This amendment seeks to include an additional prior year by amending the same statutory motion of the 22/23 financial year."*

This is exactly how I recall the Motion to Amend proposed on behalf of the committee by the Chairman - that is, the amendment was to audit accounts for the two year period ending 31/3/23 and was not about appointing auditors.

There is no doubt that the "statutory audit (sic) motion of AGM 2021" is Motion 3 and that the "amending the same statutory motion of the 22/23 financial year" must also refer to Motion 3 of AGM 2022.

However, the minutes continue to further state:

"Procedural Motion to amend Motion 4 Ordinary Resolution Raised at the Meeting - Submitted by Committee

THAT Tracey Adam of Dickfos Dunn Adam Chartered Accountants be appointed to audit the body corporate statement of accounts for the 01 April 21 - 31 March 2023 financial years."

This is clearly incorrect as the Motion to Amend was in respect to Motion 3 of both AGMs; that is about non-audit versus audit, and not in respect to Motion 4 which is about appointing auditors.

(As a further indication of the above mentioned error you will recall that of those 7 that were asked to vote, two or three were extremely confused voting for the Motion to Amend and this caused some hilarity at the meeting. People don't get mixed up voting Yes/No for the auditor, but they do when voting YES/NO for a non-audit, as was demonstrated by Mr Grau and the others in regard to

their voting on the Motion to Amend.)

NB:

1. For the committee to submit a Motion to Amend it must have voted on and passed a resolution to do so. Please forward a copy to all owners of this VOCM as a matter of urgency.

2. The Chairman noted that the meeting was being recorded. Please have this recording checked independently to verify the meeting minutes. Please also ensure that this audio recording which is a body corporate record, is kept securely and be available for the BCCM as required.

4. VOTING ON THE MOTION TO AMEND

Of all the 18 lot owners present, only the 7 who were voting from the floor were asked to vote on the Motion to Amend. The rest of the owners present, including my wife and I, were not asked to vote and/or to change our already cast hard copy or electronic vote on the original motion.

Yet, all 18 owners listed as present were counted as voting in favour of the amendment as per the minutes. Neither my wife or I would have voted for such an amendment under any circumstances.

Although the Motion to Amend was lost it is still a requirement that "full and accurate minutes are taken" and in this instance the voting figures as recorded are not an accurate record of the voting as it occurred.

In fact, had the result of voting on the Motion to Amend been declared at the meeting as required under s104 of the Accommodation Regulation, then this confusion and error would have been avoided.

Again, the audio recording of the meeting can be used independently to verify the voting at the meeting.

Andy Doves
Owner Lot 3006

Bcc'd to others for record purposes

From: QUAYS <QUAYS@valuestrata.com.au>
Sent: Sunday, 3 July 2022 12:50
To: VALUE STRATA <QUAYS@valuestrata.com.au>
Subject: Minutes of 2022 AGM

Dear Quays Lot Owner

Please find the attached copy of the minutes of your 2022 AGM.

Kind regards
Mike Murray - BCM



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