

From: [Andy Doves](#)
To: [Alexander Jock](#); [Blake John](#); [Day Fiona](#); [Glover Kaye](#); [John & Barb \(QuayN\) Mandile](#)
[\(johnandbarb125@gmail.com\)](#); [Mathew Christine](#); [McLean Darren](#)
Bcc: [REDACTED]
Subject: Minutes, VOCM, Breaches
Date: Monday, 14 November 2022 10:15:00

THE COMMITTEE, EMERALD LAKES – THE QUAYS

Thank you for the committee meeting minutes, the VOCM and the Caretaker's report.
 The change to the character of the minutes is noted and appreciated, as is the receipt of the committee's first voluntarily sent VOCM in 15 months.
 Nevertheless, there are issues of which you should be aware.

The Minutes

1. The words "and other lot owners with and without notice." are gratuitous and somewhat insulting to those owners attending, who at the committee's request, registered their presence in writing at the meeting.
2. It is also a breach of the AM Regulation 2020 to not name persons present and the capacity in which they attend the meeting. Please see the below extract of s63, (6), (b).

AM Regulation s63

(6) In this section—

full and accurate minutes, of a meeting, means minutes that include all of the following information—

(b) the names of persons present and details of the capacity in which they attended the meeting;

The VOCM

1. It appears that all 7 committee members were given notice of the VOCM but only 5 voted. However, the 5 are not named as required by the AM Regulation 2020 s63, "record of motions means a record-", (d) (i). Please see the below extract.

AM Regulation s63

record of motions means a record—

(d) if the motion was voted on, that includes—

(i) the names of the committee members who voted on the motion; and

(ii) the number of votes for and against the motion.

I am sure Owners would be most grateful if you would correct these irregularities ASAP.

Breaches of the AM Regulation 2020 and BC&CM Act 1997, together "the Regulations"

Just as you have found with the 21/22 Financials all the errors have to be corrected so that the records and the annual financial statements comply with **the Regulations**.

The same applies to breaches of **the Regulations**. Unless the breaches are corrected The Quays will remain non-compliant.

I have mentioned many breaches to the committee and as far as I am aware, none have been corrected - except possibly the yet-to-be-seen audited and corrected 21/22 financials, subject to Owners receiving and voting on them of course.

As well the obvious breaches of **the Regulations** I have also mentioned numerous times the consequent breaches of our obligation under our Insurance Policy General Conditions Clause - "to comply with any law, by-law, Australian Standard or regulation of any Government or Local Government body. We will not be liable for loss, destruction, damage, liability, accidental injury or illness caused or contributed to by your failure to comply with any of the above conditions."

While ever we have breaches on record, we will not be covered under our insurance policy and there is also the probability that our annual declaration to the insurer was not factually correct.

Regards
Andy Doves
Owner Lot 3006

Bcc'd to others for record purposes

From: VALUE STRATA <admin@valuestrata.com.au>
Sent: Saturday, 12 November 2022 16:42
To: VALUE STRATA <QUAYS@valuestrata.com.au>
Subject: Minutes of Meeting

Dear Quays Owner

Please find attached minutes of the most recent committee meeting, a vote outside committee and the caretakers report.

Kind regards
Mike Murray - BCM



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