

From: Andy Doves
To: "Glover, Kaye"; "Mandile, Barbara"; McKnight, Ron; Gray, Lindsay
Subject: RE: EMERALD LAKES - THE QUAYS CTS 33891 - Minutes of Motions Voted on Outside a Committee Meeting on 29 January 2024
Date: Tuesday, 20 August 2024 10:00:00
Attachments: image001.png

Dear Committee
Oh boy! Déjà vu!

Last time: 29 Jan 2024
Please see the below email which notes that a vote of 2 was not a majority of 4 at a meeting held on 29 January 2024. Original minutes were issued on 9/2/24 and revised minutes were issued on 22 February 2024.
BTW – the revised minutes were issued w/o explanation but were issued on the basis that the Owner of Lot 3100 who was noted in the original minutes "as having chosen not to vote on Motions 2, 4, 6 & 8" suddenly did have her votes recorded on those items!

As a result, I wrote to dear Tania on 27/2/24
"Are you seriously wanting Owners to believe that the statement - "The Owner of Lot 3100 chose not to vote on Motions 2, 4, 6 & 8" which was specifically and exclusively contained in the first set of minutes, was a typographical error or a figment of a vote counter's imagination?
Owners deserve to be treated with respect and not regarded as fools. Please give us full disclosure and a forthright explanation and not an unbelievable one that reflects badly on the credibility of all involved in the issue of the amended minutes of motions."

This time: 9 Aug 2024
Motion 2 – minutes issued today record that 4 members were present and entitled to vote but only 2 out of 4 voted for the motion. Unfortunately - 2 is still not a majority of 4. Come on guys – quorums and majority votes are Body Corporate Management 101.

If you had a real committee meeting, which is already paid for BTW, then a dozen owners would have told you the vote was wrong. Meanwhile you have a VOCM, which costs I know not what, in complete isolation, and in ignorance of what a majority vote is. And Stansure who charge for VOCMs are no help whatsoever even after the January experience.

Why do we continue to pay for incompetence? The list of Stansure's incompetencies just keeps growing.

Regards
Andy Doves
Owner Lot 3006
"Give me a BCM to do the job properly and a committee that knows when they don't!"

From: Andy Doves <dovesadd@bigpond.com>
Sent: Monday, February 12, 2024 3:26 PM
To: Glover, Kaye <kaye.glover@bigpond.com>; Jeff Revell <jkrevell@bigpond.com>; Lane, Marianne <marianne.lane@bigpond.com>; Mandile, Barbara <johnandbarb125@gmail.com>; Newlyn, Lorraine <lnewlyn@bigpond.com>
Subject: FW: EMERALD LAKES - THE QUAYS CTS 33891 - Minutes of Motions Voted on Outside a Committee Meeting on 29 January 2024

Dear Committee
On Friday 9/1/24 I received from Stansure: MINUTES OF MOTIONS VOTED ON AT A VOCM HELD MONDAY 29 JANAUARY 2024, as attached.
Given that only voting members of the committee were represented I am writing to you, and not Stansure who apparently have only distributed the minutes.

My concern is that the minutes record motions 2 and 8 as carried with 2 votes. (Noted that Kaye Glover was unfinancial and ineligible to vote as per s56(1) leaving 4 voting members present and entitled to vote.)
Can anyone please explain to me and other Owners how those two motions were carried, given that 2 votes are not a majority of 4; 4 being the number of voting members present and entitled to vote.

A SAMPLE OF SOME SUPPORTING REFERENCES

www.qld.gov.au/law states:

"A motion is passed at a committee meeting if a majority of voting members present and entitled to vote are voting in favour of the motion. If there is a tied vote, the motion is lost.

A committee member is considered present if they attend the meeting personally, by proxy or by electronic means (if authorised by the committee).

For example, if there are 7 voting members present, a majority is 4 members. If there are 6 voting members present, 4 votes will still be needed to pass a motion."

https://www.flatchat.com.au/topic/how-to-settle-a-tied-vote-for-a-motion/ states:

"A 2 -2 vote fails by definition because there was no majority. A tied vote means a motion fails."

https://smartstrata.com/valid-committee-decisions/Passing the motion states:

"The motion is decided if:

- a majority of the voting members of the committee entitled to vote on the motion (and not just a majority of those who return a vote) agree to the motion."

https://abcm.com.au/news/valid-committee-decisions/

Passing the motion

A motion is passed at a committee meeting if a majority of voting members present and entitled to vote are voting in favour of the motion. If there is a tied vote, the motion is lost.

A committee member is considered present if they attend the meeting personally, by proxy or by electronic means (if authorised by the committee).

For example, if there are 7 voting members present, a majority is 4 members. If there are 6 voting members present, 4 votes will still be needed to pass a motion.

Hynes Legal states:

"Committee members can vote on issues and pass motions without holding a physical committee meeting. The regulation module which applies to the scheme determines the applicable rules.

Such votes are usually referred to as 'flying minutes' or a 'VOC' (a vote outside committee).

Some general rules for such votes are:

- The motion must usually be in writing and given to all committee members.
- The motion must be passed by a simple majority."

BCCM (Accommodation Module) Regulation 2020 s57(2) states:

"a motion is decided by a majority of votes of the voting members present and entitled to vote on the motion who are voting."

Regards
Andy Doves
Owner Lot 3006

From: Stansure Strata <theteam@stansurestrata.com.au>
Sent: Friday, February 9, 2024 12:43 PM
To: dovesadd@bigpond.com
Subject: EMERALD LAKES - THE QUAYS CTS 33891 - Minutes of Motions Voted on Outside a Committee Meeting on 29 January 2024

Dear Owner,

Please find attached correspondence for your attention.

Kind regards

Stansure Strata

On behalf of your Strata Management Team



Brisbane

07 3359 9877
PO Box 184
Kedron 4031

Bundaberg

07 4153 4033
PO Box 2224
Bundaberg 4670

Rockhampton

07 4927 1720
PO Box 2224
Bundaberg 4670

Gold Coast

07 5531 6333
PO Box 6365
GCMC 9726

Townsville

07 4453 0043
PO Box 281
Townsville 4812

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