



MINUTES OF PBC ANNUAL GENERAL MEETING for Sanctuary Cove Principal Body Corporate GTP 202

Location of meeting: Meeting Room 1, Body Corporate Services Office
Masthead Way, Sanctuary Cove QLD 4212

Date and time of meeting: Monday 11th December 2023

Meeting time: 11:00AM – 11:40AM

Chairperson: Mr Stuart Shakespeare

ATTENDANCE

The following members were Present in Person at the meeting:

Lot: Alyxia GTP 107456 Owner: Alyxia GTP 107456 Rep: Mr Stephen Anderson
Lot: Alphitonia GTP 107509 Owner: Alphitonia GTP 107509 Rep: Mr Stephen Anderson
Lot: Justicia GTP 107472 Owner: Justicia GTP 107472 Rep: Mr Stephen Anderson
Lot: Araucaria GTP 1790 Owner: Araucaria GTP 1790 Rep: Mrs Caroline Tolmie
Lot: Banksia Lakes GTP 107278 Owner: Banksia Lakes GTP 107278 Rep: Mr Andrew Brown
Lot: Bauhinia GTP 1701 Owner: Bauhinia GTP 1701 Rep: Mr Richard Sherman
Lot: Caladenia GTP 107399 Owner: Caladenia GTP 107399 Rep: Mr Tony McGinty
Lot: Cassia GTP 1702 Owner: Cassia GTP 1702 Rep: Mr Peter Cohen
Lot: Darwinia GTP: 107488 Owner: Darwinia GTP 107488 Rep: Mrs Jane Burke
Lot: Felicia GTP 107128 Owner: Felicia GTP 107128 Rep: Mr Stuart Shakespeare
Lot: Harpullia GTP 107045 Owner: Harpullia GTP 107045 Rep: Mr Paul Kernaghan
Lot: Livingstonia GTP 1712 Owner: Livingstonia GTP 1712 Rep: Mr Brian Earp
Lot: Plumeria GTP 2207 Owner: Plumeria GTP 2207 Rep: Mr Nicholas Eisenhut
Lot: Roystonia GTP 1769 Owner: Roystonia GTP 1769 Rep: Mrs Cheryl McBride
Lot: Schotia Island GTP 107106 Owner Schotia Island GTP 107106 Rep: Mr Wayne Bastion
Lot: Tristania GTP 107217 Owner: Tristania GTP 107217 Rep: Mr Mark Winfield
Lot: Washingtonia GTP 1703 Owner: Washingtonia GTP 1703 Rep: Mr Tony Ellingford
Lot: Woodsia GTP 107353 Owner: Woodsia GTP 107353 Rep: Mr Gary Peat
Lot: 20 Owner: Mulpha Sanctuary Cove (Developments) Pty Limited Rep: Stephen Anderson
Lot: 81 Owner: Mulpha Sanctuary Cove (Developments) Pty Limited Rep: Stephen Anderson
Lot: 83 Owner: Mulpha Sanctuary Cove (Developments) Pty Limited Rep: Mr Mick McDonald

The following members present In Person and by Voting Paper:

Lot: Plumeria GTP 2207 Owner: Plumeria GTP 2207 Rep: Mr Nicholas Eisenhut
Lot: Washingtonia GTP 1703 Owner: Washingtonia GTP1703 Rep: Mr Tony Ellingford
Lot: 83 Owner: Mulpha Sanctuary Cove (Developments) Pty Limited Rep: Mr Mick McDonald

The following members present by Voting Paper:

Lot: Adelia GTP 107360 Owner: Adelia GTP 107360 Rep: Mr Gary Simmons
Lot: Fuschia GTP 107432 Owner: Fuschia GTP 107432 Rep: Mr Nabil Issa
Lot: Colvillia GTP 2504 Owner: Colvillia GTP 2504 Rep: Mr Robert Nolan
Lot: Alpinia GTP 107209 Owner: Alpinia GTP 107209 Rep: Mrs Dianne Taylor

The following members present by Proxy:

Lot: Corymbia GTP 107406 Owner: Corymbia GTP 107406 Rep: Mrs Shawlene Nefdt to Mrs Cheryl McBride

Present by Invitation:

Mr Dale St George, PBC Secretary
Mrs Jodie Syrett, Manager of Body Corporate, SCBC

Apologies:

Mr Gary Simmons
Mr Nabil Issa
Mr Robert Nolan
Mrs Dianne Taylor
Mrs Shawlene Nefdt
Mr Michael Longes
Mr Peter Game

Quorum

The Secretary declared a quorum was present.

No conflict of interest declared by members of the meeting.

The meeting agreed to appoint Mr Stuart Shakespeare as the Chairperson for the December 2023 PBC AGM.

MOTIONS

1 Financial Statements Year Ending 31 October 2023 CARRIED

Proposed by: the Chairperson

That the Principal Body Corporate:

(a) accepts that the body corporate is a non-reporting entity and that to the best of the knowledge and belief of the Members of the body corporate, would remain so in the current financial year; and

| | |
|---------|----|
| Yes | 25 |
| No | 0 |
| Abstain | 1 |

(b) approves and adopts the audited Statements of Income and Expenditure for the year ending 31 October 2023 showing a deficit of \$1,063,411.06 in the Administration Fund and a deficit of \$2,562,619.14 in the Sinking Fund, together with the Statement of Assets and Liabilities as at 31 October 2023 showing total Net Assets (accumulated funds) of \$7,132,860.34.

Note:

The PBC Administrative Fund Balance year ending 31 October 2023 is \$806,104.11 given the carried forward balance of \$1,869,515.17 from the previous year. The PBC Sinking Fund Balance year ending 31 October 2023 is \$6,326,756.23

| Members Name | Yes | No | Abstain | Members Name | Yes | No | Abstain |
|---------------|-----|----|---------|-----------------|-----|----|---------|
| Acacia | | | | Fuschia | X | | |
| Adelia | X | | | Justicia | X | | |
| Alpinia | X | | | Harpullia | X | | |
| Alyxia | X | | | Livingstonia | X | | |
| Alphitonia | X | | | Molinia | | | |
| Araucaria | X | | | Plumeria | X | | |
| Ardisia | | | | Roystonia | X | | |
| Banksia Lakes | X | | | Schotia Island | X | | |
| Bauhinia | X | | | Tristania | X | | |
| Caladenia | X | | | Washingtonia | | | X |
| Cassia | X | | | Woodsia | X | | |
| Colvillia | X | | | Zieria | | | |
| Corymbia | X | | | MSCD Lot 20 (S) | X | | |
| Darwinia | X | | | MSCD Lot 81 (S) | X | | |
| Felicia | X | | | MSCD Lot 83 (M) | X | | |

2 No Appointment of Auditor DEFEATED

Proposed by: Statutory Motion

That pursuant to Section 27(5) of the Sanctuary Cove Resort Act 1985, and in accordance with the provisions of Part 2 of the Second Schedule Sections 1(5A), 1(5B) and 1(5C) of the Building Units and Group Titles Act 1980 the accounts of the body corporate relating to the financial year ending 31 October 2024 not be audited.

| | |
|---------|----|
| Yes | 1 |
| No | 24 |
| Abstain | 1 |

Please note: If you want the accounts to be audited, vote NO.

| Members Name | Yes | No | Abstain | Members Name | Yes | No | Abstain |
|---------------|-----|----|---------|-----------------|-----|----|---------|
| Acacia | | | | Fuschia | | X | |
| Adelia | | X | | Justicia | | X | |
| Alpinia | X | | | Harpullia | | X | |
| Alyxia | | X | | Livingstonia | | X | |
| Alphitonia | | X | | Molinia | | | |
| Araucaria | | X | | Plumeria | | X | |
| Ardisia | | | | Roystonia | | X | |
| Banksia Lakes | | X | | Schotia Island | | X | |
| Bauhinia | | X | | Tristania | | X | |
| Caladenia | | X | | Washingtonia | | X | |
| Cassia | | X | | Woodsia | | X | |
| Colvillia | | | X | Zieria | | | |
| Corymbia | | X | | MSCD Lot 20 (S) | | X | |
| Darwinia | | X | | MSCD Lot 81 (S) | | X | |
| Felicia | | X | | MSCD Lot 83 (M) | | X | |

Proposed by: Statutory Motion

That pursuant to Section 27(5) of the Sanctuary Cove Resort Act 1985 and Part 2 of the Second Schedule Section 1(5) (ba) of the Building Units and Group Titles Act 1980, auditors PKF Chartered Accountants to conduct the audit of the body corporate financial records for the financial year ending 31 October 2024 at a cost of \$4,906 inc GST.

| | |
|---------|----|
| Yes | 25 |
| No | 0 |
| Abstain | 1 |

Note: Price has increased \$445 from last year.

| Members Name | Yes | No | Abstain | Members Name | Yes | No | Abstain |
|---------------|-----|----|---------|-----------------|-----|----|---------|
| Acacia | | | | Fuschia | | | X |
| Adelia | X | | | Justicia | X | | |
| Alpinia | X | | | Harpullia | X | | |
| Alyxia | X | | | Livingstonia | X | | |
| Alphitonia | X | | | Molinia | | | |
| Araucaria | X | | | Plumeria | X | | |
| Ardisia | | | | Roystonia | X | | |
| Banksia Lakes | X | | | Schotia Island | X | | |
| Bauhinia | X | | | Tristania | X | | |
| Caladenia | X | | | Washingtonia | X | | |
| Cassia | X | | | Woodsia | X | | |
| Colvillia | X | | | Zieria | | | |
| Corymbia | X | | | MSCD Lot 20 (S) | X | | |
| Darwinia | X | | | MSCD Lot 81 (S) | X | | |
| Felicia | X | | | MSCD Lot 83 (M) | X | | |

Proposed by: the Chairperson

Preamble In order for the PBC to better control escalating legal expenditure as evident in the budget for 2024 estimated to be \$150k (an increase of 114%) and to effectively respond to urgent legal matters, the following resolution is proposed.

| | |
|---------|----|
| Yes | 16 |
| No | 10 |
| Abstain | 0 |

Note: This is a revision of Motion 4 passed September 2021.

RESOLVED That the PBC, noting the recommendation of the PBC EC, agrees that, in accordance with its Terms of Reference and Clauses 3.3 and 4.1 of the Administration and Management Agreement 2022, the Manager will not initiate the commissioning of any legal advice on, site wide PBC or PBC EC related matters without the authorisation of the PBC EC. In seeking approval from the EC for such commissioning, the Manager will provide to and seek comments from the EC members in relation to the detailed briefing to be given to the legal advisors. For avoidance of doubt, legal advice sought on any matter that will be paid for using PBC funds and impact the PBC budget is included in this resolution.

Note Below are authorisation limits. Compliance means any expenditure above referral's to BCCM or QCAT that will require legal advice.

\$ amounts below are cumulative.

\$ 0 to \$5k CEO (Routine i.e. Debtors and Compliance)

\$5k - \$15k CEO and PBC Chairperson

\$15k - \$50k CEO PBC Chairperson and Treasurer

\$50k to budgeted amount, Full EC

\$ Over budget, PBC

| Members Name | Yes | No | Abstain | Members Name | Yes | No | Abstain |
|---------------|-----|----|---------|-----------------|-----|----|---------|
| Acacia | | | | Fuschia | X | | |
| Adelia | X | | | Justicia | | X | |
| Alpinia | X | | | Harpullia | X | | |
| Alyxia | | X | | Livingstonia | X | | |
| Alphitonia | | X | | Molinia | | | |
| Araucaria | | X | | Plumeria | X | | |
| Ardisia | | | | Roystonia | X | | |
| Banksia Lakes | X | | | Schotia Island | | X | |
| Bauhinia | X | | | Tristania | | X | |
| Caladenia | | X | | Washingtonia | X | | |
| Cassia | X | | | Woodsia | X | | |
| Colvillia | X | | | Zieria | | | |
| Corymbia | X | | | MSCD Lot 20 (S) | | X | |
| Darwinia | X | | | MSCD Lot 81 (S) | | X | |
| Felicia | X | | | MSCD Lot 83 (M) | | X | |

Proposed by: Statutory Motion

That the PBC accepts moving the renewal date for Insurance from 31/01/2024 to 31/12/2023. The PBC will be credited for the unused portion of premium (January). By moving the renewal date, allows for a more cohesive delivery of renewal terms.

| | |
|---------|----|
| Yes | 26 |
| No | 0 |
| Abstain | 0 |

Note: The total cost for the Insurance Policy for 2023/2024 is \$299,960 which sees an increase of \$22,499. However, allowing a credit of \$21,949.43 for the month owing in January.

| Members Name | Yes | No | Abstain | Members Name | Yes | No | Abstain |
|---------------|-----|----|---------|-----------------|-----|----|---------|
| Acacia | | | | Fuschia | X | | |
| Adelia | X | | | Justicia | X | | |
| Alpinia | X | | | Harpullia | X | | |
| Alyxia | X | | | Livingstonia | X | | |
| Alphitonia | X | | | Molinia | | | |
| Araucaria | X | | | Plumeria | X | | |
| Ardisia | | | | Roystonia | X | | |
| Banksia Lakes | X | | | Schotia Island | X | | |
| Bauhinia | X | | | Tristania | X | | |
| Caladenia | X | | | Washingtonia | X | | |
| Cassia | X | | | Woodsia | X | | |
| Colvillia | X | | | Zieria | | | |
| Corymbia | X | | | MSCD Lot 20 (S) | X | | |
| Darwinia | X | | | MSCD Lot 81 (S) | X | | |
| Felicia | X | | | MSCD Lot 83 (M) | X | | |

ELECTION OF PBC EXECUTIVE COMMITTEE

As there were two (2) nominations received for the PBC Chairperson, a secret ballot was conducted to duly elect the Chairperson of the PBC Executive Committee. At the end of the count, the Chairperson advised the meeting of the results of the secret ballot, being:

- Mr Stuart Shakespeare 17 votes and Mr Mick McDonald 10 votes.

As only one (1) nomination was received for the position of Secretary, Mr Brian Earp was elected unopposed to the role of PBC Secretary at the meeting.

As only one (1) nomination was received for the position of Treasurer, Mr Anthony Ellingford was elected unopposed to the role of PBC Treasurer at the meeting.

As there were twelve (12) nominations received for the 4 (4) available Ordinary Committee Member on the PBC Executive Committee positions, a secret ballot was conducted to duly elect Ordinary Committee Members to the PBC Executive Committee. In accordance with Schedule 3, (9) of the

Sanctuary Cove Resort Act, the Chairperson delegated duties under Schedule 3, (9) (4) to the Secretary.

The secret ballot was conducted in view of all present at the meeting acting in the capacity of scrutineers.

At the end of the count, the Chairperson advised the meeting of the results of the secret ballot, being:
- Mr Nicholas Eisenhut 23 votes, Mrs Cheryl McBride 18 votes, Mr Peter Cohen 16 votes, Mr Paul Kernaghan 14 votes, Mr Tony McGinty 12 votes, Mr Stephen Anderson 11 votes, Mr Wayne Bastion 11 votes, Mr Mick McDonald 11 votes and Mr Mark Winfield 10 votes.

The following successful nominees are duly elected to their respective positions on the Principal Body Corporate Executive Committee as follows:

| | |
|----------------------------|-----------------------|
| <i>Chairman:</i> | Mr Stuart Shakespeare |
| <i>Secretary:</i> | Mr Brian Earp |
| <i>Treasurer:</i> | Mr Anthony Ellingford |
| <i>Executive Committee</i> | Mr Nicholas Eisenhut |
| | Mrs Cheryl McBride |
| | Mr Peter Cohen |
| | Mr Paul Kernaghan |

As only one (1) nomination was received from the floor for the PBC Members Nominee to the PTBC, Mr Stuart Shakespeare was duly appointed to the role.

GENERAL BUSINESS

MEETING CLOSED

Chairperson: 