



MINUTES OF PBC EXECUTIVE COMMITTEE MEETING

for Sanctuary Cove Principal Body Corporate GTP 202

Location of meeting:	Meeting Room 1, Body Corporate Services, Shop 1A, Masthead Way Sanctuary Cove
Date and time of meeting:	Thursday 7 th March 2024
Meeting time:	09:05AM – 1:17PM
Chairperson:	Stuart Shakespeare

Attendance

The following members were present in person at the meeting:

Lot: Cassia GTP 1702 Owner Cassia GTP 1702 Rep: Mr Peter Cohen (PC)

Lot: Felicia GTP 107128 Owner Felicia GTP 107128 Rep: Mr Stuart Shakespeare (SS)

Lot: Harpullia GTP 107045 Owner Harpullia GTP 107045 Rep: Mr Paul Kernaghan (PK) **arrived 9:18am**

Lot: Livingstonia GTP 1712 Owner Livingstonia GTP 1712 Rep: Mr Brian Earp (BE)

Lot: Roystonia GTP 1769 Owner Roystonia GTP 1769 Rep: Mrs Cheryl McBride (CM)

The following members were present by Proxy:

The following members were present by Voting Paper:

Lot: Plumeria GTP 2207 Owner Plumeria GTP 2207 Rep: Nicholas Eisenhut

Present by Invitation:

Mr Dale St George, CEO SCCSL – 9:52am to 10:32am

Mrs Brogan Watling, In-House Counsel – 11:19am to 1:17pm

Mrs Jodie Syrett, Manager Body Corporate (Minute Taker)

Apologies:

Mr Nicholas Eisenhut

Mr Tony Ellingford

A Quorum was present.

Meeting was recorded.

Nil Conflict of Interest

1. Motions:

1 Approval of Previous Minutes (Agenda Item 6.1) CARRIED

Proposed by: Statutory Motion

RESOLVED that the Minutes of the PBC Executive Committee Meeting held on 1st February 2024 be accepted as a true and correct record of the proceedings of the meeting.

Yes	5
No	0
Abstain	0

Members Name	Yes	No	Abstain
Stuart Shakespeare	X		
Peter Cohen	X		
Cheryl McBride	X		
Tony Ellingford			
Brian Earp	X		
Paul Kernaghan			
Nicholas Eisenhut	X		

2 Approval of VOC Minutes - ARC 12 February 2024 (Agenda Item 6.2) CARRIED

Proposed by: Statutory Motion

RESOLVED that the VOC Minutes of the PBC Executive Committee Meeting held on 12th February 2024 be accepted as a true and correct record of the proceedings of the meeting.

Yes	5
No	0
Abstain	0

Members Name	Yes	No	Abstain
Stuart Shakespeare	X		
Peter Cohen	X		
Cheryl McBride	X		
Tony Ellingford			
Brian Earp	X		
Paul Kernaghan			
Nicholas Eisenhut	X		

3 Approval of VOC Minutes – Landscaping 12 February 2024 (Agenda Item 6.3) CARRIED

Proposed by: Statutory Motion

RESOLVED that the VOC Minutes of the PBC Executive Committee Meeting held on 12th February 2024 be accepted as a true and correct record of the proceedings of the meeting.

Yes	5
No	0
Abstain	0

Members Name	Yes	No	Abstain
Stuart Shakespeare	X		
Peter Cohen	X		
Cheryl McBride	X		
Tony Ellingford			
Brian Earp	X		
Paul Kernaghan			
Nicholas Eisenhut	X		

4 Approval of FSC Minutes 23 February 2024 (Agenda Item 6.4) CARRIED

Proposed by: Statutory Motion

RESOLVED that the FSC Minutes held on 23rd February 2024 be accepted as a true and correct record of the proceedings of the meeting.

Yes	4
No	0
Abstain	2

NOTE: Harpullia noted a concern with water and leaking infrastructure.

Members Name	Yes	No	Abstain
Stuart Shakespeare	X		
Peter Cohen			X
Cheryl McBride	X		
Tony Ellingford			
Brian Earp	X		
Paul Kernaghan	X		
Nicholas Eisenhut			X

5 Body Corporate – Matters in Progress (Agenda Item 6.5)

CARRIED

Proposed by: Statutory Motion

RESOLVED that the PBC EC notes the Matters in Progress Report January 2024/February 2024 as tabled and provides an instruction to the Body Corporate Manager to remove items (as detailed at the meeting)

Yes	6
No	0
Abstain	0

NOTE:

316 Stage 2 DCBLs – Chairperson advised the objective is to have completed for EGMs in June.

419 Village Gates – DSTG to obtain a plan from Mulpha to show the wall and gate location.

426 Cypress Point – DSTG advised an update will be provided before boat show. MN for Molina requested whether the gates which are locked overnight could be left open longer in summer months until 10pm. DSTG to follow up with security.

429 OptiComm – DSTG advised one option is a hybrid model as the equipment is now redundant. DSTG to provide a full report.

430 A Class Water Exposed pipes – DSTG advised he received a quote to paint, will report back. Screening is a possibility in the future.

431 Purchasing Policy – To be added to MIPs to be updated.

Members Name	Yes	No	Abstain
Stuart Shakespeare	X		
Peter Cohen	X		
Cheryl McBride	X		
Tony Ellingford			
Brian Earp	X		
Paul Kernaghan	X		
Nicholas Eisenhut	X		

6 Body Corporate – Operations Report (Agenda Item 6.6)

WITHDRAWN

Proposed by: PBC Chairperson

RESOLVED that the PBC EC notes the Operations Report January 2024 as tabled.

Yes	
No	
Abstain	

NOTE: To be added to April 2024 meeting, report not available prior to meeting.

Members Name	Yes	No	Abstain
Stuart Shakespeare			
Peter Cohen			
Cheryl McBride			
Tony Ellingford			
Brian Earp			
Paul Kernaghan			
Nicholas Eisenhut			

7 Rescind VOC 21st December 2023 Meeting Dates of upcoming PBC EC/EGM (Agenda Item 6.7) CARRIED

Proposed by: PBC Chairperson

RESOLVED that the PBC EC notes and accepts to rescind the PBC EC VOC dated 21st December 2023 concerning the scheduling of upcoming PBC EC/EGM meetings, citing insufficient time for the inclusion of ARC minutes, FSC minutes and operational report. Dates below in particular:

Yes	5
No	0
Abstain	0

2024 PBC EC Dates:

Thursday 4 April 2024

Thursday 6 June 2024

Thursday 4 July 2024

Thursday 5 September 2024

Thursday 7 November 2024

Members Name	Yes	No	Abstain
Stuart Shakespeare	X		
Peter Cohen	X		
Cheryl McBride	X		
Tony Ellingford			
Brian Earp	X		
Paul Kernaghan			
Nicholas Eisenhut	X		

8 Motion for PBC EGM for approval of a fee quotation to obtain Independent Legal advice (Agenda Item 6.8) CARRIED

Proposed by: PBC Chairperson

RESOLVED that a motion be put to the March PBC EGM for approval of a fee quotation to obtain independent legal advice on:

1. the effect the proposed changes to s56 may have on the rights and entitlements of the Residential Zone owners, as precipitated by the proposed and uncontrolled development of dwellings outside of the Residential Zones.
2. the effect the proposed changes to s56 may have on the rights and entitlements of the Residential Zone owners by allowing unrestricted access to the secondary thoroughfare by the Golf Club.
3. whether the rights and entitlements of the Residential Zone owners, have been affected by the allocation of one PTBC lot entitlement for the Harbour One development of 48 dwellings and confirmation that the correct procedure was followed in making this allocation.

Yes	6
No	0
Abstain	0

Members Name	Yes	No	Abstain
Stuart Shakespeare	X		
Peter Cohen	X		
Cheryl McBride	X		
Tony Ellingford			
Brian Earp	X		
Paul Kernaghan	X		
Nicholas Eisenhut	X		

9 Correspondence for Information (Agenda Item 7) CARRIED

Proposed by: PBC Chairperson

RESOLVED that the PBC EC notes and accepts the Correspondence for Information February 2024 as tabled.

Yes	6
No	0
Abstain	0

Members Name	Yes	No	Abstain
Stuart Shakespeare	X		
Peter Cohen	X		
Cheryl McBride	X		
Tony Ellingford			
Brian Earp	X		
Paul Kernaghan	X		
Nicholas Eisenhut	X		

10 Correspondence for Action (Agenda Item 8) CARRIED

Proposed by: PBC Chairperson

RESOLVED that the PBC EC notes and accepts the Correspondence for Action February 2024 as tabled and instructs the Manager of Body Corporate to action as issued at the meeting.

Yes	6
No	0
Abstain	0

NOTE:

Item 1 – 5410 Tree – PBC EC agreed for Facilities to prune the tree instead of removal/relocation.

Item 2 – 3049 – Approval for water payment extension – PBC EC agreed to the extension date 21/4/24 if the full amount is paid before or on this date.

Item 3 – 1053 – Request for trees to be planted – PBC EC declined the request for trees to be planted on common lawn in front of 1053-1051 in line with recommendation from Facilities Manager.

Item 4 – 8950 – Request for Mirror tinting on window – PBC EC declined the request for mirror tinting application on window.

Members Name	Yes	No	Abstain
Stuart Shakespeare	X		
Peter Cohen	X		
Cheryl McBride	X		
Tony Ellingford			
Brian Earp	X		
Paul Kernaghan	X		
Nicholas Eisenhut	X		

11 Date of next PBC EGM / EC Meeting (Agenda Item 10) CARRIED

Proposed by: PBC Chairperson

RESOLVED that the date of the next PBC Extraordinary General Meeting will be Thursday 28th March 2024 at 11am.

Yes	6
No	0
Abstain	0

RESOLVED that the date of the next PBC Executive Committee Meeting will be Thursday 4th April 2024 at 9am.

NOTE: Next PBC EC meeting will now be held Thursday 11th April 2024 at 9am.

Members Name	Yes	No	Abstain
Stuart Shakespeare	X		
Peter Cohen	X		
Cheryl McBride	X		
Tony Ellingford			
Brian Earp	X		
Paul Kernaghan	X		
Nicholas Eisenhut	X		

12 PBC EC Treasurer Requested Leave of Absence CARRIED

Proposed by: PBC Secretary – Motion added from the floor

RESOLVED that the Treasurer’s leave of absence notification is acknowledged and that Mr Paul Kernaghan is appointed as the acting Treasurer during his absence.

Yes	5
No	0
Abstain	0

Members Name	Yes	No	Abstain
Stuart Shakespeare	X		
Peter Cohen	X		
Cheryl McBride	X		
Tony Ellingford			
Brian Earp	X		
Paul Kernaghan	X		
Nicholas Eisenhut			

Proposed by: PBC Chairperson - Motion added from the floor

RESOLVED that the PBC EC approves the applications recommended for approval by the ARC at its meeting held 4 March 2024, as tabled at the PBC EC meeting.

Further **RESOLVED** that the PBC EC approves the applications recommended for approval, subject to conditions, by the ARC at its meeting held 4 March 2024.

Further **RESOLVED** that the PBC EC does not approve the applications which have not been recommended for approval by the ARC at its meeting held 4 March 2024.

Further **RESOLVED** that the PBC EC approves the applications recommended for approval by the ARC, based upon the recommendations by the Executive Architect and Building Approval Manager, at its meeting held 4 March 2024.

Yes	5
No	0
Abstain	0

APPLICATIONS RECOMMENDED FOR APPROVAL / FOR APPROVAL WITH CONDITIONS

1. 5479 Bay Hill Terrace, Lot 22 Colvillia – Screened Enclosure
2. 1004 Edgecliff Drive - Pontoon

APPLICATIONS NOT RECOMMENDED FOR APPROVAL

1. 7104 Marine Drive East, Lot 73 Plumeria – Major Alterations

EXECUTIVE ARCHITECT / SNR BODY CORPORATE MANAGER APPROVALS – TO 26 FEBRUARY 2024

1. **8027 Key Waters, Lot 19 Harpullia**
Release of Compliance Agreement Fee – Minor Alterations
2. **4654 The Parkway, Lot 27 Bauhinia**
Release of Compliance Agreement Fee – Solar Panels
3. **5664 Harbour Terrace, Lot 63 Bauhinia**
Release of Compliance Agreement Fee – Major Alterations & Pontoon
4. **4619 The Parkway, Lot 8 Cassia**
Application for Minor Alterations

Members Name	Yes	No	Abstain
Stuart Shakespeare	X		
Peter Cohen	X		
Cheryl McBride	X		
Tony Ellingford			
Brian Earp	X		
Paul Kernaghan	X		
Nicholas Eisenhut			

14 RESCIND – PBC EGM agenda booklets and Meeting Notices distribution Policy - Sept 2023 PBC EC Motion

CARRIED

Proposed by: PBC Chairperson – Motion added from the floor

RESOLVED that the PBC EC rescinds motion 8 from 25th September 2023 PBC EC meeting:

Yes	5
No	0
Abstain	0

RESOLVED that in relation to the distribution of PBC EGM documentation that a policy be created with the following wording:

Body Corporate Services (BCS) is required to:

- a. Email the Agenda for a forthcoming PBC general meeting and the draft minutes of the previous PBC general meeting to all lot owners fourteen (14) days prior to the EGM; and
- b. Email the full meeting papers (the Meeting Book) for a forthcoming EGM to each RBC members nominee, chairperson, and committee member seven (7) days prior to the EGM.

AND replaces with:

RESOLVED that in relation to the distribution of PBC EGM documentation that a policy be created with the following wording:

Body Corporate Services (BCS) is required to:

- a) Email the agenda for a forthcoming PBC general meeting and the draft minutes of the previous PBC general meeting to all lot owners seven (7) days prior to the EGM; and
- b) Email the full meeting papers (the Meeting Book) for a forthcoming EGM to each RBC members nominee, chairperson, and committee member seven (7) days prior to the EGM.

Members Name	Yes	No	Abstain
Stuart Shakespeare	X		
Peter Cohen	X		
Cheryl McBride	X		
Tony Ellingford			
Brian Earp	X		
Paul Kernaghan	X		
Nicholas Eisenhut			

Proposed by: PBC Chairperson – Motion added from the floor

RESOLVED That the PBC EC resolves to call an Extraordinary General Meeting of the PBC on the following dates:

Thursday 29 February 2024

Thursday 28 March 2024

Wednesday 24 April 2024

Thursday 30 May 2024

Thursday 27 June 2024

Thursday 25 July 2024

Thursday 29 August 2024

Thursday 26 September 2024

Thursday 31 October 2024

Thursday 28 November 2024

Monday 9 December 2024

Yes	5
No	0
Abstain	0

RESOLVED That the PBC EC resolves to call an Executive Committee Meeting of the PBC on the following dates:

Thursday 8 February 2024

Thursday 7 March 2024

Thursday 11 April 2024

Thursday 9 May 2024

Thursday 13 June 2024

Thursday 11 July 2024

Thursday 8 August 2024

Thursday 12 September 2024

Thursday 10 October 2024

Thursday 14 November 2024

Monday 9 December 2024

Members Name	Yes	No	Abstain
Stuart Shakespeare	X		
Peter Cohen	X		
Cheryl McBride	X		
Tony Ellingford			
Brian Earp	X		
Paul Kernaghan	X		
Nicholas Eisenhut			

7. Correspondence for Information:

- Chairperson to circulate a preamble from his meeting with Yohan at MSCD.
- Molinia asked for a copy of the PowerPoint for Committee Induction Session to be sent to herself and Secretary to add additional information regarding PBC EC.

8. General Business

- The Secretary to formally write to Dale to invite him to all PBC meetings.

8.1 Future Motions – March 2024

- EC Motion for BUPs approval to go to RBCs first then to PBC.
- EGM Motion regarding Secondary Thoroughfare by-law (Special Resolution)
 - EGM Motion regarding fee for residents regarding PBC records and no fee for PBC Member Nominees.
- EGM Motion Shuttle bus access through SC residential area by MSCD during boat show

8.2 Restitution Claim – Jones

- Claim by owners not recommended for approval by the PBC. Body Corporate to obtain quotes for a legal opinion on the PBC's position.

8.3 Leslie v Buttner's Matter

- General update provided on the items. Matter progressing. Body Corporate requested to convene the meeting with the parties as early as possible, which should be possible before the end of March.

8.4 Secondary Thoroughfare By-laws

- Special Resolution Motion going to PBC EGM

8.5 7020/7022 existing pontoon

- Manager of Body Corporate to advise the owner on behalf of PBC, approval to refurbish the pontoon only, the owners are not allowed to change the structure or add to it.

8.6 Access to PBC records

- Motion for March to allow PBC EGM MN to access PBC records without fee.

8.7 Schotia Island & Adelia enforcement action – Lot 37 and Lot 41

- Legal action should proceed, but Body Corporate to try and get the legal quotes reduced.

8.8 Condition of approval PBC for BUP Lots

- Motion for PBC EC for March.
- Approval to RBC first, before going to PBC to vote on.

8.9 Revetment Walls – Plumeria

- Chairperson, In-House Counsel and Manager of Body Corporate attending a meeting 8th February 2024 with MN for Plumeria and Chairperson to discuss.

9. Next Meeting – Thursday 11th April 2024 at 9am.

10. Closure of Meeting

MEETING CLOSED @ 1:17pm

Chairperson: