



**NOTICE OF COMMITTEE MEETING,
VOTING OUTSIDE OF MEETING
OF THE PRINCIPAL BODY CORPORATE
EXECUTIVE COMMITTEE**

Type of Meeting Voting Outside Committee Meeting
Date and Time of meeting Thursday 16th November 2023, 4:05PM

You are advised that a Meeting of the Sanctuary Cove Principal Body Corporate Executive Committee is being held as a Voting Outside Committee Meeting, and votes must be returned by Thursday 16th November 2023, 4:00PM.

This notice is forwarded to all committee members.

Note: Only PBC EC members are required to vote.

The following agenda sets out the substance of the motions to be considered at the meeting.

Sanctuary Cove Body Corporate Services Pty Ltd,
for and on behalf of the Secretary.

Motion

1. Legal Expenditure

NOTE:

Advice from the Secretary and Treasurer of the PBC.

The VOC proposed by the Members Nominee from Washingtonia is invalid and the Chair must rule it “Out of Order”.

- 1. It contravenes SCRA Section 45, 46 and 47.**
- 2. The PBC and PBC EC are statutory bodies governed under SCRA and without amending SCRA, the PBC EC cannot grant itself further powers or responsibilities.**
- 3. This motion cannot alter the effect of the Shareholders Agreement which permits Sanctuary Cove Community Services Limited to enter contracts for the purpose of providing certain services which extends to legal advice.**
- 4. The Sanctuary Cove Community Services Limited (SCCSL) purchasing policy is an internal document and control approved by the Board of the Company and its shareholders – PTBC and PBC. This is stated in the Shareholders agreement under section 8. This is the only legal purchasing policy that Sanctuary Cove Community Services Limited adheres to. There is no requirement under SCRA for an approved purchasing policy for any other entity.**
- 5. Please refer to the attached numerous legal advice ruling this motion illegal and invalid. (Annexure A)**
- 6. Approval of this motion may waive any protection of the PBC Executive Committee under SCRA 47A and 47AA.**

VOTING PAPER
Committee Meeting for PBC EC

Location of meeting: Voting Outside Committee Meeting

Date and time of meeting: Thursday 16th November 2023, 4:05PM

Instructions

If you want to vote using this voting paper, then mark either YES, NO or ABSTAIN (e.g., by a circle) printed opposite each motion you wish to vote on. You may vote on as few or as many motions as you wish. It is not necessary to vote on all motions.

After signing the completed voting paper, forward it promptly to the Secretary at the address shown at the end of the agenda.

MOTION

1 Legal Expenditure

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.

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

Yes	
No	
Abstain	

Name of voter: _____

Signature of voter: _____ **Date:** _____