



*Sanctuary Cove resort Act 1985  
Buildings Units and Group Titles Act 1980  
Building Units and Group Titles Regulations 1998*

## **NOTICE OF EXTRAORDINARY GENERAL MEETING OF THE SANCTUARY COVE PRIMARY THOROUGHFARE BODY CORPORATE**

**Notice of business to be dealt with at the  
EXTRAORDINARY GENERAL MEETING of the Sanctuary  
Cove Primary Thoroughfare Body Corporate GTP 201, to be held at  
Meeting Room 1, Sanctuary Cove Body Corporate Services,  
Sanctuary Cove, QLD 4212, on  
Wednesday 24<sup>th</sup> April 2024 10:00AM**

A proxy form and a voting paper have been included in order to give you the opportunity to be represented at the meeting. Please read the attached General Instructions, to ensure that all documents are completed correctly as failure to do so may jeopardise your entitlement to vote.

### **INDEX OF DOCUMENTS**

- 1. NOTICE AND AGENDA OF MEETING**
- 2. INSTRUCTIONS FOR VOTING**
- 3. PROXY FORM**
- 4. VOTING [MOTIONS FROM AGENDA]**

The following agenda sets out the substance of the motions to be considered at the meeting. The full text of each motion is set out in the accompanying Voting Paper. An explanatory note by the owner proposing a motion may accompany the agenda.

If you are not attending the meeting in person, please take the time to complete and return the voting paper to the reply address below or submit a valid proxy to the PTBC Secretary prior to the meeting.

*Sanctuary Cove Body Corporate Services Pty Ltd, for the Secretary*

Reply To PO Box 15, SANCTUARY COVE QLD, 4212
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*Sanctuary Cove Resort Act 1985  
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Sanctuary Cove, QLD 4212, on  
Wednesday 24<sup>th</sup> April 2024 10:00AM**

In order to avoid delaying commencement of the meeting, it would be appreciated if proxies and voting papers could be received by this office at least 24 hours prior to the meeting. However, proxies and voting papers will be accepted prior to the commencement of the meeting.

**AGENDA**

1. Attendance record including admittance of proxies and voting papers
2. Quorum
3. Financial Status
4. Recording of the Meeting
5. Motion
  1. Approval of PTBC EGM Minutes held 29<sup>th</sup> February 2024
  2. Approval of PTBC EGM VOC Minutes 20<sup>th</sup> March 2024
  3. Village Gates and Road Upgrade
  4. PTBC instructs the Company (SCCSL) to source an Independent Director for the SCCSL Board
6. Correspondence for Information - **Please see PBC EC Booklet for supporting documents**

No	Date	From	To	Regarding
1	21 February 2024	Mulpha Developments	PBC Secretary	Request for motion at PBC Meeting regarding Section 56 of SCRA
2	28 February 2024	PBC Secretary	Mulpha Developments	Formal correspondence regarding Section 56 of SCRA
3	19 March 2024	Biodiversity	SCCSL	Corella Management Program outcome
4	28 March 2024	DSDILGP	SCCSL	SC Resort Proposed Use Plan Amendment gazetted

Correspondence for Action - **Please see PBC EC Booklet for supporting documents**

No	Date	From	To	Regarding
1	8 March 2024	Resident in Colvillia	PTBC	Safety issues associated with Golf Course Land
2	27 March 2024	Banksia Lakes Resident	PTBC	Tree replacement and remaining tree removals.

7. Business Arising

1. Asset Improvement Programme Update

8. General Business

9. Closure of Meeting

10. Next meeting on Thursday 27<sup>th</sup> June 2024 at 10:00am

**GENERAL INSTRUCTIONS  
EXTRAORDINARY GENERAL MEETING NOTICE**

**INTERPRETATIONS**

Section 39 of the *Sanctuary Cove Resort Act 1985* sets out the following interpretations for

**VOTING RIGHTS** Any powers of voting conferred by or under this part may be exercised

- (a) in the case of a proprietor who is an infant-by the proprietor's guardian;
- (b) in the case of a proprietor who is for any reason unable to control the proprietor's property-by the person who for the time being is authorised by law to control that property;
- (c) in the case of a proprietor which is a body corporate-by the person nominated pursuant to section 38 by that body corporate.

Part 3, Section 22 of the *Sanctuary Cove Resort Act 1985*, sets out the following interpretation for:

**SPECIAL RESOLUTION**

'Special Resolution' means a resolution, which is:

- (a) passed at a duly convened general meeting of the principal body corporate by the members whose lots (whether initial lots, secondary lots, group title lots or building unit lots) have an aggregate lot entitlement of not less than 75% of the aggregate of all lot entitlements recorded in the principal body corporate roll.

Part 3, Division 2B, 47D of the *Sanctuary Cove Act 1985*, sets out the following for proxies for General meetings of the Principal Body Corporate.

**APPOINTMENT OF PROXY**

- (a) must be in approved form; and
- (b) must be in the English language; and
- (c) cannot be irrevocable; and
- (d) cannot be transferred by the holder of the proxy to a third person; and
- (e) lapses at the end of the principal body corporate's financial year or at the end of a shorter period stated in the proxy; and
- (f) may be given by any person who has the right to vote at a general meeting; and
- (g) subject to the limitations contained in this division, may be given to any individual; and
- (h) must appoint a named individual

Proxy form for Body Corporate meetings

Building Units and Group Titles Act 1980

Section 1 – Body corporate secretary details

Name: The Secretary
Address of scheme: C/- Sanctuary Cove Primary Thoroughfare Body Corporate, PO Box 15, SANCTUARY COVE, 4212

Section 2 – Authorisation

Notes: The Regulations set out a number of restrictions on the use of proxies, including an ability for the body corporate to further restrict their use including prohibition. If there is insufficient space please attach separate sheets.

I/we

Name of owner 1: .....

Signature: ..... Dated: \_\_\_/\_\_\_/\_\_\_

Name of owner 2: .....

Signature: ..... Dated: \_\_\_/\_\_\_/\_\_\_

being the Proprietor/s of the following Lot/s

Lot number/s: ..... Plan number: .....

Name of Body Corporate:

.....

hereby appoint,

Proxy (full name): .....

as my/our proxy to vote on my/our behalf (including adjournments) at (please tick one)

- [ ] The body corporate meeting to be held on \_\_\_/\_\_\_/\_\_\_
[ ] All body corporate meetings held before \_\_\_/\_\_\_/\_\_\_ (expiry date)
[ ] All body corporate meetings held during the rest of the body corporate's financial year unless I/we serve you with a prior written withdrawal of the appointment

unless I/we serve you with a prior written withdrawal of the appointment of Proxy.

Signature of proxy holder: ..... Dated: \_\_\_/\_\_\_/\_\_\_

Residential address: .....

Suburb: ..... State: ..... Postcode: .....

Postal address: .....

Suburb: ..... State: ..... Postcode: .....

## Information about Proxies

**This page is for information only and not part of the prescribed form.**

Lot Owners can appoint a trusted person as their representative at meetings, to vote in ballots or represent them on the committee. This person is your proxy.

To authorise a proxy, you must use the prescribed form and deliver it to the owners corporation secretary. If appointing a Power of Attorney as a proxy, you should attach a copy of the Power of Attorney.

Proxies automatically lapse 12 months after the form is delivered to the secretary, unless an earlier date is specified.

Proxies must act honestly and in good faith and exercise due care and diligence. Proxies cannot transfer the proxy to another person.

A Lot Owner can revoke the authorisation at any time and choose to vote on a certain issue or attend a meeting.

It is illegal for someone to coerce a Lot Owner into making another person their proxy.

Owners corporations must keep the copy of the Proxy authorisation for 12 months.

## VOTING PAPER

### Extraordinary General Meeting for Sanctuary Cove Primary Thoroughfare Body Corporate GTP 201

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

**Date and time of meeting:** Wednesday 24<sup>th</sup> April 2024 – 10:00am

#### Instructions

If you want to vote using this voting paper, then **circle or tick** either **YES**, **NO** or **ABSTAIN** opposite each motion you wish to vote on. You may vote for 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.**

#### MOTIONS

<b>1</b>	<b>Approval of PTBC EGM Minutes held 29<sup>th</sup> February 2024 (Agenda Item 5.1)</b>	<b>ORDINARY RESOLUTION</b>
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Proposed by: Statutory Motion

**THAT** the Minutes of the PTBC Extraordinary General Meeting held on 29<sup>th</sup> February 2024 be accepted as a true and correct record of the proceedings of the meeting.

Yes	
No	
Abstain	

<b>2</b>	<b>Approval of PTBC EGM VOC Minutes 20<sup>th</sup> March 2024 (Agenda Item 5.2)</b>	<b>ORDINARY RESOLUTION</b>
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Proposed by: Statutory Motion

**THAT** the VOC Minutes of the PTBC Extraordinary General Meeting held on 20<sup>th</sup> March 2024 be accepted as a true and correct record of the proceedings of the meeting.

Yes	
No	
Abstain	

**3 Village Gates and Road Upgrade (Agenda Item 5.3) ORDINARY RESOLUTION**

Proposed by: Statutory Motion

**THAT** acknowledging the need to align the proposed project works, the PTBC agrees that Mulpha Developments will take on project management responsibilities for the roadworks upgrade of the area, encompassing paving, kerbing, and civil components formerly managed by the PTBC. All costs associated with these works, as mutually agreed upon, will be appropriately allocated and on charged to the PTBC by Mulpha Developments at cost price.

Note: The landscaping aspect of the project will be executed by the PTBC upon the project's completion.

Yes	
No	
Abstain	

**4 PTBC instructs the Company (SCCSL) to source an Independent Director for the SCCSL Board (Agenda Item 5.4) ORDINARY RESOLUTION**

Proposed by: PTBC Chairperson

**THAT** the PTBC requests the Board of the Company (SCCSL) to propose a motion to advertise externally for the appointment of an Independent Director to the Board of SCCSL and Subsidiaries. This action will commence by issuing correspondence to the Company (SCCSL) by the PTBC Secretary.

Yes	
No	
Abstain	

**GTP:** 201

**Lot Number:**

**Unit Number:**

I/We require that this voting paper, completed by me/us be recorded as my/our vote in respect of the motions set out above.

**Name of voter:** \_\_\_\_\_

**Signature of vote:** \_\_\_\_\_

**Date:** \_\_\_\_\_





**MINUTES OF PTBC EXTRAORDINARY GENERAL MEETING  
For Sanctuary Cove Primary Thoroughfare Body Corporate GTP 201**

**Location of meeting:** Meeting Room 1, Sanctuary Cove Body Corporate Services, Sanctuary Cove, QLD 4212  
**Date and time of meeting:** Thursday 29<sup>th</sup> February 2024  
1:21pm – 1:27pm  
**Chairperson:** Mr Stephen Anderson

**ATTENDANCE**

**The following members were Present at the Meeting:**

Position: Chairperson Member Name: Mulpha Sanctuary Cove Investments Pty Ltd Lot 6 Rep: Mr Stephen Anderson  
Position: Ordinary Member Name: Principal Body Corporate GTP 202 Rep: Mr Stuart Shakespeare

**The following members were represented at the meeting by voting paper & In Person:**

**The following members present by Voting Paper:**

Position: Ordinary Member Name: Sanctuary Cove Golf and Country Club Holdings Limited Lot 10 Rep: Mr Paul Sanders  
Position: Ordinary Member Name: Sanctuary Cove Golf and Country Club Holdings Limited Lot 20 Rep: Mr Paul Sanders  
Position: Ordinary Member Name: Sanctuary Cove Golf and Country Club Holdings Limited Lot 51 Rep: Mr Paul Sanders  
Position: Ordinary Member Name: Sanctuary Cove Golf and Country Club Holdings Limited Lot 52 SP 301179 Rep: Mr Paul Sanders  
Position: Ordinary Member Name: Sanctuary Cove Golf and Country Club Holdings Limited Lot 52 SP 327424 Rep: Mr Paul Sanders  
Position: Ordinary Member Name: Sanctuary Cove Golf and Country Club Holdings Limited Lot 53 Rep: Mr Paul Sanders  
Position: Ordinary Member Name: Sanctuary Cove Golf and Country Club Holdings Limited Lot 54 Rep: Mr Paul Sanders  
Position: Ordinary Member Name: Sanctuary Cove Golf and Country Club Holdings Limited Lot 58 Rep: Mr Paul Sanders  
Position: Ordinary Member Name: Sanctuary Cove Golf and Country Club Holdings Limited Rep Lot 16: Mr Paul Sanders  
Position: Ordinary Member Name: Sanctuary Cove Golf and Country Club Holdings Limited Lot 1 Rep: Mr Paul Sanders

**The following members were represented at the meeting by Proxy:**

Position: Ordinary Member Name: Mulpha Sanctuary Cove Hotel Investments Pty Limited Lot 31 Rep: Mr Barry Teeling to Stephen Anderson  
Position: Ordinary Member Name: Mulpha Sanctuary Cove Hotel Investments Pty Limited Lot 32 Rep: Mr Barry Teeling to Stephen Anderson  
Position: Ordinary Member Name: Mulpha Sanctuary Cove Hotel Investments Pty Limited Lot 38 Rep: Mr Barry Teeling to Stephen Anderson

**Present by Invitation:**

Mr Dale St George, Secretary  
Ms Jodie Cornish, Minute Taker

**Apologies:**

Mr Barry Teeling  
Mr Paul Sanders

A quorum was present.  
Nil Conflict of Interest.  
The Meeting was not recorded.

**MOTIONS**

**1 Approval of PTBC EGM Minutes held 9<sup>th</sup> February 2024 (Agenda Item 5.1) CARRIED**

Proposed by: Statutory Motion

**THAT** the Minutes of the PTBC Extraordinary General Meeting held on 9<sup>th</sup> February 2024 be accepted as a true and correct record of the proceedings of the meeting.

Yes	4
No	0
Abstain	0

Members Name	Yes	No	Abstain
Stephen Anderson	X		
Paul Sanders	X		
Barry Teeling	X		
Stuart Shakespeare	X		

**2 PTBC instructs the Company (SCCSL) to source an Independent Director for the SCCSL Board (Agenda Item 5.2) CARRIED**

Proposed by: PTBC Chairperson

**THAT** the PTBC requests the Board of the Company (SCCSL) to propose a motion to advertise externally for the appointment of an Independent Director to the Board of SCCSL and Subsidiaries. This action will commence by issuing correspondence to the Company (SCCSL) by the PTBC Secretary.

Yes	3
No	1
Abstain	0

Members Name	Yes	No	Abstain
Stephen Anderson	X		
Paul Sanders	X		
Barry Teeling	X		
Stuart Shakespeare		X	

Proposed by: PBC Secretary

**THAT** the PTBC agrees to the pricing changes to the Strata Corporation Price Schedule which reflects either a reduction in pricing or maintaining the current pricing as a result of the proposed Strata Manager Services Agreement renewal between StrataMax and SCCSL.

Yes	4
No	0
Abstain	0

**Managing Agent:**

Service	Existing	New	Comments
StrataMax Fee	\$1,000 p/annum	\$1,000 p/annum	No change
Level 1 Support	\$120 p/hour	\$120 p/hour	No Change
Infrastructure Support	\$160 p/hour	\$160 p/hour	No Change
Project Management	\$160 p/hour	\$160 p/hour	No Change
Level 2/3 Support	\$160 p/hour	\$160 p/hour	No Change
Specialised Consultancy	\$200 p/hour	\$200 p/hour	No Change
Ongoing Training	\$160 p/hour or \$1,000 full day	\$160 p/hour or \$1,000 full day	No Change
Full Service	\$160 p/hour	\$160 p/hour	No Change
Software Conversion	\$160 p/hour	\$160 p/hour	No Change

**StrataMax:**

Service	Existing	New	Comments
StrataMax Licence Fee	<b>Standard Fee:</b> \$15.95 lot p/annum in advance <b>Alternate Fee:</b> \$15.95 lot p/annum in advance	<b>Standard Fee:</b> \$17.80 lot p/annum in advance <b>Alternate Fee:</b> \$14.50 lot p/annum in advance	New agreement price per lot p/annum reduced by 9.1%

**Strata Pay:**

Service	Existing	New	Comments
Aust Post – p/payment	<b>Standard Fee:</b> \$3.00 <b>Alter Fee:</b> \$1.60	<b>Standard Fee:</b> \$3.00 <b>Alter Fee:</b> \$0.95	New Agreement has (\$0.65) 41% reduction in transaction fees currently applied to owner payments made through the StrataPay Levy Collection System
BPAY – p/payment	<b>Standard Fee:</b> \$1.60 <b>Alter Fee:</b> \$1.60	<b>Standard Fee:</b> \$1.60 <b>Alter Fee:</b> \$0.95	
IVR – p/payment	<b>Standard Fee:</b> \$1.60 <b>Alter Fee:</b> \$1.60	<b>Standard Fee:</b> \$1.60 <b>Alter Fee:</b> \$0.95	
Web – p/payment	<b>Standard Fee:</b> \$1.60 <b>Alter Fee:</b> \$1.60	<b>Standard Fee:</b> \$1.60 <b>Alter Fee:</b> \$0.95	
Cheque payment – p/payment	<b>Standard Fee:</b> \$1.60 <b>Alter Fee:</b> \$1.60	<b>Standard Fee:</b> \$1.60 <b>Alter Fee:</b> \$0.95	
Direct Debit – p/payment	<b>Standard Fee:</b> \$1.60 <b>Alter Fee:</b> \$1.60	<b>Standard Fee:</b> \$1.60 <b>Alter Fee:</b> \$0.95	
EFT – p/payment	<b>Standard Fee:</b> \$1.60 <b>Alter Fee:</b> \$1.60	<b>Standard Fee:</b> \$1.60 <b>Alter Fee:</b> \$0.95	
C/C & Merch Fee - % of the payment amount	<b>S/F:</b> Visa 1.65% <b>A/F:</b> Visa 1.65%	<b>S/F:</b> Visa 1.65% <b>A/F:</b> Visa 1.65%	No Change
	<b>S/F:</b> M/Card 1.65% <b>A/F:</b> M/Card 1.65%	<b>S/F:</b> M/Card 1.65% <b>A/F:</b> M/Card 1.65%	No Change
	<b>S/F:</b> Amex 2.40% <b>A/F:</b> Amex 2.40%	<b>S/F:</b> Amex 1.65% <b>A/F:</b> Amex 1.65%	0.75% Absolute Reduction
	<b>S/F:</b> Diner 2.65% <b>A/F:</b> Diner 2.65%	<b>S/F:</b> Diner 2.65% <b>A/F:</b> Diner 2.65%	No Change
Dishonour or rejected	\$35.00	\$35.00	No Change
StrataPay payables	<b>S/F:</b> \$0.55 <b>A/F:</b> Free	<b>S/F:</b> \$0.55 <b>A/F:</b> Free	No Change

**StrataCash:**

Service	Existing	New	Comments
Period Payment Fee	\$2.20 per payment	\$2.20 per payment	No Change
Period Payment Est	\$15.00 per est	\$15.00 per est	No Change
Manual Intervention of Bureau Processing	\$10.00 per occasion	\$10.00 per occ	

Members Name	Yes	No	Abstain
Stephen Anderson	X		
Paul Sanders	X		
Barry Teeling	X		
Stuart Shakespeare	X		

**4 Proposed amendment to Section 56 of SCRA and authorisation to sign the draft deed (Agenda Item 5.4)**

**WITHDRAWN**

Proposed by: Mulpha Representative SC Hotel Investments Lot 31, 32 & 38

**THAT** the PTBC supports the wording of the proposed amended Section 56 of the Sanctuary Cove Resort Act (SCRA) and authorises the PTBC to sign the draft deed as per attachment 1. The proposed wording of the amended Section 56 is as follows:

Yes	
No	
Abstain	

*56 Occupier’s right to use thoroughfares*

- (1) *Subject to the application of any primary thoroughfare by-law or any secondary thoroughfare by-law, only persons who:*
  - a) *Are members of the Principal Body Corporate; or*
  - b) *Have a lawful right to:*
    - i. *be on land contained in the General Residential Zone; or*
    - ii. *be on land contained in the Golf Course Zone, have a right of way over the primary thoroughfare and the secondary thoroughfare.*
- (2) *A primary thoroughfare by-law or a secondary thoroughfare by-law that, but for this subsection, would have the effect of unreasonable restricting the persons permitted in subsection (1) from having access to or access from the land referred to in subsection (1)(b) will have no force or effect unless the person for the time being entitled to occupy that land consents in writing to that restriction.*
- (3) *For the purposes of this section, where land is the subject of a registered mortgage, the mortgagee shall be deemed to be a person who lawfully occupies that land.*

**NOTE: The Chairperson withdrew the motion until the following meeting.**

Members Name	Yes	No	Abstain
Stephen Anderson			
Paul Sanders			
Barry Teeling			
Stuart Shakespeare			

**Next meeting Wednesday 24<sup>th</sup> April 2024 @ 12:30pm**

**Meeting Closed at 1:27pm**

**Chairman .....**



**MINUTES OF EXTRAORDINARY GENERAL MEETING  
VOTING OUTSIDE COMMITTEE MEETING  
OF THE PRIMARY THOROUGHFARE BODY CORPORATE**

**Location of meeting:** Voting Outside Committee meeting  
**Date and time of meeting:** Wednesday 20<sup>th</sup> March 2024  
**Meeting start time:** 4:00pm **Meeting finish time:** 4:05pm

**Attendance**

The following Committee members were present by voting paper:

- Position: Chairperson Member Name: Mulpha Sanctuary Cove Investments Pty Ltd Rep: Mr Stephen Anderson
- Position: Ordinary Member Name: Mulpha Sanctuary Cove Developments Pty Limited Rep: Mr Barry Teeling
- Position: Ordinary Member Name: Sanctuary Cove Golf and Country Club Holdings Limited Rep: Mr Paul Sanders

**Quorum**

A Quorum was present for this meeting.

**MOTIONS**

<b>1</b>	<b>Facilities – Removal of 2 x Ficus Trees (2294/2296) and removal of stumps and lateral roots and replace with Tuckeroo Trees.</b>	<b>ORDINARY RESOLUTION</b>
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Proposed by: PTBC Chairperson

**CARRIED**

**RESOLVED** that the PTBC agrees to the removal of 2 x Ficus trees (2294/2296), including the removal of stumps and lateral roots. Replacing the trees with street tree species specified in the Landscaping Management Plan - Tuckeroo trees.

Yes	3
No	0
Abstain	0

Cost for removal - **\$7,205 inc GST**

Cost for Supply, delivery, and planting of replacement trees - **\$4,796 inc GST**

Chairperson: \_\_\_\_\_