



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 9th May 2024
Meeting time: 09:03AM – 12:25PM
Chairperson: Stuart Shakespeare

Attendance

The following members were present in person at the meeting:

Lot: Banksia Lakes GTP 107278 Owner Banksia Lakes GTP 107278 Rep: Mr Andrew Brown (AB)
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)
Lot: Livingstonia GTP 1712 Owner Livingstonia GTP 1712 Rep: Mr Brian Earp (BE)
Lot: Molinia GTP 107442 Owner Molinia GTP 107442 Rep: Mrs Cheryl McBride (CM)
Lot: Plumeria GTP 2207 Owner Plumeria GTP 2207 Rep: Mr Nicholas Eisenhut (NE)
Lot: Roystonia GTP 1769 Owner Roystonia GTP 1769 Rep: Mrs Simone Hoyle (SH)

The following members were present by Voting Paper:

The following members were present by Proxy:

Present by Invitation:

Mr Dale St George, CEO
Mrs Jodie Syrett, Manager Body Corporate (Minute Taker)
Mrs Brogan Watling, In-House Counsel

Apologies:

A Quorum was present.

Meeting was recorded.

Nil Conflict of Interest

1. Motions:

1 Approval of PBC EC Minutes 11th April 2024 (Agenda Item 6.1) ORDINARY RESOLUTION CARRIED

Proposed by: Statutory Motion

THAT the Minutes of the PBC Executive Committee Meeting held on 11th April 2024 be accepted as a true and correct record of the proceedings of the meeting.

Yes	5
No	0
Abstain	2

Members Name	Yes	No	Abstain
Stuart Shakespeare	X		
Simone Hoyle			X
Cheryl McBride	X		
Brian Earp	X		
Paul Kernaghan	X		
Nicholas Eisenhut	X		
Andrew Brown			X

2 Approval of FSC Minutes 19 April 2024 (Agenda Item 6.2) ORDINARY RESOLUTION CARRIED

Proposed by: Statutory Motion

THAT the Minutes of the FSC held on 19th April 2024 are duly noted.

Yes	7
No	0
Abstain	0

NOTE: Remove FSC as a motion for minutes to be duly noted and add to Correspondence for Information.

Members Name	Yes	No	Abstain
Stuart Shakespeare	X		
Simone Hoyle	X		
Cheryl McBride	X		
Brian Earp	X		
Paul Kernaghan	X		
Nicholas Eisenhut	X		
Andrew Brown	X		

Proposed by: Statutory Motion

THAT the PBC EC approves the applications recommended for approval by the ARC at its meeting held 7th May 2024.

Yes	5
No	0
Abstain	2

Further **THAT** the PBC EC approves the applications recommended for approval, subject to conditions, by the ARC at its meeting held 7th May 2024.

Further **THAT** the PBC EC does not approve the applications which have not been recommended for approval by the ARC at its meeting held 7th May 2024.

Further **THAT** the PBC EC approves the applications recommended for approval by the ARC, based upon the recommendations by the Executive Architect and the Snr Body Corporate Manager, at its meeting held 7th May 2024.

**NOTE: CT to provide a brief report in SS absence
BUPs need pre-approval through their RBC before applications are submitted to ARC.**

Members Name	Yes	No	Abstain
Stuart Shakespeare	X		
Simone Hoyle	X		
Cheryl McBride	X		
Brian Earp			X
Paul Kernaghan	X		
Nicholas Eisenhut			X
Andrew Brown	X		

4 Body Corporate – Matters in Progress (Agenda Item 6.4)

**ORDINARY RESOLUTION
CARRIED**

Proposed by: Statutory Motion

THAT the PBC EC notes the Matters in Progress Report April 2024 as tabled and provides an instruction to the Body Corporate Manager to remove items (as detailed at the meeting)

Yes	7
No	0
Abstain	0

NOTE:

425 Village update – SS advised at Town Hall BT from MSCD advised paying for everything including landscaping.

426 Cypress Point – DSTG advised after the boat show, hot mix will be considered for the buggy path. Lighting for area has not been considered yet.

427/428 - recommended for removal.

429 OptiComm – DSTG will complete a report for June 24.

Members Name	Yes	No	Abstain
Stuart Shakespeare	X		
Simone Hoyle	X		
Cheryl McBride	X		
Brian Earp	X		
Paul Kernaghan	X		
Nicholas Eisenhut	X		
Andrew Brown	X		

5 Body Corporate - Operations Report April 2024 (Agenda Item 6.5)

**ORDINARY RESOLUTION
CARRIED**

Proposed by: Statutory Motion

THAT the PBC EC notes the Operations Report April 2024 as tabled.

Yes	7
No	0
Abstain	0

NOTE: Remove as a motion. To be placed as a separate table under Correspondence for Action, titled Reports for Information.

Members Name	Yes	No	Abstain
Stuart Shakespeare	X		
Simone Hoyle	X		
Cheryl McBride	X		
Brian Earp	X		
Paul Kernaghan	X		
Nicholas Eisenhut	X		
Andrew Brown	X		

6	Duly notes PBC Administrative Fund Budget and Contributions Year ending 31 October 2025 (Agenda Item 6.6)	ORDINARY RESOLUTION WITHDRAWN
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Proposed by: Statutory Motion

THAT the PBC EC duly notes in accordance with Section 33(1)(h) and Section 24(6) of the Sanctuary Cove Resort Act 1985, the Sanctuary Cove Principal Body Corporate GTP 202 Administration Fund Budget for the year ending 31 October 2025 totalling \$11,505,865.73 + GST = \$12,656,452.31 to be approved, with the Administration Fund contributions to be determined at a rate of \$1,577.88 + GST = \$1,735.66 per lot entitlement due and payable on notice issued by the Treasurer as follows:

Yes	
No	
Abstain	

\$/LE	Period Due	Due Date
\$1,577.88 + GST = \$1,735.66	01.11.24 - 31.01.25	30.11.24
\$1,577.88 + GST = \$1,735.66	01.02.25 - 30.04.25	28.02.25
\$1,577.88 + GST = \$1,735.66	01.05.25 – 31.07.25	31.05.25
\$1,577.88 + GST = \$1,735.66	01.08.25 - 31.10.25	31.08.25

NOTE: Withdrawn, Committee agreed to acknowledging receipt for drafts of the budgets. To be stated under General business

Members Name	Yes	No	Abstain
Stuart Shakespeare			
Simone Hoyle			
Cheryl McBride			
Brian Earp			
Paul Kernaghan			
Nicholas Eisenhut			
Andrew Brown			

Proposed by: Statutory Motion

THAT the PBC EC duly notes in accordance with Section 33(1)(h) and Section 24(6) of the Sanctuary Cove Resort Act 1985, the Sanctuary Cove Principal Body Corporate GTP 202 Sinking Fund Budget for the year ending 31 October 2025 totalling \$2,415,009.77 + GST = \$2,656,510.75 be approved, with the Sinking Fund contributions to be determined at a rate of \$331.19 + GST = \$364.30 per lot entitlement due and payable on notice issued by the Treasurer as follows:

Yes	
No	
Abstain	

\$/LE	Period Due	Due Date
\$331.19 + GST = \$364.30	01.11.24 - 31.01.25	30.11.24
\$331.19 + GST = \$364.30	01.02.25 - 30.04.25	28.02.25
\$331.19 + GST = \$364.30	01.05.25 - 31.07.25	31.05.25
\$331.19 + GST = \$364.30	01.08.25 - 31.10.25	31.08.25

NOTE: Withdrawn, Committee agreed to acknowledging receipt for drafts of the budgets. To be stated under General business

Members Name	Yes	No	Abstain
Stuart Shakespeare			
Simone Hoyle			
Cheryl McBride			
Brian Earp			
Paul Kernaghan			
Nicholas Eisenhut			
Andrew Brown			

8 Duly notes PTBC Administrative Fund Budget and Contributions Year Ending 31 October 2025 (Agenda Item 6.8)

**ORDINARY RESOLUTION
WITHDRAWN**

Proposed by: Statutory Motion

THAT the PBC EC duly notes in accordance with Section 77(1) (h) and Section 24(6) of the Sanctuary Cove Resort Act 1985, the Sanctuary Cove Principal Body Corporate instructs the PBC Members Nominee to the PTBC to vote in favour of the following:

Yes	
No	
Abstain	

That the Sanctuary Cove Primary Thoroughfare Body Corporate GTP 201 Administration Fund Budget for the year ending 31 October 2025 totalling \$1,593,079.89 + GST = \$1,752,387.88 be approved, with the Administration Fund contributions to be determined at a rate of \$93.71 + GST = \$103.08 per lot entitlement due and payable on notice issued by the Treasurer as follows:

\$/LE	Period Due	Due Date
\$93.71 + GST \$103.08	01.11.24 - 31.01.25	30.11.24
\$93.71 + GST \$103.08	01.02.25 - 30.04.25	28.02.25
\$93.71 + GST \$103.08	01.05.25 - 31.07.25	31.05.25
\$93.71 + GST \$103.08	01.08.25 - 31.10.25	31.08.25

NOTE: Withdrawn, Committee agreed to acknowledging receipt for drafts of the budgets. To be stated under General business

Members Name	Yes	No	Abstain
Stuart Shakespeare			
Simone Hoyle			
Cheryl McBride			
Brian Earp			
Paul Kernaghan			
Nicholas Eisenhut			
Andrew Brown			

Proposed by: Statutory Motion

THAT the PBC EC duly notes in accordance with Section 77(1) (h) and Section 24(6) of the Sanctuary Cove Resort Act 1985, the Sanctuary Cove Principal Body Corporate instructs the PBC Members Nominee to the PTBC to vote in favour of the following:

Yes	
No	
Abstain	

That the Sanctuary Cove Primary Thoroughfare Body Corporate GTP 201 Sinking Fund Budget for the year ending 31 October 2025 totalling \$1,052,300.00 + GST = \$1,157,530 be approved, with the Sinking Fund contributions be determined at a rate of \$61.90 + GST = \$68.09 per lot entitlement due and payable on notice issued by the Treasurer as follows:

\$/LE	Period Due	Due Date
\$61.90 + GST = \$68.09	01.11.24 - 31.01.25	30.11.24
\$61.90 + GST = \$68.09	01.02.25 - 30.04.25	28.02.25
\$61.90 + GST = \$68.09	01.05.25 - 31.07.25	31.05.25
\$61.90 + GST = \$68.09	01.08.25 - 31.10.25	31.08.25

NOTE: Withdrawn, Committee agreed to acknowledging receipt for drafts of the budgets. To be stated under General business

Members Name	Yes	No	Abstain
Stuart Shakespeare			
Simone Hoyle			
Cheryl McBride			
Brian Earp			
Paul Kernaghan			
Nicholas Eisenhut			
Andrew Brown			

10 Correspondence for Information (Agenda Item 7)**ORDINARY RESOLUTION
CARRIED**

Proposed by: PBC Chairperson

THAT the PBC EC notes and accepts the Correspondence for Information April/May 2024 as tabled.

Yes	7
No	0
Abstain	0

Members Name	Yes	No	Abstain
Stuart Shakespeare	X		
Simone Hoyle	X		
Cheryl McBride	X		
Brian Earp	X		
Paul Kernaghan	X		
Nicholas Eisenhut	X		
Andrew Brown	X		

11 Correspondence for Action (Agenda Item 8)**ORDINARY RESOLUTION
CARRIED**

Proposed by: PBC Chairperson

THAT the PBC EC notes and accepts the Correspondence for Action April/May 2024 as tabled and instructs the Manager of Body Corporate to action as issued at the meeting.

Yes	7
No	0
Abstain	0

Members Name	Yes	No	Abstain
Stuart Shakespeare	X		
Simone Hoyle	X		
Cheryl McBride	X		
Brian Earp	X		
Paul Kernaghan	X		
Nicholas Eisenhut	X		
Andrew Brown	X		

7. CORRESPONDENCE FOR INFORMATION:

7.1 – SS requesting the email correspondence between himself and SA to be tabled.

8. CORRESPONDENCE FOR ACTION:

8.1 4686 Broken Window:

- SS suggested an informal chat with himself and JS from MBC to discuss the situation further.

8.2 4728 Solar Panel approval subject to RBC approval:

- CM explained as per the Referee's outcome dismissing the Solar Panel application, additional information is needed for the submission, such as the appearance of panels, the installation company, and the positioning of the panels.

8.3 Dogs off leash formal correspondence to be sent to residents:

- SS advised by-laws are to be followed. The PBC EC notes and accepts this request.

8.4 Pontoon plans 4737 regarding boat moored:

- SS advised, the owner to provide quay line plans to ensure boat is not protruding into the quay line. NE suggested to look back on the correspondence for 8049, as he believes a quay line map was provided then.

8.5 Seapen pump-out noise unacceptable:

- MBC to distribute letter to owner urging immediate action to rectify the Seapen pump-out issue to minimise noise levels.

8.6 Parking Compliance Breaches:

- It was suggested, after receiving a third breach letter within one month, consideration could be given to prohibiting entry of a resident's car through the gate as a measure to address repeat offenses. This could entail requiring the resident to park outside for a designated period to mitigate non-compliance issues related to parking.

9. GENERAL BUSINESS

9.1 – Distribution of PBC EC Booklets:

- Agreed to distribute the PBC EC booklets with enough notice regardless of information/reports missing. Once information comes to hand, redistribute complete booklet.

9.2 – Update of Gazetted DCBLs:

- SH requested distributing communication to residents of the gazetted DCBLs for reference.
- SS advised major relaxations will not be considered by PBC approval moving forward.

9.3 – PBC/PTBC budgets:

- Withdrawn as motions, the PBC EC acknowledges receipt for the draft of the budgets. The PBC EC wants to ensure it's clear that they are not accepting the budgets before they are brought to the EGMs for approval in June 24.

- DSTG has advised that costs have risen, resulting in an increase in management fees. This increase is attributed to the dramatic rise in CPI/economy costs. Additionally, SH has requested a one-page breakdown from SA, given his financial expertise.
- DSTG advised increase in staff wages to retain knowledge and experience.

9.4 – Alyxia/Alphitonia/Justicia:

- CM enquired into the resident/MSCD ratio under these RBCs and whether they are now over the 50% threshold of resident owned as opposed to MSCD owned. Further investigation, Alyxia and Justicia are now over 50% owned by residents, expression of interest letters have been distributed to all owners for the role of MN for each RBC. The closing date for the expression of interest, Wednesday 15th May 2024. No interest was registered, currently no MN for Alyxia and Justicia. Stephen Anderson for MSCD no longer holds the Lot Entitlements for Alyxia and Justicia, however he still holds the Lot Entitlements for Alphitonia.
- SS recommended a fact sheet is circulated regarding Lot Entitlements and key information.

9.5 Christmas Storm event email from PC:

- DSTG handed out the finalised Emergency Management Plan discussed in PC email. The document will be downloaded on the new website once live.

9.6 Irrigation – Stage 2

- DSTG advised that consideration for irrigation is at least two years away. SS noted that it was a condition on the decision notice in Building Approvals. DSTG advised he will compile a report and distribute.
- CM mentioned that some residents are annoyed they are funding the maintenance of the grass verge, while other areas are being maintained for the resident.

9.7 Secondary Thoroughfare By-law:

- BW to draft up motion for May PBC EGM as a special resolution.
- AB mentioned that Vardon Lane is classified Primary Thoroughfare to the letterbox. He is concerned about the proposed changes stating no parking from 6pm to 6am on secondary thoroughfare.
- SS advised discussing the placement of signs at the parking bays indicating “Visitor Parking Bays.”

9.8 Section 56:

- CM is to forward the invoice and supporting document for legal advice from McCullough regarding the amendment to Section 56 for work order to be raised.
- SS raised concerns that Sanctuary Cove (SC) is entering a new era of uncontrolled development dwellings whereas in the past it was controlled. SS to write a communication regarding s56/52.
- SS advised that he and CM are meeting with David Crisafulli on Monday 13th May 2024.

9.9 PBC focus on Administrative Agreement:

- CM explained the reasoning behind governance review explaining how PBC EC operate, roles and level of expertise on the sub-committees. Desired outcome is to become more efficient. There are obvious insufficiencies and conflicts of interest currently.
- CM mentioned what are our responsibilities around the subsidiary company Resort Body Corporate Services, what is our relationship and exposure there?
- CM advised that the renewal of the Administration Agreement is required prior to October 2025. CM suggested this was likely to impact the Shareholders Agreement with possible terminations.

- CM mentioned the lack of communication from the company SCCSL, an example being BW was recruited as In-House Counsel and the PBC were never informed or consulted.
- AB recommended an Engagement Survey by an external source.

9.10 StrataVote:

- To commence live with the next PBC EGM 30th May 2024. Feedback on any teething issues should be provided by MNs. The PBC EC will continue with the old process for the time being.

9.11 BW attended meeting at 11:53am to discuss legal matters:

- SS requested a Role Description (RD) for BW role. BW advised happy to have an informal chat/meeting to answer any questions people may have around her role and responsibilities. BW explained her concerns with the RD being provided, some people may misinterpret the information.
- SH mentioned a basic job description would be helpful.
- BW explained she was unable to act in legal capacity for the PBC/PTBC, however she is assisting the PBC in matters where legal advice is already sort.
- The next steps with the Leslie & Buttner situation, will be to arrange a non-prejudice meeting with both parties.

10. Next Meeting – Thursday 13th June 2024 at 9:00am.

MEETING CLOSED @ 12:25PM

Chairperson: