



**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 12<sup>th</sup> September 2024  
**Meeting time:** 09:13AM – 11:16AM  
**Chairperson:** Stuart Shakespeare

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**Attendance**

**The following members were present in person at the meeting:**

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: Molinia GTP 1072442 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 Proxy:**

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

**Present by Invitation:**

Mrs Jodie Syrett, Manager Body Corporate (Minute Taker)  
Mrs Brogan Watling, In-House Counsel (attended at 10:26am)

**Apologies:**

Mr Dale St George, CEO SCCSL  
Mr Andrew Brown  
Mr Brian Earp

A Quorum was present.

Meeting was recorded.

Nil Conflict of Interest

**1. Motions:**

1	<b>Approval of PBC EC Minutes 8<sup>th</sup> August 2024 (Agenda Item 6.1)</b>	<b>ORDINARY RESOLUTION</b>
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Proposed by: Statutory Motion

**CARRIED**

**RESOLVED THAT** the Minutes of the PBC Executive Committee Meeting held on 8<sup>th</sup> August 2024 be accepted as a true and correct record of the proceedings of the meeting.

Yes	5
No	0
Abstain	0

**NOTE:**

**Requested Governance Review discussion.**

- **Project Motion Approval:** Directors Australia (DA) advised of the project approval, post July PBC meeting.
- **Kick-off Meeting:** Initial orientation session covering SC's history and structure conducted with DA 7<sup>th</sup> August. Action items – Access to key reference documents in TOR, 2024 PBC/Committee meeting schedule and recording, meeting resources, key project contracts.
- **Next Steps:** DA will desktop review reference material, finalise, and share their project workplan with timings.
- **Stakeholder Engagement:** The PBC Chair and/or Exec will issue invitations to various stakeholder groups, sub-committees chairpersons and MNs as outlined in the project scope and DA workplan timings.
- **Project first and second phase:** Emphasised the importance of adhering to the agreed PBC governance review scope to avoid project creep and ensure key deliverables.
- the governance review will include advisory services in addition to auditing. A workshop to be held, including EC members and selected members' nominees/residents.

**The EC members held extensive discussion regarding the renewal of Waste Management, Landscaping and Street Sweeping contracts following briefing from Shanyn Fox. The committee was satisfied due diligence was completed and recommended approval.**

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

Proposed by: Statutory Motion

CARRIED

**RESOLVED THAT** the PBC EC approves the applications recommended for approval by the ARC at its meeting held 2<sup>nd</sup> September 2024.

Yes	5
No	0
Abstain	0

Further **RESOLVED THAT** the PBC EC approves the applications recommended for approval, subject to conditions, by the ARC at its meeting held 2<sup>nd</sup> September 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 2<sup>nd</sup> September 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 the Snr Body Corporate Manager, at its meeting held 2<sup>nd</sup> September 2024.

**NOTE:**

**7108:** Renovations commenced at the rear without an application or approval. Email to owner.

**5200** Marine Drive West not North.

**5276:** Built a stone wall without approval within a character zone.

**BUPs:** Two stage process to be formally communicated:

1. Submission to RBC recommendation required (Resolution without Dissent),
2. Submission to ARC for recommendation. .

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

**7. Correspondence for Information**

**S56:**

- CM provided update on correspondence with Ian Hazzard re SCRA s56:
- An error was identified in the correspondence title, s53 rather than s56.
- IH provided 12 reasons why the PBC should not sign s56, some terminology was technical and difficult to understand.
- IH stated that existing rights of the PTBC could be unintentionally amended, changed, or waived because of the proposed change.

- CM advised the PTBC has not responded to several requests to explain the benefits the community would gain from amending s56.

## **8. Correspondence for Action**

### **8.1: Parking Infringements**

- If tenanted, send a non-compliance breach notice to Property Manager to handle (Tenancy Act).

### **8.2: Australia Post Change of Vehicular Transport**

- Noted and no issue.

### **8.3: 4734**

- Correspondence moved under CFI as matter is closed.

### **8.4: Revetment Wall request**

- Requires ARC recommendation accompanied by a timeline. In the future, any requests from Facilities should include a rationale and anticipated outcomes.

## **9. Reports for Information**

### **9.1: Ops Report**

- SS advised EBA negotiations and wages may be contributing to 2 security officers resigning. The industry is known to have a high turnover of staff.

### **9.2: FSC**

- PK and Mika Yanaka (Finance Manager) to streamline the FSC agenda.
- PK provided an overview of the finances, advising deficits are expected in 2024 and 2025. Some will be offset by interest income.
- The main contributors are wage increases and water under-recovery.
- The need for a special levy can be avoided by combining the admin and sinking funds.
- MY will now attend a FSC meetings, and SF will attend CSC meetings.
- Concerns re deficit with A-Class Water and funding of the maintenance facility.
- SF will attend the next PBC EC meeting to discuss upcoming projects and the prioritisation process.
- As there was no CSC representative at the recent meeting due to the CEO's absence, a delegated SCCSL Director should attend future meetings.
- The governance review is focused on assessing and improving communication and processes between the PBC and the subcommittees.

### **9.3: MIPS**

- Update **426 Cypress Point**, remove estimates for the boom gate and change green colour code to ongoing. CM and SH to discuss buggy path maintenance with Barry Teeling.

## **10. General Business**

Chairperson Stuart Shakespeare departed at 10:45am, Cheryl McBride assumed the role of Chairperson for remainder of the meeting.

### **10.1 – PBC EGM Motions Sept 24**

- Approval for retainer with Grace Lawyers
- Approval of filing QCAT application against 4638
- Approval for additional invoice cost of \$4,898.55 from Ian Hazzard advising on s56

### **10.2 – SCCSL Board Update**

- PK advised RBCS was discussed. On completion, contracts outside SC will not be renewed.
- A shareholders' meeting discussed a dispute regarding the removal of a director, mediation is underway and will expire 31st December 2024. If unsuccessful, an arbitration process will be required as per Shareholders Agreement.

### **10.3 – Legal Counsel Update**

- BW advised preparation of a response to Mahoney's regarding issues outstanding from the Buttner Leslie case.
- BW suggested a motion be put forward at the PBC EGM for a general retainer during her maternity leave (Grace Lawyers). BW to draft motion for PK and CM to review.
- PK proposed the PBC EC be authorised to spend a nominal amount without PBC EGM approval to address emergencies.

### **10.5 – Administration Agreement**

- A meeting to discuss the Administration and Management agreement was attended by SH, CM & BW ahead of its expiration in October 2025.
- Potential amendments were considered including the possible individualisation of contracts for the RBCs.
- BW will draft a new agreement and present it to the directors of SCCSL. It will be presented to the RBCs, PBC, and PTBC for feedback and eventual ratification.
- The agreement will be based on a standard contract commonly used by Strata Communities Australia.
- The goal is to finalise the agreement by 31<sup>st</sup> July.

### **10.7 – Compliance 7100 & 2054 (BW)**

#### **7100**

- BW confirmed the PBC's options regarding imposition of breaches is limited due to the restrictions of the RZABLs. She noted that amending the STBL will help enforce parking regulations on the secondary thoroughfare. BW suggested enforcement of the RBC bylaws would yield more success's

#### **2054**

- BW advised that the RV has returned, and one option is to approach Grace to reinstate the application since the owner has not complied with the Referee's order.
- BW suggested contacting the owners in advance to ensure they are aware of the legal process being initiated against them. This approach could avoid legal fees. CM volunteered to visit the 2054 owners.

### **10.8 – Refund of fee**

- 1895 requested \$10 StrataPay fee to be reimbursed for paying levies into PBC instead of RBC account. PBC EC denied request. Owners need to take personal responsibility for their errors.

**10.9 – Construction after hours**

- 5716 reported tradesmen working after hours despite notification. PBC EC advised restricting LPR.

**11. Next Meeting** – Thursday 10<sup>th</sup> October 2024 @ 9:00am

**12.– Meeting Closed @ 11:16AM**

Chairperson:  .....