

Sanctuary Cove resort Act 1985 Section 27 Buildings Units and Group Titles Act 1980 Building Units and Group Titles Regulations 1998

NOTICE OF THE EXTRAORDINARY GENERAL MEETING OF THE SANCTUARY COVE PRINCIPAL BODY CORPORATE 202

Notice of business to be dealt with at the EXTRAORDINARY GENERAL MEETING of the Sanctuary Cove Principal Body Corporate 202, to be held at Meeting Room 1, Sanctuary Cove Body Corporate Services, Shop 1A, Building 1, Masthead Way, Sanctuary Cove, QLD, 4212 on 30 Jan 2025 at 10:00 AM

A proxy form and a voting paper have been included 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. VOTING (MOTIONS FROM AGENDA)
- 4. PROXY FORM

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.

Please take the time to complete and return the voting paper to the reply address below or submit a valid proxy to the PBC Secretary prior to the meeting.

Sanctuary Cove Body Corporate Services Pty Ltd, for the Secretary

Reply To PO Box 15, Sanctuary Cove QLD, 4212 Sanctuary Cove resort Act 1985 Section 27 Buildings Units and Group Titles Act 1980 Building Units and Group Titles Regulations 1998

NOTICE OF THE EXTRAORDINARY GENERAL MEETING OF THE Sanctuary Cove Principal Body Corporate 202

Notice of business to be dealt with at the EXTRAORDINARY GENERAL MEETING of the Sanctuary Cove Principal Body Corporate GTP 202, to be held at Meeting Room 1, Sanctuary Cove Body Corporate Services, Shop 1A, Building 1, Masthead Way, Sanctuary Cove, QLD, 4212 on 30 Jan 2025 at 10:00 AM

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 of RBC's
- 4. Recording of the meeting
- 5. Motions
- 5.1 Approval of Previous General Meeting Minutes 28th November 2024
- 5.2 Approval of Annual General Meeting Minutes 9th December 2024
- 5.3 Fee for Service -Resilium Insurance Broking
- 5.4 Approval of the Debt Recovery Policy (Version 16)
- 5.5 Fee Increase for Michael Jullyan (Executive Architect)

6. Correspondence for Information

For noting of the PBC and the PBC EC

No	Date	From	То	Regarding
1.	25 November 2024	Corymbia	РВС	PTBC Expenditure on GC Lakes
2.	12 December 2024	MN Adelia	РВС	Resignation letter
3.	22 November 2024	MN Washingtonia	РВС	Quayline Information
4.	17 January 2025	PBC Chairperson	All MN & Committee Members	Communication on behalf of the Chairperson
5.	21 January 2025	PBC Chairperson	All MN	Correspondence for Notice of Meeting SCCSL AGM
6.	23 January 2025	РВС	2026 Resident	Compliance Letter
7.	23 January 2025	MN for Roystonia	All MN	Governance Review Blue Print & Minutes

7. Correspondence for Action

For noting of the PBC and the PBC EC

No	Date	From	То	Regarding
1.	7 December 2024	Cassia MN	PBC Chairperson	MSCD Sites unsightly
2.	31 December	Schotia Island Committee Member	PBC	Unofficial Dog Park Complaint
3.	14 January 2025	Alpinia Chairperson	РВС	Alpinia Common property
4.	22 January 2025	Plumeria Resident	РВС	Unapproved kerb ramp approval

8. General Business:

8.1 PBC 2025 Tasks - Communication to MNs and Committee Members

8.2 Status of New AMA's - Cheryl McBride

8.3 Status of Governance Review Blue Print - Simone Hoyle

8.4 FSC Update - Paul Kernaghan

8.5 PBC Motions – February 2025

8.6 MN Retirements

8.6 Next meeting to be held on Thursday 27th February 2025

9. Closure of Meeting

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 Resort 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.

VOTING PAPER

Extraordinary General Meeting for the Sanctuary Cove Principal Body Corporate GTP 202

Location of meeting:	Meeting Room 1, Sanctuary Cove Body Corporate Services, Shop 1A, Building 1, Masthead Way, Sanctuary Cove, QLD, 4212
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Date and time of meeting: Thursday 30 January 2025 at 10:00 AM

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. You may also vote online using the secure link emailed to your email address.

MOTIONS

1	Approval of Previous General Meeting Minutes - 28 November	Ordinary Resolution
	2024 (Agenda Item 1)	

Statutory Motion Submitted by Chairperson

THAT the Minutes of the PBC Extraordinary General Meeting held on 28th November 2024 be accepted as a true and correct record of the proceedings of the meeting.

No 🗖 Abstain 🗖	Yes	כ
Abstain 🗖	No C	כ
	Abstain 🕻	כ

2 Approval of PBC AGM Minutes 9th December 2024 (Agenda Item Ordinary Resolution 2)

Statutory Motion Submitted by Chairperson

THAT the Minutes of the PBC Annual General Meeting held on 9th December 2024 be accepted as a true and correct record of the proceedings of the meeting.

Yes 🗖
No 🗖
Abstain 🗌

Fee for Service - Resilium Insurance Broking (Agenda Item 3)

Ordinary Resolution

Submitted by Chairperson

THAT the PBC accepts the Insurance Policy Fee for Service from Resilium Insurance Broking for the management of insurance policies of 31/12/2024 - 31/12/2025 in the amount of \$14,960.00 (including GST) with the amount of \$3,242.16 (including GST) being apportioned to the PTBC and the balance of \$11,717.84 (including GST) by the PBC.

Yes 🗖	
No 🗖	
Abstain 🗖	

This reflects a 0.03% increase on last year's premium.

4 Approval of the Debt Recovery Policy (Version 16 - Agenda Item Ordinary Resolution 4)

Submitted by Chairperson

THAT the PBC EGM adopts the BC-25 Debt Recovery Policy Version 16 as attached to this Meeting Notice as **ANNEXURE 'A'**.

That the Proprietors of PBC Titles Plan 202, **FURTHER THAT** pursuant to the *Building Units and Group Titles Act 1980* for the purpose of collecting levy contributions to authorise the Body Corporate Manager (pursuant to section 50 of the Act) and/or the Committee to do any one or more of the following:

- to issue arrears notices, reminder notices and/or letters to seek recovery of levy contributions and the recovery of other debts, water including penalties, interest, legal and other costs;
- 2. to retain legal representation of Grace Lawyers Pty Ltd on behalf of the Proprietors PBC Group Titles Plan 202;
- to issue demands, commence, pursue, continue, maintain or defend any court, tribunal or any other proceedings on behalf of the Body Corporate against any lot owner, mortgagee in possession and/or former lot owner in relation to all matters arising out of the recovery of levy contributions and the recovery of other debts, including penalties, interest, legal and other costs;
- enter and enforce any judgment obtained in the collection of levy contributions including issuing enforcement warrants for seizure and sale of real or personal property, enforcement warrants for redirection of debts or earnings, enforcement warrant for enforcement hearing and commencing and maintaining bankruptcy proceedings or winding up proceedings;
- 5. filing an appeal or defending an appeal against any judgment concerning the collection of levy contributions; and
- liaise, instruct and prepare all matters with the Body Corporate's debt collection agents, lawyers and experts in relation to any levy recovery proceedings.

Yes 🗖	
No 🗖	
Abstain 🗖	



Fee increase for Michael Jullyan (Executive Architect) (Agenda Item 5)

Submitted by Chairperson

THAT the PBC agrees to the fee increases of Michael Jullyan, Executive Architect, as set out in the table below (with changes marked in grey) for his assistance in guiding the PBC on building approval applications within Stage 1.

	First Submission (Current)	First Submission (Proposed)	Resubmission (Current)	Resubmission (Proposed)
New Houses	\$650	\$900 + GST	\$500	\$600 + GST
Major Alterations	\$600	\$900 + GST	\$450	\$600 + GST
Minor Alterations	\$500	\$500 + GST	\$400	\$400 + GST
Preliminary	\$N/A	\$300 + GST	\$N/A	\$300 + GST
Pool	\$300	\$300 + GST	\$200	\$200 + GST
Landscape	\$300	\$300 + GST	\$200	\$200 + GST
Colours	\$350	\$350 + GST	\$200	\$200 + GST
Artificial Grass	\$300	\$150 + GST	\$200	\$100 + GST
Screened	\$400	\$450 + GST	\$300	\$300 + GST
Enclosures				
Decks	\$450	\$450 + GST	\$300	\$300 + GST
Hourly Rate	\$300	\$300 + GST	\$300 + GST	\$300 + GST

Yes 🗖
No 🗖
Abstain 🗖

GTP: 202

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 voter: _____

Date: _____

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ATTACHMENTS

- 1. MOTION INFORMATION
- 2. Minutes of previous General Meeting
- 3. 20241209 PBC AGM Minutes
- 4. Motion 3 New Business Invoice-Sanctuary Cove Prin-ServiceFee-9528625
- 5. Motion 4 BC-25 Debt Recovery Policy V16
- 6. CORRO FOR INFORMATION
- 7. CFI 1. PTBC expenditure on Golf and Country Club lakes
- 8. CFI 2. Reignation to Residents of Adelia
- 9. CFI 3. Quayline DRWG & H2 Secondary Thoroughfare applicable to 4718-4732 The Parkway, SC
- 10. CFI 4. Communication to the MN & Committee Members
- 11. CFI 5. Correspondence for Notice of Meeting SCCSL AGM 2025
- 12. CFI 5. Sanctuary Cove AGM Notice 6 February 2025
- 13. CFI 5. Audited Financial Statements_Sanctuary Cove Community Services Ltd and its Controlled Entities 31 October 2024_Final (002)
- 14. CFI 5.SCCS Minutes of an AGM 9 May 2024
- 15. CFI 6. 2026 Schotia Island Bamboo Screening
- 16. CFI 7. Governance Review Minutes 20241209 (002)
- 17. CFI 7. Sanctuary Cove PBC gov review blueprint (final draft 6 Feb 25 PBC)
- **18. CORRO FOR ACTION**
- 19. CFA 1. Recommendation from Cassia with pictures
- 20. CFA 2. Unofficial dog park
- 21. CFA 3.14012025 ALPINIA Correspondence
- 22. CFA 4. COMPLIANCE ADVICE_ 7081 Keyside Close Ramp

- 23. Proxy form for Body Corporate Meetings
- 24. Information About Proxies

MOTION INFORMATION



MINUTES OF EXTRAORDINARY GENERAL MEETING

for Sanctuary Cove Principal Body Corporate GTP 202

Location of meeting:

Date and time of meeting: Meeting time: Chairperson: Meeting Room 1, Sanctuary Cove Body Corporate Services, Shop 1A, Building 1, Masthead Way, Sanctuary Cove, QLD, 4212 Thursday 28 November 2024 at 10:00 AM **10:04am - 12:06pm** Mr Stuart Shakespeare

ATTENDANCE

The following members were Present in Person at the meeting:

Lot 1702	Cassia GTP 1702	Mr Peter Cohen (PC)
Lot 1703	Washingtonia GTP 1703	Mr David Francis (DF)
Lot 1712	Livingstonia GTP 1712	Mr Brian Earp (BE) – Dep @ 10:20am
Lot 1790	Araucaria GTP 1790	Mrs Caroline Tolmie (CT)
Lot 2504	Colvillia GTP 2504	Mr Robert Nolan (RN)
Lot 107106	Schotia Island GTP 107106	Mr Wayne Bastion (WB)
Lot 107128	Felicia GTP 107128	Mr Stuart Shakespeare (SS)
Lot 107209	Alpinia GTP 107209	Mrs Dianne Taylor (DT)
Lot 107217	Tristania GTP 107217	Mr Mark Winfield (MW)
Lot 107353	Woodsia GTP 107353	Mr Peter Hay (PH)
Lot 107360	Adelia GTP 107360	Mr Gary Simmons (GS)
Lot 107434	Zieria GTP 107434	Mr Hugh Martin (HM)
Lot 107442	Molinia GTP 107442	Mrs Cheryl McBride (CM)
Lot 107488	Darwinia GTP 107488	Mrs Jane Burke (JB)

The following members present by Voting Paper and In Person:

Lot 1712	Livingstonia GTP 1712	(pre-voted)
Lot 1790	Araucaria GTP 1790	(pre-voted)
Lot 107209	Alpinia GTP 107209	(pre-voted)
Lot 107217	Tristania GTP 107217	(pre-voted)
Lot 107353	Woodsia GTP 107353	(pre-voted)
Lot 107442	Molinia GTP 107442	(pre-voted)

The following members present by Voting Paper:

Lot 21	Mulpha Sanctuary Cove	Electronic vote
	(Developments) Pty Limited	
Lot 81	Mulpha Sanctuary Cove	Electronic vote
	(Developments) Pty Ltd	
Lot 83	Mulpha Sanctuary Cove	Electronic vote
	(Developments) Pty Limited	
Lot 1701	Bauhinia GTP 1701	Electronic vote
Lot 2207	Plumeria GTP 2207	Electronic vote
Lot 107509	Alphitonia GTP 107509	Electronic vote
Lot 107045	Harpullia GTP 107045	Electronic vote

 Lot 107053
 Acacia GTP 107053

 Lot 107278
 Banksia Lakes GTP 107278

 Lot 107399
 Caladenia GTP 107399

 Lot 107406
 Corymbia GTP 107406

Electronic vote Electronic vote Paper vote Electronic vote

The following members were present by Proxy:	
Nominee	Represe
Lot 1769 Chery McBride	Royston

Representing Roystonia GTP 1769

The following members were present by Proxy however unable to vote:

Present by Invitation:

Mrs Jodie Syrett – Manager of Body Corporate (Minute Taker) (JS) Ms Shanyn Fox – Facilities Manager (SF)

Apologies:

Mr Michael Longes (ML) – Acacia Mr Stephen Anderson (SA) - Mulpha Lots 21 & 81 and Alphitonia Mr Andrew Brown (AB) – Banksia Lakes Mr Richard Sherman (RS) – Bauhinia Mr Tony McGinty (TM) – Caladenia Mrs Shawlene Nefdt (SN) – Corymbia Mr Nabil Issa (NI) – Fuschia Mr Paul Kernaghan (PK) – Harpullia Mr Nicholas Eisenhut (NE) – Plumeria Mrs Simone Hoyle (SH) – Roystonia Mr Mick McDonald (MM) – Mulpha Lot 83

The following members were not financial for the meeting:

A Quorum was present Nil Conflict of Interest The Meeting was recorded.

Motions

1 Approval of Previous General Meeting Minutes - 31 October 2024 (Agenda Item 5.1)

Ordinary Resolution

21

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Statutory Motion Submitted by Chairperson

Motion CARRIED.

Yes

No

Abstain

RESOLVED that the Minutes of the PBC Extraordinary General Meeting held on 31st October 2024 be accepted as a true and correct record of the proceedings of the meeting.

Members Name	Yes	No	Abstain	Members Name	Yes	No	Abstain
Acacia			Х	Fuschia			
Adelia	X			Harpullia	X		
Alphitonia	X			Justicia			
Alpinia	X			Livingstonia	X		
Alyxia				Molinia	X		
Araucaria	X			Plumeria	X		
Ardisia				Roystonia	X		
Banksia Lakes			Х	Schotia Island	X		
Bauhinia	X			Tristania	X		
Caladenia	X			Washingtonia	Х		
Cassia	X			Woodsia			Х
Colvillia	X			Zieria	Х		
Corymbia			Х	MSCD Lot 21 (SA)	Х		
Darwinia	X			MSCD Lot 81 (SA)	Х		
Felicia	X			MSCD Lot 83 (MM)			Х

2	Approval of PBC Security Services User Agreement (Agenda Item 5.2)	Ordinary Resol
Submitt	ed by Chairperson	Motion CARRIED.

RESOLVED that the Principal Body Corporate (PBC) approves the renewal of the PBC Security Services User Agreement, which expired on October 31, 2024.

NOTE: Amended to one (1) year

- Concern was raised about the agreement's lack of information regarding additional services provided to other entities within Sanctuary Cove, such as Mulpha, the Hotel, the Village, and other areas
- The Chair provided a breakdown:
 - PBC: 93.66% (\$3,500,000)
 - PTBC: 2.1% (\$78,000)
 - Golf: 0.08% (\$30,000)
 - Admin Zone: 4% (\$18,000)
 - Country Club: 0.08% (\$30,000)
 - Additionally, there are separate contracts:
 - Security for the Harbours: \$33,700 (plus GST per annum)
 - Hotel Zone: Under \$51,000 (plus GST per annum)
- Questions were raised regarding the PBC's plan to present the Administration and Management Agreement (AMA)in June 2025.What options will be considered.
- The Chair advised a review of the AMA has commenced. Feedback on the progress will be presented to the PBC early in 2025 in readiness for the RBC EGMs in June. The Chairperson suggested a timetable for the upcoming items that require attention for 2025.

Members Name	Yes	No	Abstain	Members Name	Yes	No	Abstain
Acacia	Х			Fuschia			
Adelia	Х			Harpullia	Х		
Alphitonia	Х			Justicia			
Alpinia	Х			Livingstonia	X		
Alyxia				Molinia	Х		
Araucaria	Х			Plumeria	Х		
Ardisia				Roystonia	Х		
Banksia Lakes	Х			Schotia Island	Х		
Bauhinia	Х			Tristania	Х		
Caladenia	Х			Washingtonia	Х		
Cassia	Х			Woodsia	Х		
Colvillia	X			Zieria	X		
Corymbia			X	MSCD Lot 21 (SA)	X		
Darwinia	Х			MSCD Lot 81 (SA)	X		
Felicia	Х			MSCD Lot 83 (MM)	Х		

Yes	25
No	0
Abstain	1

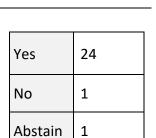
3 Body Corporate Executive Committee S41 (14) SCRA (Agenda Item 5.3)

Submitted by Chairperson

RESOLVED that in accordance with section 41(4) Sanctuary Cove Resort Act 1985 (Qld), the PBC Executive Committee is to consist of at least 5 and not more than 7 voting members.

NOTE: MN for Zieria mentioned this motion needs to go up earlier, suggestion for October EGM 2025

Members Name	Yes	No	Abstain	Members Name	Yes	No	Abstain
Acacia	X			Fuschia			
Adelia	X			Harpullia	Х		
Alphitonia	X			Justicia			
Alpinia	Х			Livingstonia	Х		
Alyxia				Molinia	Х		
Araucaria	X			Plumeria	Х		
Ardisia				Roystonia	Х		
Banksia Lakes	X			Schotia Island	Х		
Bauhinia	X			Tristania	Х		
Caladenia	X			Washingtonia	Х		
Cassia	X			Woodsia	Х		
Colvillia	X			Zieria		Х	
Corymbia			X	MSCD Lot 21 (SA)	X		
Darwinia	X			MSCD Lot 81 (SA)	Х		
Felicia	Х			MSCD Lot 83 (MM)	Х		



Ordinary Resolution

Motion CARRIED.

Approval to award interim FTTH Network Management Agreement contract to OptiComm (Agenda Item 5.4)

Submitted by Chairperson

Motion CARRIED.

RESOLVED that the PBC award the interim FTTH Network Management
Agreement contract to OptiComm at a cost of \$348,700 incl. GST, per annum for
the period commencing 01 April 2025 to 31 March 2026, with the option to
extend for one additional year by the PBC. All existing pricing and conditions to
be the same as the current agreement; and

FURTHER RESOLVED that the number of quotes be reduced from three (3) to one (1) due to other providers being unable to support the existing equipment integrated within the network and the need for a short-term interim contract pending the decision on the required upgrades and a form of contract in the long term.

NOTE:

- The Chairperson (SS) read an email from John Reid (Plumeria Chair) regarding this motion. Annexure A attached.
- The Chairperson stated the intent is to give the PBC additional time to identify an independent specialist.

Further comments:

- 1. Shanyn (SF) attended the meeting and advised Harbour One will have emergency buttons ready to be connected to Security.
- The PBC will need to charge Harbour One for this security service.
- The Chairperson noted that the PBC operates as a cost recovery business and questioned why areas like Harbour One benefit from services when they are not part of the residential zone

Members Name	Yes	No	Abstain	Members Name	Yes	No	Abstain
Acacia	Х			Fuschia			
Adelia	Х			Harpullia	Х		
Alphitonia	Х			Justicia			
Alpinia	Х			Livingstonia	X		
Alyxia				Molinia	Х		
Araucaria	Х			Plumeria		Х	
Ardisia				Roystonia	Х		
Banksia Lakes	Х			Schotia Island	X		
Bauhinia		Х		Tristania	Х		
Caladenia	Х			Washingtonia	Х		
Cassia	Х			Woodsia	Х		
Colvillia	Х			Zieria	Х		
Corymbia			Х	MSCD Lot 21 (SA)	X		
Darwinia	Х			MSCD Lot 81 (SA)	X		
Felicia	Х			MSCD Lot 83 (MM)	X		

Yes	23
No	2
Abstain	1

Motion CARRIED.

Submitted by Chairperson	
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RESOLVED that the PBC EC acknowledges the SRB revetment and gabion rock report and grants Management authorisation to inform individual lot owners/RBC's and take the necessary actions or repairs as recommended.

SRB revetment wall and gabion report (Agenda Item 5.5)

NOTE:

- The Chairperson stated forward planning is covered within the sinking fund for a portion of work and the other portion may fall on the lot owners.
- Shanyn (SF) stated critical issues are quoted, and actions have been undertaken since 01/11/2024 (the new financial year). She clarified some issues fall under the responsibility of the lot owners, not the PBC. Lot receives communications each year.
- Shanyn acknowledged some lot owners ignore the notifications but, enforcement remains challenging.

Members Name	Yes	No	Abstain	Members Name	Yes	No	Abstain
Acacia	Х			Fuschia			
Adelia	Х			Harpullia	Х		
Alphitonia	Х			Justicia			
Alpinia	Х			Livingstonia	Х		
Alyxia				Molinia	Х		
Araucaria	Х			Plumeria	Х		
Ardisia				Roystonia	X		
Banksia Lakes	Х			Schotia Island	Х		
Bauhinia	Х			Tristania	X		
Caladenia	X			Washingtonia	Х		
Cassia	X			Woodsia	Х		
Colvillia	Х			Zieria	Х		
Corymbia	Х			MSCD Lot 21 (SA)	X		
Darwinia	Х			MSCD Lot 81 (SA)	X		
Felicia	Х			MSCD Lot 83 (MM)	Х		

Yes	26
No	0
Abstain	0

RESOLVED that the Emergency Disasters and Outages Guide for Sanctuary Cove Residents, First Edition dated 18th November 2024 be adopted by the PBC and copies emailed to homeowners and posted on the PBC www.oursanctuarycove.com.au

NOTE:

6

Submitted by Chairperson

- The Chairperson stated the first point of access to the Plan will be available on the website and an app for residents will be explored.

- A hardcopy in a folder for residents who prefer paper copies.

Members Name Yes No Abstain **Members Name** Yes Abstain No Fuschia Acacia Х Adelia Х Harpullia Х Alphitonia Х Justicia Alpinia Х Livingstonia Х Alyxia Molinia Х Araucaria Х Plumeria Х Ardisia Roystonia Х **Schotia Island** Х **Banksia Lakes** Х Bauhinia Х Tristania Х Caladenia Х Washingtonia Х Cassia Х Woodsia Х Colvillia Х Zieria Х Х MSCD Lot 21 (SA) Х Corymbia Darwinia MSCD Lot 81 (SA) Х Х Felicia Х MSCD Lot 83 (MM) Х

Approval to pay outstanding Grace invoice: QCAC application for 4638 (Agenda Item 5.7)

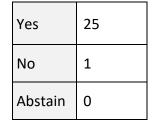
Submitted by Chairperson

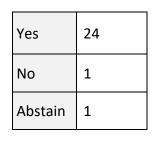
RESOLVED that approval is given to pay the additional amount on the invoice from Grace Lawyers of \$3,351.37 (incl GST) for the preparation of QCAT application against 4638.

NOTE:

7

- The Chairperson explained the cost increased initially from the \$5,000 approved in a previous meeting.





Ordinary Resolution

Motion CARRIED.

Motion CARRIED.

Members Name	Yes	No	Abstain	Members Name	Yes	No	Abstain
Acacia	Х			Fuschia			
Adelia	Х			Harpullia	Х		
Alphitonia	X			Justicia			
Alpinia	X			Livingstonia	Х		
Alyxia				Molinia	Х		
Araucaria	Х			Plumeria	Х		
Ardisia				Roystonia	Х		
Banksia Lakes	Х			Schotia Island	Х		
Bauhinia		Х		Tristania	Х		
Caladenia	Х			Washingtonia	Х		
Cassia	Х			Woodsia	Х		
Colvillia	Х			Zieria	Х		
Corymbia			Х	MSCD Lot 21 (SA)	Х		
Darwinia	Х			MSCD Lot 81 (SA)	Х		
Felicia	Х			MSCD Lot 83 (MM)	Х		

8

PBC instructs shareholder nominee, Stuart Shakespeare to inform the board of extension of the Dispute Resolution Process is extended to 31st January 2025 (Agenda Item 5.8)

Submitted by Chairperson

Motion CARRIED.

Yes 22 No 2 2 Abstain

RESOLVED that the PBC, as a shareholder of SCCSL, instructs its shareholder nominee, Stuart Shakespeare, to inform the board that the negotiation period of the Dispute Resolution Process is extended to the 31st of January 2025.

NOTE:

- The Chairperson stated that the Directors have a reasonable understanding of the options and process. He explained the negotiation process was approached with the Board Directors and included discussions on dispute resolution. He noted this process is mandatory under the Shareholders Agreement. If no agreement is reached, arbitration would be the next step, though it would be costly for both parties. Additionally, he emphasised the importance of establishing a process to prevent similar issues in the future.
- The motion passed to remove Stephen Anderson, as PTBC Nominee Director of SCCSL was raised.
- The Chairperson responded that a process had been followed. He noted that the negotiation phase had been stalled by increased workload for Paul K and himself following the CEO's departure.
- It was suggested the motion should remain active until next year, as it _ would be premature to rescind it at this stage. The current motion is to seek more time to maintain the process.
- Concern was expressed about the potentially high costs of legal fees and _ agreement amendments. Should the PBC consider dissolving the company, reforming it, and running it in a way that aligns better with residents' goals? The cost may be comparable to the escalating costs of continued disputes with Mulpha.
- The Chairperson acknowledged that this could be an option worth exploring.
- It was noted the Governance Review was not intended to assess SCCSL. The auditors consulted with Mulpha employees on several occasions and are pursuing Barry Teeling (Mulpha Sanctuary Cove) to provide input on communication and interface with the PBC. The PBC Directors recommended that the company conduct its own governance review. This was accepted by the PTBC Directors with a view to concluding a scope.

Members Name	Yes	No	Abstain	Members Name	Yes	No	Abstain
Acacia	Х			Fuschia			
Adelia	Х			Harpullia	Х		
Alphitonia	X			Justicia			
Alpinia	X			Livingstonia	X		
Alyxia				Molinia	X		
Araucaria	Х			Plumeria	X		
Ardisia				Roystonia	X		
Banksia Lakes	Х			Schotia Island	X		
Bauhinia	X			Tristania	X		
Caladenia	Х			Washingtonia	X		
Cassia		Х		Woodsia			Х
Colvillia	Х			Zieria	X		
Corymbia			Х	MSCD Lot 21 (SA)	Х		
Darwinia	Х			MSCD Lot 81 (SA)	X		
Felicia	Х			MSCD Lot 83 (MM)		X	

Correspondence for Information:

Governance Review

The MN for Molinia reported the initial blueprint from the Governance Review was included in the PBC booklet and would be updated following consultations (November) with several PBC EC members and stakeholders. Directors Australia is expected to deliver an update on the progress of the review to the MNs after the AGM on December 9, 2024. Following the presentation there will be time for Q & A.

- Jodie (JS) to send out meeting invite regarding the Governance Review to determine the numbers for the meeting.

Correspondence for Action:

Tristania letter regarding Dog Christmas Event on Schotia Island:

- MN for Schotia Island raised several issues:
- 1. There is no ability for the organiser to ensure all dogs would be on lead throughout the event thereby causing neighbourhood dogs to bark and exposing residents to potential injury.
- 2. Could the event be held on Mulpha land i.e. the football field well away from disturbing the residents?
- 3. The PBC EC should refuse permission for the event to be held as it is likely to encourage the breach of several bylaws.
- The Chairperson clarified that the PBC EC does not have the authority to deny any resident the use of a park. Instead, they can only remind residents of the RZABLs and the necessity of always adhering to them.

General Business:

Asset Improvement Update:

- Is the irrigation at Sanctuary Greens included in the projects and budget for 2024/2025. The Chairperson will follow up and provide a report.

Skip for Residents:

- Will a skip be provided for residents to dispose of refuse. Jodie will follow up with Shanyn (SF).

Alpinia Common Property transfer to PBC:

- There is a substantial amount of common property to evaluate before deciding the PBC's responsibility for the common property of any specific RBC.

LPR Delay:

- Is there an update regarding the reason for the LPR time delay.

Meeting Report distributed by the Chairperson (Annexure B):

- The Chairperson provided an update on the meeting with Mulpha, confirming the installation of a 2-metre-high solid fence along the new Village Road. Additionally, there was a discussion regarding the conversion of the new Village Road and Vardon Lane to Secondary Thoroughfare, to which Mulpha raised no objections.
- The Chairperson also addressed concerns about boundary setbacks with Harbour One. The Project Manager assured that the development complies with the National Construction Code, confirming adherence to all required standards.
- At the end of the meeting, Mulpha advised the completion and opening of the new Village Gates has been delayed until May 2025. Please note: the road leading to the gates will be open earlier.

An annual calendar listing significant events and anticipated contracts/budgets etc will be constructed in 2025 for the PBC (as per recommendation from the Governance Review).

PBC Motions for January 2025:

None anticipated as yet.

There being no further business the chairperson declared the meeting closed.

MEETING CLOSED at 12:06 PM

Chairperson: X.....



MINUTES OF ANNUAL GENERAL MEETING

for Sanctuary Cove Principal Body Corporate GTP 202

Location of meeting:

Date and time of meeting: Meeting time: Chairperson: Meeting Room 1, Sanctuary Cove Body Corporate Services, Shop 1A, Building 1, Masthead Way, Sanctuary Cove, QLD, 4212 Monday 09 December 2024 at 10:00 AM **10:04AM – 10:40AM** Mr Stuart Shakespeare

ATTENDANCE

The following members were Present in Person at the meeting:

Lot 1702	Cassia GTP 1702	Mr Peter Cohen (PC)
Lot 1703	Washingtonia GTP 1703	Mr David Francis (DF)
Lot 1712	Livingstonia GTP 1712	Mr Brian Earp (BE)
Lot 1769	Roystonia GTP 1769	Mrs Simon Hoyle (SH)
Lot 1790	Araucaria GTP 1790	Mrs Caroline Tolmie (CT)
Lot 107045	Harpullia GTP 107045	Mr Paul Kernaghan (PK)
Lot 107128	Felicia GTP 107128	Mr Stuart Shakespeare (SS)
Lot 107209	Alpinia GTP 107209	Mrs Dianne Taylor (DT)
Lot 107217	Tristania GTP 107217	Mr Mark Winfield (MW)
Lot 107278	Banksia Lakes GTP 107278	Mr Andrew Brown (AB)
Lot 107353	Woodsia GTP 107353	Mr Peter Hay (PH)
Lot 107360	Adelia GTP 107360	Mr Gary Simmons (GS)
Lot 107434	Zieria GTP 107434	Mr Hugh Martin (HM)
Lot 107442	Molinia GTP 107442	Mrs Cheryl McBride (CM)
Lot 107488	Darwinia GTP 107488	Mrs Jane Burke (JB)

The following members present by Voting Paper and In Person:

Lot 107209	Alpinia GTP 107209	(pre-voted)
Lot 107353	Woodsia GTP 107353	(pre-voted)
Lot 107360	Adelia GTP 107360	(pre-voted)
Lot 107442	Molinia GTP 107442	(pre-voted)
Lot 107488	Darwinia GTP 107488	(pre-voted)

The following members present by Voting Paper:

Lot 21	Mulpha Sanctuary Cove (Developments) Pty Limited	Electronic vote
Lot 81	Mulpha Sanctuary Cove (Developments) Pty Ltd	Electronic vote
Lot 83	Mulpha Sanctuary Cove	Electronic vote
Lot 1701	(Developments) Pty Limited Bauhinia GTP 1701	Electronic vote
Lot 2207	Plumeria GTP 2207	Electronic vote
Lot 2504	Colvillia GTP 2504	Electronic vote
Lot 107509	Alphitonia GTP 107509	Electronic vote
Lot 107106	Schotia Island GTP 107106	Electronic vote
Lot 107399	Caladenia GTP 107399	Electronic vote

The following members were present by Proxy:

The following members were present by Proxy however unable to vote:

Present by Invitation:

Apologies:

Mr Richard Sherman (RS) – Bauhinia Mr Nick Eisenhut (NE) - Plumeria Mr Wayne Bastion (WB) – Schotia Island Mr Robert Nolan (RN) - Colvillia Mr Tony McGinty (TM) – Caladenia Mr Mick McDonald (MM) – Mulpha Lot 83 Mr Stephen Anderson (SA) – Mulpha Lots 21 & 81 and Alphitonia

The following members were not financial for the meeting:

A Quorum was present Nil Conflict of Interest The Meeting was recorded.

Motions

1 Financial Statements Year Ending 31 October 2024 (Agenda Item 1)

Ordinary Resolution

Submitted by Chairperson

RESOLVED that the Principal Body Corporate:

(a) accepts that the body corporate is a non-reporting entity and that to the best of the knowledge and belief of the Members of the body corporate, would remain so in the current financial year; and

(b) approves and adopts the audited Statements of Income and Expenditure for the year ending 31 October 2024 showing a deficit of \$187,733.24 in the Administration Fund and a surplus of \$423,555.85 in the Sinking Fund, together with the Statement of Assets and Liabilities as of 31 October 2024 showing total Net Assets (accumulated funds) of \$7,368,683.95.

Yes	25
No	0
Abstain	1

Note:

The PBC Administrative Fund Balance year ending 31 October 2024 is \$618,370.87 given the carried forward balance of \$806,104.11 from the previous year. The PBC Sinking Fund Balance year ending 31 October 2024 is \$6,750,313.08.

Members Name	Yes	No	Abstain	Members Name	Yes	No	Abstain
Acacia				Fuschia	X		
Adelia	Х			Harpullia	Х		
Alphitonia	X			Justicia			
Alpinia	Х			Livingstonia	Х		
Alyxia				Molinia	X		
Araucaria	Х			Plumeria	Х		
Ardisia				Roystonia	Х		
Banksia Lakes	Х			Schotia Island	X		
Bauhinia	X			Tristania	X		
Caladenia	X			Washingtonia	X		
Cassia	X			Woodsia	X		
Colvillia	X			Zieria	X		
Corymbia			Х	MSCD Lot 21 (SA)	X		
Darwinia	X			MSCD Lot 81 (SA)	X		
Felicia	X			MSCD Lot 83 (MM)	X		

Motion CARRIED.

Statutory Motion Submitted by Chairperson

RESOLVED that pursuant to Section 27(5) of the Sanctuary Cove Resort Act 1985, and in accordance with the provisions of Part 2 of the Second Schedule Sections 1(5A), 1(5B) and 1(5C) of the Building Units and Group Titles Act 1980 the accounts of the body corporate relating to the financial year ending 30 October 2025 not be audited.

Please note: If you want the accounts to be audited, vote NO.

No Appointment of Auditor (Agenda Item 2)

Members Name	Yes	No	Abstain	Members Name	Yes	No	Abstain
Acacia				Fuschia		Х	
Adelia		Х		Harpullia		Х	
Alphitonia		Х		Justicia			
Alpinia		X		Livingstonia		Х	
Alyxia				Molinia		Х	
Araucaria		Х		Plumeria		Х	
Ardisia				Roystonia		Х	
Banksia Lakes		Х		Schotia Island		Х	
Bauhinia		X		Tristania		Х	
Caladenia	Х			Washingtonia		Х	
Cassia		Х		Woodsia		Х	
Colvillia		Х		Zieria		Х	
Corymbia	Х			MSCD Lot 21 (SA)		Х	
Darwinia		Х		MSCD Lot 81 (SA)		Х	
Felicia		Х		MSCD Lot 83 (MM)		Х	

3 Appointment of Auditor (Agenda Item 3)

Statutory Motion Submitted by Chairperson

RESOLVED that pursuant to Section 27(5) of the Sanctuary Cove Resort Act 1985 and Part 2 of the Second Schedule Section 1(5) (ba) of the Building Units and Group Titles Act1980, auditors PKF Chartered Accountants to conduct the audit of the body corporate financial records for the financial year ending 31 October 2025 at a cost of \$4,917 inc GST.

Note:

Price has increased \$11.00 from last year.

Yes	2
No	24
Abstain	0

Motion DEFEATED.

Ordinary Resolution

Motion CARRIED.

Yes	25
No	1
Abstain	0

Acacia			Fuschia	Х		
Adelia	Х		Harpullia	Х		
Alphitonia	Х		Justicia			
Alpinia	Х		Livingstonia	Х		
Alyxia			Molinia	Х		
Araucaria	Х		Plumeria	Х		
Ardisia			Roystonia	Х		
Banksia Lakes	Х		Schotia Island	Х		
Bauhinia	Х		Tristania	Х		
Caladenia	Х		Washingtonia	Х		
Cassia	Х		Woodsia	Х		
Colvillia		Х	Zieria	Х		
Corymbia	Х		MSCD Lot 21 (SA)	Х		
Darwinia	Х		MSCD Lot 81 (SA)	Х		
Felicia	Х		MSCD Lot 83 (MM)	Х		
			·		•	

Abstain Members Name

4

Members Name

Strata Residential Property Insurance (Agenda Item 4)

Yes

No

Statutory Motion Submitted by Chairperson

RESOLVED that the PBC accepts the renewal invitation from CHU Underwriting Agency for strata residential insurance (excluding flood cover) at a total cost of \$267,545 (including GST, stamp duty and administration fee) and approve payment in full, with the premium of \$80,263.50 Inc. GST being apportioned to the PTBC and the balance being \$187,281.50 Inc GST payable by the PBC.

Period of Cover: 31/12/2024 to 31/12/2025

Community Property \$139,774,265 Community Income \$20,966,139 Common Area Contents \$1,397,743 Machinery Breakdown sum Insured \$250,000 Loss of Rent / Temporary Accommodation/Community Income/Storage \$3,144,920 Catastrophe Insurance \$19,016,906 Deductibles: Community Property \$10,000 Machinery Breakdown \$1,000

Premium: \$267,545 Flood Cover excluded. Machinery Breakdown was included in a separate policy previously, this is now consolidated. Public Liability, Fidelity Guarantee, Office Bearers Legal Liability and Government audit and legal expenses now covered under the individual Public liability policies.

Insurance report note: Successful renewal negotiation secured a rate reduction for the coming year via existing insurer CHU.

NOTE: MN for Harpullia suggested a summary for following year instead of multiple pages from broker.

Motion CARRIED.

Yes

No

Abstain

Yes	26
No	0
Abstain	0

Ordinary Resolution

Members Name	Yes	NO	Abstain	Members Name	Yes	NO	Abstain
Acacia				Fuschia	Х		
Adelia	Х			Harpullia	Х		
Alphitonia	Х			Justicia			
Alpinia	Х			Livingstonia	Х		
Alyxia				Molinia	X		
Araucaria	Х			Plumeria	Х		
Ardisia				Roystonia	X		
Banksia Lakes	Х			Schotia Island	X		
Bauhinia	X			Tristania	Х		
Caladenia	Х			Washingtonia	X		
Cassia	X			Woodsia	Х		
Colvillia	Х			Zieria	Х		
Corymbia	Х			MSCD Lot 21 (SA)	Х		
Darwinia	Х			MSCD Lot 81 (SA)	Х		
Felicia	Х			MSCD Lot 83 (MM)	Х		

Abstain Members Name

5

Mombore Name

Public Liability Insurance (Agenda Item 5)

Statutory Motion Submitted by Chairperson

RESOLVED that the PBC accepts the renewal invitation from CHU Underwriting Agency for Public Liability insurance at a total cost of \$25,785.00 (including GST, stamp duty and administration fee) and approve payment in full, with the premium of \$12,595.00 (inc GST, stamp duty and administration fee) being apportioned to the PTBC, no portion being apportioned to the RBC's, and the balance being payable by the PBC \$13,190.00 Inc GST.

No

Period of Cover: 31/12/2024 to 31/12/2025

Liability to others to a limit of \$50,000,000 Voluntary Workers:

- Death \$200,000

- Total Disablement \$2,000 per week

Government Audit Costs & Legal Expenses:

- Government Audit Costs \$25,000
- Appeal Expenses \$100,000

- Legal Defence Expenses \$50,000

Fidelity Guarantee \$100,000 Office Bearers Legal Liability \$10,000,000

Premium: \$25,785.00

Yes 26 No 0

0

Ordinary Resolution

Abatain

Motion CARRIED.

Abstain

Members Name	Yes	No	Abstain	Members Name	Yes	No	Abstain
Acacia				Fuschia	Х		
Adelia	Х			Harpullia	Х		
Alphitonia	X			Justicia			
Alpinia	Х			Livingstonia	Х		
Alyxia				Molinia	X		
Araucaria	Х			Plumeria	X		
Ardisia				Roystonia	X		
Banksia Lakes	Х			Schotia Island	X		
Bauhinia	Х			Tristania	X		
Caladenia	Х			Washingtonia	X		
Cassia	Х			Woodsia	X		
Colvillia	Х			Zieria	Х		
Corymbia	Х			MSCD Lot 21 (SA)	X		
Darwinia	Х			MSCD Lot 81 (SA)	X		
Felicia	Х			MSCD Lot 83 (MM)	Х		

ELECTION OF PBC EXECUTIVE COMMITTEE

As only one (1) nomination was received for the position of Chairperson, Mr Stuart Shakespeare was elected unopposed to the role of PBC Chairperson at the meeting.

As only one (1) nomination was received for the position of Secretary, Mrs Cheryl McBride was elected unopposed to the role of PBC Secretary at the meeting.

As only one (1) nomination was received for the position of Treasurer, Mr Paul Kernaghan was elected unopposed to the role of PBC Treasurer at the meeting.

As there were five (5) nominations received for the four (4) available Ordinary Committee Member on the PBC Executive Committee positions, a secret ballot was conducted to duly elect Ordinary Committee Members to the PBC Executive Committee. In accordance with Schedule 3, (9) of the Sanctuary Cove Resort Act, the Chairperson delegated duties under Schedule 3, (9) (4) to the Secretary.

The secret ballot was conducted in view of all present at the meeting acting in the capacity of scrutineers.

The scrutineer appointed by the meeting (MN for Zieria) declared on inspection that 10 voting envelopes had required information that was either incorrect or had been omitted. Therefore, these votes should be considered invalid. The Chairperson presented this finding to the attendees and asked if there were any objections to including the 10 envelopes in the count. The only objection was raised by MN for Zieria. As a result, all envelopes were accepted for inclusion in the secret ballot outcome due to only one position in question.

MN for Adelia suggested that the ballot envelopes be revised in the future to provide clearer instructions.

At the end of the count, the Chairperson advised the meeting of the results of the secret ballot, being: -Mrs Simone Hoyle 21 votes, Mr Andrew Brown 19 votes, Ms Dianne Taylor 19 votes, Mr Brian Earp 16 votes and Mr Mark Winfield 11 votes. The following successful nominees are duly elected to their respective positions on the Principal Body Corporate Executive Committee as follows:

Chairman:	Mr Stuart Shakespeare		
Secretary: Treasurer:	Mrs Cheryl McBride Mr Paul Kernaghan		
Executive Committee	Mr Andrew Brown		
	Mr Brian Earp		
	Mrs Simone Hoyle		
	Ms Dianne Taylor		

As only one (1) nomination was received from the floor by MN for Molinia for the PBC Members Nominee to the PTBC, Mr Stuart Shakespeare was duly appointed to the role.

There being no further business the chairperson declared the meeting closed.

MEETING CLOSED at 10:40 AM

Chairperson: Mr Stuart Shakespeare





Authorised Representative Insurance Mentor Pty Ltd & Insurance Mentor SI Pty Ltd Your contact is: Lizzie Nelson P: 07 5688 0973 E: lizzie@insurancementor.com.au W: www.insurancementor.com.au A: PO Box 150 Broadbeach QLD 4218

Sanctuary Cove Principal Body Corporate & Others PO Box 15 SANCTUARY COVE QLD 4212

Tax Invoice | New Business

This document will be a tax invoice for GST when payment is made in full

Invoice Date:	22/11/2024	Total Amount Due:	\$14,960.00
Invoice No:	9528625	Payment Due:	07/01/2025
Insured Name:	Sanctuary Cove Principal Body Corporate GTP 202	2	
Policy Type:	Annual Service Fee	Premium:	\$0.00
Policy No:	Service Fee	Emergency/Fire Serv Levies:	\$0.00
Period:	From 31/12/2024 to 31/12/2025	Stamp Duty:	\$0.00
		Insurer Admin Fee:	\$0.00
Insurer:	Service Fee	Adviser Fee:	\$13,570.00
	ABN: 111111111	Compliance Fee:	\$30.00
		Total GST:	\$1,360.00
		Total Amount Due:	\$14,960.00

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Due Date: 07/01/2025 Invoice No: 9528625 **How To Pay** Client: Sanctuary Cove Principal Body Corporate GTP Total Amount: \$14,960.00 202 Biller Code: 20362 Pay monthly via Premium Funding Ref: 403675295286256 Contact your participating Financial institution to make a payment from your cheque or savings account If you would like to pay by monthly instalments call your adviser to obtain a premium funding quotation Pay by credit card http://payonce.deft.com.au Credit card payments attract a surcharge. Credit card reference: 403675295286256





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YOUR DUTY OF DISCLOSURE

(non-consumer insurance contracts only) Before you enter into an insurance contract, you have a duty to tell the insurer anything that you know, or could reasonably be expected to know, that may affect the insurer's decision to insure you and on what terms. You have this duty until the insurer agrees to insure you. You have the same duty before you renew, extend, vary, or reinstate an insurance contract. You do not need to tell the insurer anything that:

- reduces the risk they insure you for; or
- is common knowledge; or
- the insurer knows, or should know; or
- the insurer waives your duty to tell them about.

If you do not tell the insurer something;

If you do not tell the insurer anything you are required to, they may cancel your contract, or reduce the amount they will pay you if you make a claim, or both. If your failure to tell the insurer is fraudulent, they may refuse to pay a claim and treat the contract as if it never existed.

DUTY TO NOT MAKE A MISREPRESENTATION

(consumer insurance contracts only) You have a duty under the Insurance Contracts Act 1984 (ICA) to take reasonable care not to make a misrepresentation to the insurer (your duty). Your duty applies only in respect of a policy that is a consumer insurance contract, which is a term defined in the ICA. Your duty applies before you enter into the policy, and also before you renew, extend, vary, or reinstate the policy. Before you do any of these things, you may be required to answer questions and the insurer will use the answers you provide in deciding whether to insure you, and anyone else to be insured under the policy, and on what terms. To ensure you meet your duty, your answers to the questions must be truthful, accurate and complete. If you fail to meet your duty, the insurer may be able to cancel your contract, or reduce the amount it will pay if you make a claim, or both. If your failure is fraudulent, the insurer may be able to refuse to pay a claim and treat the contract as if it never existed.

UNDER INSURANCE

Your contract of insurance may contain an average or under insurance provision. This means that if you under insure, you will have to bear part of any loss yourself.

SUBROGATION AND/OR HOLD HARMLESS AGREEMENTS

You can prejudice your rights to claim under your insurance if you make any agreement with a third party that will prevent or limit the Insurer from recovering the loss from that party (or another party who would otherwise be liable). This can occur when you sign a contract containing an indemnity clause, "hold harmless" clause or a release – unless you obtain the Insurer's consent in advance. These agreements are often found in leases, in property management contracts, in maintenance or supply contracts from burglar alarm or fire protection installers and in repair contracts

INSURING THE INTEREST OF OTHER PARTIES

If you require another party to be covered by your policy, you must request this in advance. Most policy conditions will not provide indemnity to other parties (e.g. mortgagees, lessors, principals etc.) unless their interest is noted on the policy.

CLAIMS MADE POLICIES

Some policies (for example, professional indemnity insurance) are "claims made" policies. This means that claims that are first advised to you (or made against you) and reported to your insurer during the period that the policy is current are insured under that policy, irrespective of when the incident causing the claim occurred (unless there is a date beyond which the policy does not cover - this is called a "retroactive date"). If you become aware of circumstances which could give rise to a claim and notify the insurer during the period that the policy is current, a claim later arising out of those circumstances should also be covered by the policy that is current at the time of the notification, regardless of when the claim is actually made or when the incident causing the claim occurred In order to ensure that your entitlement to claim under the policy is protected, you must report all incidents that may give rise to a claim against you to the Insurers without delay after they come to your attention and before the policy expires.

DUTY OF GOOD FAITH

Both parties to an insurance contract, the insurer and the insured, must act towards each other with the utmost good faith. If you fail to do so, the insurer may be able to cancel your insurance. If the insurer fails to do so, you may be able to sue the insurer.

CANCELLATION OF YOUR POLICY & SMALL OVERPAYMENTS

If there is a refund or reduction of your premium due to cancellation or alteration to a policy or based on a term of your policy (i.e. premium adjustment provision), we may retain any adviser or compliance fee we have charged you. We will retain commission depending on our arrangements with the insurer or charge you a cancellation fee equal to the reduction in commission. EFT Refunds will not incur processing fees. Account overpayments or small policy credits less than \$15 will be written off if we are unable to contact you for bank account details. Amounts \$2 or less are automatically written off.

NON-PAYMENT - Annual Payments

If this invoice is unpaid after 30 days, we will advise the insurer that the policy is unpaid. The insurer may cancel the policy and/or pursue payment from you.

NON-PAYMENT – By Instalments

If you are paying the premium for this policy by instalments then, if an instalment of the premium remains unpaid for a period of at least:

- 1. 14 days, your insurer may refuse to pay a claim; or
- 2. one month, your insurer may cancel this policy.

Your insurer reserves the right to cancel any direct debit arrangement between you if one or more debits are returned unpaid by your financial institution.

PRIVACY

We appreciate privacy is important to you. We are committed to protecting your personal information. For further information, please refer to our <u>Privacy Statement</u>.

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The total amount payable will be higher if you choose to pay by monthly instalments which includes an additional fixed interest charge and/or application fee over the term of the facility. This is charged by the third-party provider and is not an additional charge by Resilium Insurance Broking Pty Ltd.

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Contact your Insurance Adviser using the details on page 1. Alternativley you can contact Resilium Insurance

Broking at info@resilium.com.au.

Schedule of Insurance

Uninsured Risks Checklist

Risks may be uninsured for a number of reasons, including:

- **Under insurance**: If your sums insured or declared insurable values are inadequate and the policy contains a co-insurance or average clause, you may not receive the full amount of the loss.
- Inadequate loss limits: If the sum insured is less than the amount of your exposure, any loss in excess of the sum insured will not be insured.
- No Insurance: If you elect not to insure a particular risk, you must bear all losses yourself.
- An Excess under a policy: You must bear the first part of the loss up to the amount of the excess.
- **Excluded perils**: Some policies exclude perils, example flood, storm surge and subsidence. You will not be insured for an excluded peril unless you ask for the cover.

We have indicated below a number of risks we believe may be important for you to consider. This list does not include all the policies available in the various insurance markets and is only intended to provide a summary of covers to assist in your assessment of whether such insurance protection may be needed.

Please note: This list includes covers that you may have already purchased.

- Cyber Insurance: First Party Costs reimburses the Insured for the costs they would incur to respond to a
 breach, such as IT Forensic Costs, Credit Monitoring Costs, Public Relations Expenses and Cyber Extortion
 Costs (including ransom payments to hackers). Third Party Claims covers the Insured's liability to third parties
 from a failure to keep data secure, such as claims for compensation by third parties, investigations, defence
 costs and fines and penalties from breaching the Privacy Act.
- **Management Liability**: This policy incorporates Directors & Officers Liability, Statutory Liability, Crime cover, Employment Practices and Tax Audit expenses.
- **Business Interruption**: The Business Interruption policy covers the insurable profits that would have been earned if the business was operating as usual. It is designed to put a business in the same financial position that it would have been in if no loss had occurred.
- Flood: 'Flood' means the covering of normally dry land by water that has escaped or been released from the normal confines of any of any lake, river, creek or other natural watercourse, whether or not altered or modified; or any reservoir, canal or dam.

Property/Asset Protection

- · Burglary/Theft
- · Business Interruption
- Business Package
- · Commercial Strata
- Contractors Plant & Equipment
- Fidelity Guarantee / Employee Fraud
- Fire & Perils / Industrial Special Risks
- · Flood
- · General Property
- · Glass Breakage / Signs
- · Money

Construction

- · Advanced Profits
- Construction Risks and Liability
- Contract Works

Liability

- · Association Liability
- Cyber Liability
- · Contractual Liability
- Drone Liability
- Directors & Officers Liability
- Employment Practices
 Liability
- Environmental Impairment Liability
- · Libel & Slander /
- Defamation Management Liability
- Public and Products
- Liability
- Product Performance Guarantee
- · Product Recall
- · Professional Indemnity
- · Statutory Liability
- · Taxation & Audit
- Expenses
- Trade Credit

Marine

- · Carriers Liability
- Charters Legal
 Liability
- · Marine Hull
- Marine Inland Transit
- Marine Overseas Transit
 Marine Liability

Machinery & Electronic Equipment

- Boiler & Pressure
 Vessel Explosion
- Computer Breakdown & Business Interruption
- Cyber Protection
- Equipment /
- Breakdown
- · Machinery
 - Breakdown & Business Interruption

Commercial Motor

- · Heavy Motor /
- Machinery
- Motor Vehicle -CTP
- · Motor Vehicle
- Motor Vehicle
- downtime

Personnel

- · Corporate Travel
- · Group Personal
- Accident
- Individual Personal Accident
- $\cdot\,$ Key Person Cover
- Workers
 Compensation

Domestic

- · Home
- · Contents
- Landlords
- Strata
- · Motor
- · Caravan / Trailer

Not all these covers may apply to your circumstances. However, as your needs and circumstances can change, we suggest that this list be reviewed regularly to ensure that your current insurance program is still satisfactory in meeting your needs.



BODY CORPORATE SERVICES

BODY CORPORATE DEBT RECOVERY POLICY

BACKGROUND

Bodies Corporate in Sanctuary Cove are responsible for the management of their budgets, including the setting of levy contributions.¹

The proprietors each pay an **Administrative Fund contribution**, in accordance with an approved Administrative Fund Budget, that adequately caters for the day-to-day maintenance and management of the Body Corporate, and a **Sinking Fund contribution** in accordance with an approved Sinking Fund Budget, where applicable.²

Bodies corporate may also strike levies in relation to charges for the **Supply of Water** to each Lot, including other costs reasonably incurred in respect to or arising out of connection with the water supply and administration of the supply.³

Bodies corporate may, from time to time, also charge for services related to matters such as the mowing of vacant lots. These charges are incurred by Lot Owners in accordance with the by-laws and policies adopted by the various bodies corporate within Sanctuary Cove, including the Sanctuary Cove Principal body corporate (PBC)⁴, such as the **Vacant Lot Mow Policy**.

Any costs, charges or expenses (including legal costs on a full indemnity basis or solicitor or own client basis, whatever is the higher) associated with enforcing by-laws or recovering levies, fees or other costs may also be recovered by a body corporate.⁵

POLICY PURPOSE

Sanctuary Cove Body Corporate Services Pty Ltd (the Company) has been given authority by each of the Bodies Corporate to administer the financial position of the body corporate, including the recovery of outstanding amounts due to the body corporate.

The Company's Accounts Receivable/ Debt Collection standards require accounts outstanding to be kept to a minimum through internal collection and also the use of professional debt collection services where required. The Company's standards are designed to portray a consistent image of professionalism and for this reason must be strictly adhered to.

¹ Section 32, Building Units and Group Titles Act 1980

² Section 38, Building Units and Group Titles Act 1980

³ Sanctuary Cove Principal body corporate Residential Zone Activity By-Law 9

⁴ Section 30, Building Units and Group Titles Act 1980

⁵ Section 38A(c), Building Units and Group Titles Act 1980; and Sanctuary Cove Principal body corporate Residential Zone Activity By-Law 8



BODY CORPORATE SERVICES

BODY CORPORATE DEBT RECOVERY POLICY

Outstanding accounts may include, but not be limited to; levies on arrears, water recoverable, by-law charges and other amounts invoiced.

PROCEDURE

INTERNAL DEBT COLLECTION

The following procedures are to be followed:

- 1- After 10 days from Receivables being due, the Company's Accounts Department are to issue **Arrears Notice** advising of missed payment, and request that payment be made within 7 working days from the date of the **Arrears Notice**.
- 2- After a further 20 working days, the Company's Accounts Department are to forward the details of the overdue account/s to a **Professional Debt Collection** agency under instruction to proceed directly to legal collection.

EXTERNAL DEBT COLLECTION

The Professional Debt Collection agency will, once our request to proceed to legal action is received, conduct an ownership search and send a **Letter of Demand** for payment within 7 days. The cost of this activity will be on-charged to the lot owner.

On the 8th day, the Professional Debt Collection agency will contact the Accounts department to enquire if a **Payment has been received** *or* a **Suitable Payment Arrangement** ⁶ entered into with the lot owner. Any fees related to this activity will be on-charged to the lot owner.

On confirmation of the non-payment, the Professional Debt Collection agency will proceed to have a **Claim Lodged** ⁷ against the lot owner. Any fees related to this activity will be on-charged to the lot owner.

The lot owner has 28 days from the date of effective service to pay the arrears in full otherwise a **Decision**⁸ will be filed. Any fees related to this activity will be on-charged to the lot owner.

Once a **Decision** (converted to a Judgement for Enforcement) is received the issuance of **Statutory Demand/Bankruptcy** or **Writ Notices** is the next step which may include seizure of assets. Any fees related to this activity will be on-charged to the appropriate body/entity.

⁶ Suitable Payment Arrangement *means* a minimum of 50% of the outstanding amount paid immediately, with the balance paid in instalments within time frame accepted exclusively by the body corporate committee.

⁷ Claim Lodged means the issuing of a Claim & Statement of Claim or alternate legal instrument within a competent jurisdiction.

⁸ Decision *means* the determination of a competent jurisdiction in favour of the body corporate





BODY CORPORATE DEBT RECOVERY POLICY

DP400027 Version 16

REVIEW OF OUTSTANDING ACCOUNTS

The Company's Accounts Department is to prepare an "Aged Balance Report" each month, including notes regarding the current collection status of the overdue levies including those under external recovery. The Company's Accounts Department, and body corporate Secretary/Treasurer or CEO are to meet each month to review bodies corporate outstanding accounts.

At each body corporate formal meeting, the Company's Accounts Department will provide a copy of the Aged Balance Report with details of the current action being undertaken for recovery of outstanding amounts.

OFFSETS

An owner does not have a right of offset for costs charged ⁹. A lot owner must pay contributions properly levied by the body corporate and <u>does not</u> have a right to reduce the contribution owed to the body corporate as a result of a dispute (offset), even if the body corporate has an obligation to pay the amount claimed.

In other words, an owner cannot determine that it will pay part of an amount owed to a body corporate because they believe they are owed money, or believe they do not owe money, to a body corporate.

If an owner does believe they are owed money or believes they do not owe money to a body corporate, they must pay the full amount levied by the body corporate, and then complete a **Claim for Monies Owed - Form 23** and issue it to the body corporate. The body corporate will then consider the claim, and if justified, issue a credit against the Lots account.

MISSED DISCOUNTS

Lot Owners are encouraged to ensure:

- A. their Address for Notice information held by the body corporate is accurate; and
- B. all amounts owed to the body corporate are paid on or before the due date.

Most bodies corporate in Sanctuary Cove have applied a levy surcharge (sometimes referred to as a Levy Discount) for payment of levies made on or before the due date ¹⁰. The Levy Discount can be up to an additional 20% of the levy amount, depending on the levy set by your body corporate.

A Lot Owner must submit a **Claim for Monies Owed** - **Form 23** in order for the body corporate to properly consider crediting for a missed discount.

⁹ Referee's Order of BCCM Application 0741-2011

¹⁰ Section 38B (4), Building Units and Group Titles Act 1980



BODY CORPORATE DEBT RECOVERY POLICY

Administration and Sinking Fund Levies are due on the following days each year:

- 1st November
- 1st May

1st February

• 1st August

Other levies such as Water Levies are due on the day stated on the levy notice.

It is an obligation of a Lot Owner to ensure their Address for Notice information held by the body corporate is accurate.

If an owner wants to change the Address for Notice information, they must complete a **Change of Address – Form 9** and submit it to the body corporate without delay.

The body corporate will ONLY issue levy notices to the address or addresses it has been <u>properly</u> notified as being the Address for Notice.

WATER LEVIES AND WATER RELIEF

Bodies Corporate in Sanctuary Cove will issue invoices for the provision of water to Lot Owners on a regular basis. Water invoices will be issued to the Address for Notice which has been provided to the body corporate.

It is the obligation of the Lot Owner to ensure that the body corporate has the correct Address for Notice. Should a Lot Owner wish to change the address or addresses the body corporate has on record, the Lot Owner must submit a **Change of Address – Form 9** to the body corporate offices.

If a lot owner reasonably believes their water bill is excessive, and/or they are entitled to water relief in accordance with the PBC Water Relief Policy, the Lot Owner/Occupier must complete a **Request for Water Relief – Form 10**.¹¹

Upon receipt of a request for water relief, any Debt Recovery activity will be placed on hold while an investigation is undertaken.

Once the body corporate has formally responded to the Request for Water Relief, any remaining outstanding balance on the account must be paid within seven (7) days of the formal advice, otherwise debt recovery activity will commence for recovery of the outstanding balance.

¹¹ Please contact the body corporate offices for a Fact Sheet on the PBC Water Relief Policy and Form 10



BODY CORPORATE DEBT RECOVERY POLICY

COSTS

The authority for a body corporate to charge for costs associated with the recovery of outstanding amounts is determined by legislation. Any costs, charges or expenses (including legal costs on a full indemnity basis or solicitor or own client basis, whatever is the higher) associated with enforcing by-laws or recovering levies, fees or other costs may also be recovered by a body corporate. ¹²

The costs associated with recovery of outstanding amounts will vary depending on the activity required.

Activity (sometimes referred to as Unit) costs incurred by the Professional Debt Recovery agency, solicitors, or other professional bodies, will depend on the complexity of the matter.

Costs associated with disbursements will be charged at the prevailing rate of the entity making those charges.

A Scale of Charges is detailed in the attachment – **Scale of Debt Recovery Charges**. All costs charged by a body corporate are considered to be within acceptable industry standards.

If a Lot Owner reasonably believes that the costs associated with recovery of outstanding amounts is excessive, the Lot Owner must complete a **Claim for Monies Owed - Form 23** and include details of why the amounts charged are considered excessive.

If a Lot Owner continues to contest those charges incurred are unreasonable or excessive after a response has been received by the body corporate supporting the costs, the Lot Owner has a right to challenge the costs by way of an application to an appropriate authority against the body corporate.

PAYMENT ARRANGEMENTS

If a Lot Owner wished to enter into a payment arrangement with a body corporate, the Lot Owner must complete a **Payment Arrangement – Form 22**.

Costs incurred by a body corporate up to the point where they have approved a Payment Arrangement, including costs associated with the Professional Debt Recovery agency and any other external agencies, will be included in the amount owed by the Lot Owner.

Costs related to seeking approval of the body corporate to enter in to a Payment Arrangement will be on-charged to the lot owner.

¹² Section 38A(c), Building Units and Group Titles Act 1980; and Sanctuary Cove Principal body corporate Residential Zone Activity By-Law 9



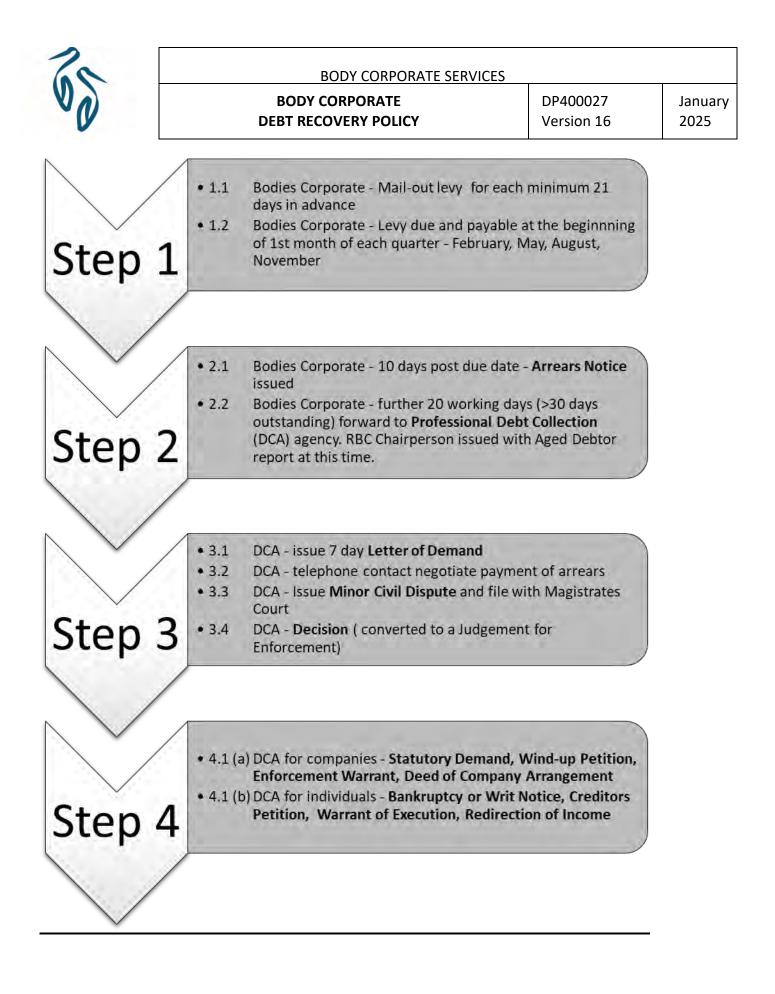
BODY CORPORATE DEBT RECOVERY POLICY

RIGHT TO APPEAL

The body corporate is the determining body for consideration of appeals, including consideration of a **Claim for Monies Owed – Form 23**.

A body corporate may not be in a position to credit costs incurred up to the point where they have approved a credit associated with a Claim for Monies Owed, such as Professional Debt Recovery agency and any other external agencies costs. These will generally be included in the amount owed by the Lot Owner.

If a Lot Owner wishes to challenge the decision of a body corporate, they may do so by lodging an application with an 'Appropriate Authority'.





BODY CORPORATE DEBT RECOVERY POLICY DP400027 Version 16 January 2025

SCALE OF DEBT RECOVERY CHARGES

ΑCTIVITY	DETAILS	CHARGES 13	
STEP 1 – Issuing of Levy Notices	Charges are included in body corporate management fees	Nil	
STEP 2 – Arrears Notice	Arrears Notice issued 10 days after due date	Nil	
STEP 3 – Issue to Professional Debt Collection agency (Refer to attached Legal Costs Schedule of Grace Lawyers)			

¹³ All Charges are exclusive of GST (excl items outside fixed pricing schedule). Charges may vary from time to time. Please contact Sanctuary Cove Body Corporate Services for the most current Scale of Debt Recovery Charges

LEGAL COSTS OF RECOVERING OF THE UNPAID CONTRIBUTIONS:

Professional costs - Preparation and Filing of Statement of Claim:

Claim up to $(2, 500)$	\$426.20 inc. CST		
Claim up to \$2,500	\$436.20 inc GST		
Claim from \$2,501 to \$5,000.00	\$823.85 inc GST		
Claim between \$5,000.01 to \$20,000.00	\$1,289.00 inc GST		
Claim between \$20,000.01 to \$50,000	\$1,431.00 inc GST		
Claim over \$50,000	\$1,629.00 inc GST		
Process Servers fees:	\$75.00 to \$400.00 plus GST approx. (at cost)		
Company and/or Title Searches	\$24.00 plus GST approx. (but at cost for price of search)		
Court Filing Fee: claim up to \$2,500	\$197.50 inc GST		
claim from \$2,501 to \$10,000	\$273.30 inc GST		
Claim from \$10,001 to \$50,000	\$293.40 inc GST		
Claim from \$50,001 to \$100,000	\$590.70 inc GST		
Claim over \$100,000	\$737.20 inc GST		
Undefended Matters: Professional Costs - Preparation of	f application for Default Judgment:		
Default Judgment			
Claim up to \$2,500	\$115.10 inc GST		
Claim between \$2,500.01 to \$5,000.00	\$192.05 inc GST		
Claim between \$5,000.01 to \$20,000.00	\$291.15 inc GST		
Claim between \$20,000.01 to \$50,000.00	\$319.65 inc GST		
Claim over \$50,000	\$428.35 inc GST		
Certificate of Judgment	\$150.00 plus GST		
Enforcement of Default Judgment:			
Enforcement warrant for seizure and sale	\$467.50 inc GST		
Registration\Removal of enforcement warrant on title	\$385.00 inc GST		
Court fee for certified copy of judgment/court document	\$31.70 inc GST		
Issue of Bankruptcy Notice or Statutory Demand	\$550.00 plus GST		
AFSA Filing Fee for Bankruptcy Notice	\$470.00 inc GST		
Other costs not included in the Courts scale fees above	that may be charged:-		
Letter of Demand (standard)	\$95.00 plus GST (\$135.00 plus GST for multiple lot letter)		
Professional Costs for general preparation of matter up to entering judgment if undefended	\$125.00 plus GST		
Letter to Debtor	\$135.00 plus GST		
Letter to Mortgagee	\$575.00 plus GST		
Affidavit of Service	\$175 plus GST		
Application for substituted service of Claim	\$750 to \$1,250 plus GST		
Commercial Investigators SKIP Trace fee	\$180.00 - \$250.00 per debtor (at cost) inc GST		
Bankruptcy Proceedings commenced in the Federal Circuit Court	\$4,500.00 plus GST		
Winding Up Proceedings commenced in the Supreme Court	\$4,500.00 plus GST		

CORRESPONDENCE FOR INFORMATION

Dear Stuart,

Thank you for your reply.

My comments are below. To avoid conflating two distinct matters, I will address the animal management plan in a seperate email.

1. The powers of the PTBC

The PTBC is a creature of statute. Any powers, duties or functions of the PTBC arise under the SCRA.

Broadly, the PTBC:

(a) is responsible for the maintenance of roads within the primary thoroughfare and improvements on the primary thoroughfare (s 57); and(b) shall do all things reasonably necessary for the control, management and administration of the primary thoroughfare (s 66(4)).

The PTBC does not have any power to undertake work on land that is not primary thoroughfare. Simply put, the PTBC had no authority to spend money on depth assessment and mapping of the Golf and Country Club lakes and this should have been obvious to the members of the PTBC.

2. Sediment in the Golf and Country Club lakes

If the Golf and Country Club believe that an adjoining lot owner is allowing unauthorised stormwater runoff onto their property, then they must demonstrate this on the balance of probability, by evidence. This evidence is to be gathered, in the first instance, at the expense of the Golf and Country Club. The Golf and Country Club would then need to further prove that any unauthorised stormwater runoff had caused sediment to build up in their lakes. If both these evidentiary hurdles could be cleared, then the Golf and Country Club may have a claim for damages.

3. Stormwater runoff vs water harvesting

Having reviewed the Engeny Memorandum provided on 24 May 2024, the following pertinent observations can be made:

1. Fifteen of the 24 lakes are being used for water harvesting and irrigation of Golf and Country Club land. It cannot seriously be suggested that adjoining lot owners are responsible for sediment build up in lakes specifically designed to harvest stormwater for the purpose of irrigating Golf and Country Club land.

2. No particular lot owner was identified as allowing unauthorised stormwater runoff onto Golf and Country Club land. Rather, Engeny accessed topographical levels from the Queensland Government Elvis website and underground drainage network diagrams provided by the Golf and Country Club to determine the contributing catchments to each lake. A total catchment area of 261 hectares was delineated. Most of this area is Golf and Country Club land, but it also includes land outside of Sanctuary Cove including Santa Barbara, Sanctuary Pines and Palladium Estate.

3. No silt traps have been installed by the Golf and Country Club. <u>The inclusion of silt</u> traps are not required as the catchments of each lake are largely stabilised and they would result in minimal benefit.

4. The issue of erosion at the lake edges relates specifically to the management and maintenance of Golf and Country Club land and has no connection whatsoever to adjoining lot owners. The Energy Memorandum proposed a number of treatments that the Golf and Country Club could implement at the lake edges.

4. Next Steps

The PBC is now in an unfavourable position because:

1. the PBC voted in favour of the Wolpert motion on 31 January 2024;

2. the PBC failed to vote on the SANDMAP motion on 26 April 2024 (assuming the PTBC sent notification); and

3. the motions were passed 10 months and 7 months ago respectively, and the PBC has failed to take any action in that time to challenge them.

Despite this, because the expenditure is so far outside the authority of the PTBC, the PBC should take immediate steps to have the Golf and Country Club reimburse the PTBC for all expenses incurred in relation to this matter. If the Golf and Country Club refuse to reimburse the PTBC then the matter should be progressed as a matter of priority to the Office of the Commissioner for Body Corporate and Community Management.

Kind regards,

Kate Bourke Corymbia Body Corporate

Hi Kate

Firstly , by way of some background, and before I investigate and answer your questions, the issue of the build-up of silt and the instability of the golf lakes edges was raised informally by Paul Sanders at the PTBC meetings late 2023, from memory. The relevance of this to the PTBC was discussed. Golf's argument was that the lakes receive a substantial amount of stormwater runoff from the residential areas via stormwater pipes which do not have silt traps to pick up sediment before discharging into the lakes. My personal view is that this needs verification by engineering analysis and indicated the same at the time.

The initial stage of investigating the problem was to have a bathymetric survey of the lakes done and I recall voting in favour of this in order to better understand the issue. This was the Wolpert Study. No mention was made of the existing Engeny Consultant expenditure at the time or that further expenditure was expected after the Wolpert Study was completed. I recall seeing the outcome of this Wolpert survey. It was highly detailed and technical and it was agreed that an executive summary and recommendations were required before considering this any further.

I was away when the Sandmap survey was agreed to by the PTBC. I don't remember it.

The \$24,600 Wolpert Study seemed fair enough to provide further detail, but I certainly would not have agreed to an expenditure of \$82,600.

More facts are required to support the golf's contention that the responsibility for the silting up of the lakes over the many decades rests solely on the PTBC. During periods of extreme rainfall, parts of the golf course flood. It's possible that over a long period of time with repeated flooding and heavy rain events. the sediment would be deposited from surface runoff into the lakes, and hence the erosion of the edges.

Peter Cohen has also raised this issue in an email to me so I've copied him in on this email. Peter has also raised the following -

On two occasion this year I have succeeded in having a motion removed from the PTBC agenda at EGMs where the golf club was wanting the PTBC to pay the cost for a tractor lease (by the club) to pick of fallen pines cones. The club's rationale for this was that the tractor would reduce the number of corellas because of its ability to get rid of the cones they feed off by mulching the areas under the pines tree on the golf course. In both cases I requested an expert opinion from Bio Diversity that this was factual. Their response was it may but the tractor would be required to run full-time to have any effect. Golf disagreed. I also raised the point that the Corellas harvest the green cones from the tree tops them feed on them on the ground, so clearing old and broken up cones already fed on would not mitigate the problem. I've since discovered that this tractor has a number of attachments serving several functions unrelated to the mulching of the cones. Golf appear to have backed off on trying to get the PTBC to cover the cost of this machine.

In both these instances, this may be an attempt by golf to avoid covering their own costs. The lakes issue is significant. The cost of rectifying the lakes' capacities and stability will far exceed the cost of these studies.

I'll going to get the office and accounts to verify the processes that led to the expenditures over the Wolpert Study, then I'll take this up with the PTBC by letter requesting their response.

Regards Stuart Shakespeare

From: Kate Bourke <kate@katebourke.com.au>
Sent: Friday, 22 November 2024 11:09 AM
To: stuart@shakespeares.info
Subject: PTBC expenditure on Golf and Country Club lakes

Dear Stuart,

I have concerns regarding expenditure by the PTBC on depth assessment and mapping of the Golf and Country Club lakes.

Specifically, the PTBC passed the following motions:

PTBC meeting (VOC) - 31 January 2024 Motion passed to engage Wolpert to carry out sediment depth assessment in each waterbody of the Golf and Country Club. Cost: \$24,600 ex GST

PTBC meeting (VOC) - 26 April 2024 Motion passed for the commissioning of SANDMAP to complete scope of further works associated with mapping the profile and depths of the lakes.

Cost: \$41,000 ex GST

The depth assessment and mapping was managed by Engeny Consultants. Reviewing the PTBC budget, I can see that on 31 January 2024, \$17,000 was paid to Engeny for the "Sanctuary Cove Golf and Country Club Water Management Project".

I understand the depth assessment and mapping work detailed above has been carried out, and the results were sent to Dale and Paul Sanders in July.

In total, it appears the PTBC has spent at least **\$82,600** on Golf and Country Club lakes, this year.

As the Golf and Country Club lakes do not exist on the primary thoroughfare, I can see no basis for PTBC expenditure on these items. Would you please provide some insight as to why you believe this is legitimate PTBC expenditure, noting that the PBC contributes a significant proportion of PTBC funds.

Kind regards,

Kate Bourke Corymbia Body Corporate

Residents of Adelia

I have lived in The Address for 6 years and have been the Chairman and Members Nominee representing you all on the PBC for the last 6 years. Prior to my joining, Adelia was not represented on the PBC.

During this time your committee thru myself have achieved the following:

- o New gates, garden and fencing thru petitions and many years of pressure on the PBC
- o Landscape updates
- o Trimming trees in the entrance to The Address
- o Line markings on our roads
- o Reduced speed limit to 30kph in The Address
- Visitor parking areas
- o Bi yearly lake cleaning
- o Trimming of trees in the laneway between The Address and Vardon Lane. Which I have done by myself
- Trimming the trees and constant cutting the weeds in the creek bed between Casey Road and The Address
- o Representing all 41 lots at all the PBC meetings
- Chairing all Adelia RBC meetings even though attendances were low.

Over the past few months there has been libellous and slanderous remarks about my position as chairman with 3 of your committee members resigning.

I have been accused of "Proxy Farming" which under the BUGTA Act (*The Sanctuary Cove Act*) there is no reference to the number of proxies one owner can hold. Due to the apathy of residents to attend meetings I held proxies so the meetings could go ahead.

I have also been accused of taking photos of residents properties and reporting to the PBC and being an "amateur sleuth". I have not! PBC Compliance department drive around all of Sanctuary Cove and take photos of properties not conforming with our Bylaws, they then send breach notices to owners to make good.

I have also been accused of unjustified criticism, bullying, and sending breach notices to a resident that is abhorrent when most of us have moved here for a quiet enjoyable retirement. I have done none of this!

As it seems I have upset a few residents trying to do the right thing for everyone, I have decided to resign from the Adelia committee as Chairman, Treasurer and Members Nominee representing Adelia on the PBC committee. It is a pity that one owner has been allowed to dismantle Adelia.

I hope that another resident will take up the unenviable position as Chairperson and Members Nominee to represent Adelia on the PBC and accept your fellow residents complaints and criticisms.

Regards

Gary Simmons Adelia Chairman

M: +61 412 403 059 E: <u>snommisg@icloud.com</u> Hi Jodie

Pls include the email exchanges in CFI at the next PBC GM.

Regards Stuart

From: stuart
Sent: Monday, 25 November 2024 8:37 AM
To: david
Subject: RE: Quayline DRWG & H2 Secondary Thoroughfare applicable to 4718-4732 The Parkway, SC

Hi David

My responses are below.

Regards Stuart Shakespeare PBC Chairman

From: david
Sent: Friday, 22 November 2024 10:33 AM
To: 'Stuart'
Subject: RE: Quayline DRWG & H2 Secondary Thoroughfare applicable to 4718-4732 The Parkway, SC

Hi Stuart,

Apologies for not coming back earlier on this matter subsequent to my last reply based upon your response.

There have been subsequent discussions with HT Lot Owners who have requested clarification of the following;

• Lot Owner(s) of HT have requested what available steps are there available to them in the event the vessel owner(s) moor the vessel with its bow to the south whereby then it does impose within the quay line of HT property. Its understood the vessel has been positioned so that its fits within the projected lines of the side boundaries of the lot its moored at. The PBC's marine engineer has confirmed that for a T-form pontoon a quay line apples to the outer line of the pontoon. The appropriate size of the vessel attached to this type of pontoon is determined the structural capacity of the pontoon to accommodate the vessel

and the manoeuvring space beyond the pontoon to be able to moor the vessel. The advice to the PBC is that both determinants are compliant.

• A question has been raised that prior to your email below there was apparently no quay line drawing available for this site or others which would in turn confirm whether this vessel is suitable for this particular mooring in relation to its length. Can we provide a copy of the quay line drawing illustrating its boundaries are in order to satisfy the HT Lot Owners please. This harbour is a Secondary Thoroughfare controlled by the PBC. A quay line drawing cannot be found for this part of the harbour. In the absence of a quay line plan the PBC understands its marine engineer establishes the quay line by the extension lines of the side boundaries, the current location of the pontoon and the Australian Standard for the space required to manoeuvre a vessel of this size to moor at this pontoon.

Thanks and regards David Francis MN Washingtonia

From: Stuart <
Sent: Thursday, 10 October 2024 8:20 PM
To: david
Cc: Jodie Syrett
Subject: Fwd: Quayline DRWG & H2 Secondary Thoroughfare applicable to 4718-4732 The
Parkway, SC</pre>

Hi David

Jodie has passed a copy of Sue and Ross's email to you.

The EC has looked into the mooring of this boat at this location and the related controls and had a discussion with one of the owners of the vessel.

The PBC's consulting engineer has confirmed that the mooring is structurally adequate to accommodate this vessel. The vessel is also contained within the length of the frontage and quay line of the lot and the clearances within the waterway are adequate for the manoeuvring of the vessel.

I understand the neighbours are upset about the height and visual appearance of the vessel, but the there's appears to be no by-laws or other controls that make the appearance of the vessel illegally in this location.

More than happy to discuss and assist in your consideration and response to the email.

Regards Stuart Shakespeare PBC Chairperson

Sent from my iPad

Begin forwarded message:

From: Jodie Syrett < Date: 10 October 2024 at 3:04:30 PM AEST To: Stuart Shakespeare < Subject: FW: Quayline DRWG & H2 Secondary Thoroughfare applicable to 4718-4732 The Parkway, SC

FYI from Sue and Ross to MN Washingtonia

Kind JODIE Manager Body Corporate Regards, SYRETT

Direct 07 5500 3326 <u>jodie.syrett@scove.com.au</u>
Main 07 5500 3333 | <u>enquiries@scove.com.au</u>
Address PO Box 15 | Shop 1A, Building 1, Masthead Way Sanctuary Cove
Q 4212
Web oursanctuarycove.com.au

SANCTUARY COVE COMMUNITY SERVICES LIMTED

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-----Original Message-----From: Sue Burridge Sent: Thursday, 10 October 2024 2:48 PM To: david Cc: Jodie Syrett <<u>Jodie.Syrett@scove.com.au</u>> Subject: FW: Quayline DRWG & H2 Secondary Thoroughfare applicable to 4718-4732 The Parkway, SC

Hi David

Thank you for your willingness to assist in the above matter as our PBC Nominee.

As requested, please see drawings attached, which were sent to us from the Building Approvals Manager in October, 2023.

Ross has added colour & hand written notes.

'Allure' has now been parked illegally at 4734 The Parkway since 14/10/23 (almost 1 year ago!) Despite at least 2 residents from Harbour Terrace putting complaints in writing, the PBC/EC have failed in their duty of care to act reasonably.

Since October 2023 we now have 60 related emails on file including several photos, made numerous phone calls plus had onsite visits from two members of the PBCEC.

We have had to live in an unsatisfactory, unreasonable & immoral situation for 12 months due to the illegal mooring of this vessel.

This has affected the value of our property & taken a huge toll on our lives psychologically.

We are amazed & disappointed at how little concern & understanding the PBC/EC have shown. Has this issue gone into the 'too hard basket'? The PBC/EC are the only bodies enabled to assist SC Residents with issues such as this.

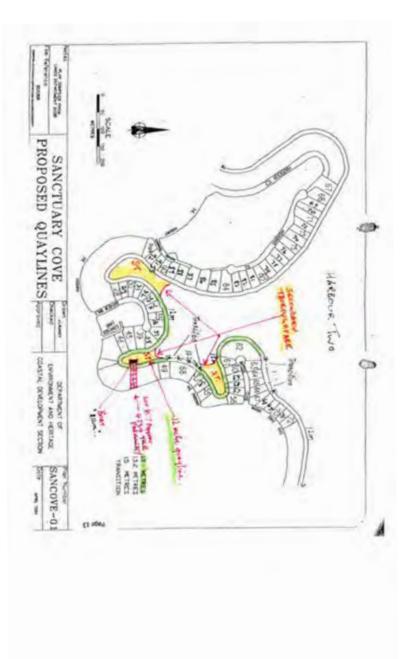
It seems that the PBC/EC enforce regulations selectively or ignore & waive breaches as they see fit.

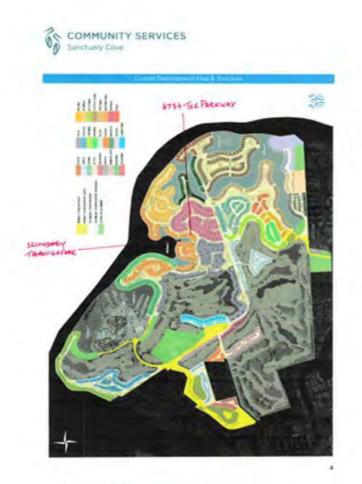
Is this the 'new standard' by which SC residents are now forced to live? As our Washingtonia representative, we would be grateful if you could follow

up this issue & ask the PBC/EC to respond to us within a timely manner.

Kind regards Sue Burridge & Ross Wharton 4718 The Parkway, SC

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Dear Members Nominees and Committee Members

A warm welcome to the new year. As we step through 2025, your invaluable commitment to ensuring the voices and interests of Sanctuary Cove homeowners is well represented is very much appreciated.

There are important tasks on the agenda for this year, some will require completion by critical dates.

1. The Administration and Management Agreement (AMA)

Part of our discussion around the Security Agreement (Motion 2) at last November's EGM was the creation of a new AMA with Sanctuary Cove Community Services Limited (SCCSL).

The current AMA is combined with the PTBC and encompasses body corporate management and facilities management. Under the terms of this agreement the PBC must decide at least 3 months prior to the expiry of the current term on 25 October, whether it intends to continue with another 3yr term. This decision must be by an ordinary resolution at an EGM. The last opportunity for the PBC to consider this resolution is on its 26 June EGM.

Prior to the June EGM, the intention is to provide draft agreements to RBC committee members and homeowners by the end of March for comments and feedback prior to their consideration of the final draft at their AGMs in May/June.

In lieu of the current AMA, the Executive Committee's recommendation is that the PBC considers –

- separate agreements for body corporate and facilities management; and
- separate agreements to the PTBC.

The SCCSL board has agreed in principle to these separations and to prepare the agreements in consultation with a PBC working group. The EC recommends Cheryl McBride lead this group. In-house counsel, Brogan Watling, will draft the agreements in consultation with Cheryl.

The intention with the new agreements is –

- to use industry standard templates, modified as needed to suit the PBC's role.
- not to make significant changes to the present services and the delivery methodology except where it is agreed by the PBC to do so within the timeframes.



• To make the first term of the agreements one year, so their application can be monitored, feedback considered, and any changes made before committing to the commencement of 3x3x3 year terms.

The advantages of creating separate agreements are -

• Benchmarking Efficiencies

This provides future opportunities for the PBC to compare the cost and standard of service delivery against industry standards for each area of service, ensuring value for money and optimal outcomes for homeowners.

• Securing Independence and Control

This enhances the PBC's autonomy, allowing an alignment of services and management with strategic priorities and the specific needs of homeowners.

<u>Changing Delegations</u>

This realigns managerial delegations to ensure decision-making authority reflects the financial contributions and expectations of homeowners.

Improving Transparency

This promotes homeowner trust and confidence moving forward.

2. The Fibre-to-the-Home (FTTH) Network

This asset is wholly owned by the PBC.

Motion 4 at last November's EGM resolved to extend the FTTH management agreement with Opticomm for a final one-year term. The equipment connected to the fibre network is dated, obsolete and in urgent need of replacement to meet current technology and the required levels of reliability.

The Chairman of the PBC's Contracts Subcommittee, Shaun Clarke, has agreed to lead a PBC working group composed of a few community volunteers, SCCSL's management staff and a specialist consultant to (based on a preliminary assessment) –

- a. Assess the network as a strategic asset.
- b. Determine the extent of the network within and beyond the Residential Zone.
- c. Investigate and produce a list of all current and potential future users of the network.



- d. Produce a description and/or a network diagram of the system incorporating the services it provides and all the components.
- e. Assess the condition and adequacy of the existing equipment.
- f. Make a recommendation on the required upgrades and associated costs to ensure network efficiency and reliability in the foreseeable future.
- g. Assess the options on how the required upgrades could be funded.
- h. Make recommendations on the sinking fund contributions required to ensure continued efficiency and upgrades to keep up with current technology.
- i. Make a recommendation on the management of the system once the required upgrades are completed.
- j. Complete the above to coincide with the expiry of the Opticomm contract in April 2026.
- k. Search for and make a recommendation to the PBC on an independent consultant from two candidates (if possible) who are capable of advising and providing the required assistance and documentation for the above.
- I. Create an implementation plan.
- m. Report regularly to the PBC.

3. The PBC Governance Review Blueprint - Suggested Actions

The Members Nominees meet again on 6 February for a final discussion on the Governance Review Blueprint.

There are a number of suggested actions in the blueprint. The EC recommends Simone Hoyle to lead the implementation of these actions.

4. The PBC Security Agreement

Motion 2 at last November's EGM resolved to extend the existing PBC Security Services Agreement with SCCSL for another year.

At the meeting, the MNs were informed that an investigation into the PBC agreement revealed that it is part of a user-apportionment arrangement with four other Sanctuary Cove users. It also revealed that there are three other independent agreements with other users. More recently it was revealed that Harbour One may also have a separate agreement in place.



The PBC's Security agreement will form part of an SCCSL review of all the security agreements later this year. The PBC will have the opportunity to provide input into that review.

5. The Stage 2 Development Control By-Laws (DCBLs)

The partially drafted Stage 2 Development Control By-Laws will be completed by Alan Lock and Stuart Shakespeare for the review of the ARC, Mulpha and the RBCs prior to its consideration at the February 2026 RBC AGMs and PBC EGM and the subsequent submittal to the state government for gazettal.

Please come forward with any comments or questions for discussion on the above tasks at our forthcoming EGM meeting on the 30th.

Regards Stuart Shakespeare PBC Chairman On behalf of the Executive Committee

SANCTUARY COVE PRINCIPAL BODY CORPORATE GTP 202



Copy via Email distribution

Dear Members Nominees,

RE: SANCTUARY COVE COMMUNITY SERVICES LIMITED 2025 ANNUAL GENERAL MEETING

We wish to advise we have received notice from Sanctuary Cove Community Services Limited (SCCSL) of its Annual General Meeting (AGM), to be held at 10am on Thursday, 6 February 2025 within Meeting Room 1 at Sanctuary Cove Body Corporate Services.

The Board of SCCSL extends an invitation to you, as a Members Nominee of the Principal Body Corporate (PBC), to attend the AGM as an invitee.

Mr Stuart Shakespeare, in his capacity as the PBC Shareholders Representative, will be voting on behalf of the PBC. The Board of SCCSL have requested that all questions from PBC committee members be directed to the Board of SCCSL via their Representative.

<u>Please ensure any questions are submitted in writing to your Representative by no later than</u> <u>close of business on Tuesday, 28 January 2025 at pbc@scove.com.au.</u>

Please find enclosed a copy of the SCCSL AGM Papers.

Regards, Sanctuary Cove Principal Body Corporate

APUT Bide

Cheryl McBride Secretary



SANCTUARY COVE COMMUNITY SERVICES LIMITED

ACN 119 669 322

Notice of Annual General Meeting 2025

NOTICE IS HEREBY GIVEN that an Annual General Meeting (**AGM** or the **Meeting**) of Shareholders of Sanctuary Cove Community Services Limited (the **Company**) will be held at the time, date and place specified below:

Date: Thursday, 6 February 2025

Time: 2:30 pm (AEST)

In Person: Masthead Way Meeting Room, Shop 1A, Building 1 Masthead Way, Hope Island QLD 4212

Online Microsoft Teams

The Company notes that any updates in relation to the Meeting will be provided in line with Shareholders' elected communication preferences.

The Proxy Form and Explanatory Memorandum which accompany this Notice of Meeting both form part of, and are to be read in conjunction with, this Notice.

1. How to participate in the AGM

Please note this is an in-person meeting with the ability to attend virtually and ask questions. Shareholders and Proxy Holders can attend the meeting either in person or virtually. The virtual meeting allows attendees to listen to a live webcast and ask questions.

Your participation in the AGM is important to us and we invite all Shareholders and Proxy Holders to attend the AGM virtually if they cannot attend in person.

2. Live online

Shareholders and Proxy Holders will be able to attend and ask questions online.

If you have been nominated as a third-party proxy and will be attending virtually, please contact the Company Secretary at <u>conor.pujol@boardroomlimited.com.au</u> for further instructions.

3. Asking questions at the Meeting

Shareholders are encouraged to lodge questions prior to the AGM to the Company Secretary via email at <u>conor.pujol@boardroomlimited.com.au.</u>

In order to provide for an efficient Meeting, the Company requests that any questions from Shareholders are provided to the Company Secretary at least 5 business days in advance of the Meeting via <u>conor.pujol@boardroomlimited.com.au</u>

Shareholders and Proxy Holders will be provided with instructions on asking questions either virtually or in person at the beginning of the Meeting.



4. Voting at the Meeting

As there are no resolutions to be voted on, there will be no voting system set up.

Definitions

Unless expressly otherwise provided, each capitalised term used in this Notice has the same meaning as is ascribed to it in the Glossary of Terms.

BUSINESS OF THE MEETING

Item 1: Business Update

Item 2: Financial and Related Reports

To receive and consider the Financial Report of the Company and its controlled entities and the related in respect of the financial year ended 31 October 2024 (the **Annual Report**).

If you have not received a copy of the Company's Annual Report, this can be requested from the Company Secretary at <u>conor.pujol@boardroomlimited.com.au.</u>

Item 3: Any Other Business

By Order of the Board:

Conor Pujol

Conor Pujol Company Secretary Dated: 10 January 2025



EXPLANATORY MEMORANDUM

Section 1: Introduction

1.1 Action required by Shareholders

Shareholders should read all the Documents carefully and in their entirety. If you do not understand any of the Documents or are in any doubt as to the course of action you should follow, you should contact your legal, financial or other professional adviser immediately.

1.2 Questions from Shareholders

In order to provide an equal opportunity for all Shareholders to ask questions of the Board, the Company asks that Shareholders submit in writing any questions to the Company by **5:00 pm** (AEST) on Friday, 31 January 2024.

Your questions should relate to matters that are relevant to the business of the Meeting, as outlined in this Notice of Meeting and Explanatory Memorandum.

In accordance with the *Corporations Act 2001 (Cth)* and the Company's Constitution, a reasonable opportunity will also be provided to Shareholders attending the Meeting to ask questions about or make comments upon matters in relation to the Company.

During the course of the Meeting, the Chairman will seek to address as many questions as reasonably practicable. However, there may not be sufficient time to answer all questions at the Meeting. Please note that individual responses may not be sent to Shareholders.

1.3 Voting and other entitlements at the Annual General Meeting

A determination has been made by the Board of the Company that Shareholders of the Company at **2:30 p.m. (AEST)** on **Tuesday, 4 February 2025** will be taken to be Shareholders for the purpose of the Annual General Meeting.

Section 2: Explanation of Business of the Meeting

2.1 (Item 2) Discussion on Financial and related reports

Section 317 of the Corporations Act requires that the Annual Report be laid before the Meeting. There is no requirement, either in the Corporations Act or in the Constitution, for Shareholders to approve the Annual Report.

Accordingly, the Annual Report is placed before Shareholders for discussion and no voting is required for this item of business.

Shareholders will be provided with a reasonable opportunity at the Meeting to ask questions and to make comments on the Annual Report and on the business and operations of the Company.

How documents may be sent

A document may be provided either by:

- sending the document in physical form;
- giving the document to the person by using electronic means (e.g. sending an email);
- providing the person, in physical or electronic form, with details sufficient to allow them to view or download the document electronically (e.g. by giving them a card or sending them an email with a link to a website); or
- in any other permitted way (e.g. in a way permitted by a more specific provision which deals with how a particular type of document is sent to a person or in a way which is set out in a company's constitution).



A document can only be given electronically if it is reasonable to expect that the document would be readily accessible in the future as a reference of the document originally provided i.e., by email or accessible link.

Annual reports and documents prescribed in the regulations are taken to be sent if they are made readily available on a website. It is expected that companies and registered schemes would satisfy this by publishing the document on their website or a share registry website. This is consistent with the existing rules for sending annual reports to Shareholders.

Copies of the Constitution

A copy of the Constitution can be sent to Shareholders upon request to the Company Secretary at <u>conor.pujol@boardroomlimited.com.au.</u>

Directors' Recommendation

The Board unanimously endorse the Company's Annual Report.



GLOSSARY OF TERMS

Annual General Meeting or Meeting means the Annual General Meeting to be held on Thursday, 6 February 2025.

Annual Report means the Financial Report of the Company and its controlled entities and the related Directors' and Auditor's Reports in respect of the financial year ended 31 October 2024.

Board means the Board of Directors of the Company.

Company means Sanctuary Cove Community Services Limited ACN 119 669 322.

Constitution means the Constitution of the Company, as varied or amended from time to time.

Corporations Act means the Corporations Act 2001 (Cth).

Director means a member of the Board of Directors of the Company and **Director** means any one of them.

Documents means each of the Notice, Explanatory Memorandum and all other documents, that each constitutes part of this booklet and that accompany each other when sent to each Shareholder.

Explanatory Memorandum means this Explanatory Memorandum as modified or varied by any supplementary memorandum issued by the Company from time to time.

Notice or **Notice of Meeting** means this notice convening the Annual General Meeting of the Company's Shareholders, which accompanies the Explanatory Memorandum.

Shareholder means a holder of at least one Share in the Company.

Sanctuary Cove Community Services Ltd and its Controlled Entities

ABN: 30 119 669 322

Financial Statements

For the Year Ended 31 October 2024

Sanctuary Cove Community Services Ltd and its Controlled Entities ABN: 30 119 669 322

Contents

For the Year Ended 31 October 2024

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Sanctuary Cove Community Services Ltd and its Controlled Entities ABN: 30 119 669 322

Directors' Report 31 October 2024

The directors present their report, together with the financial statements of the Group, being the Company and its controlled entities, for the financial year ended 31 October 2024.

1 General information

Directors

DirectorsThe names of the directors in office at any time during, or since the end of, the year are:NamesPositionStephen AndersonDirector (PTBC Chairperson)Stuart ShakespeareDirector (PBC Chairperson)Paul KernaghanDirector (PBC Treasurer) (appointed 18 March 2024)Barry TeelingDirector (appointed 18 March 2024)Paul DonovanIndependent Director (retired 28 December 2023)

Directors have been in office since the start of the financial year to the date of this report unless otherwise stated.

Company secretary

Dale St George held the position of Company secretary until 27 May 2024. Conor Pujol was appointed as the Company Secretary from 27 May 2024 and held the position at the end of the financial year.

Principal activities

The principal activities of the Group during the financial year were body corporate administration, building and facilities management and security services at Sanctuary Cove.

No significant change in the nature of these activities occurred during the year.

2 Operating results and review of operations for the year

Operating results

The consolidated profit of the Group amounted to \$ NIL (2023: \$ NIL).

Dividends paid or recommended

No dividends were paid or declared since the start of the financial year. The company constitution clause 78 states the Directors must not pay any dividends to Members.

3 Other items

Significant changes in state of affairs

There have been no significant changes in the state of affairs of entities in the Group during the year.

Events after the reporting date

No matters or circumstances have arisen since the end of the financial year which significantly affected or may significantly affect the operations of the Group, the results of those operations or the state of affairs of the Group in future financial years.

Sanctuary Cove Community Services Ltd and its Controlled Entities ABN: 30 119 669 322

Directors' Report 31 October 2024

3 **Other items (Continued)**

Environmental issues

The Group's operations are not regulated by any significant environmental regulations under a law of the Commonwealth or of a state or territory of Australia.

Meetings of directors

During the financial year, 5 meetings of directors were held. Attendances by each director during the year were as follows:

	Number of meetings in the year	
2024	each director listed below was	Number of meetings in the year
	eligible to attend.	each director listed below attended.
Stephen Anderson	5	5
Stuart Shakespeare	5	4
Paul Kernaghan	4	4
Barry Teeling	4	4
Paul Donovan	1	1

2023	Number of meetings in the year each director listed below was eligible to attend.	Number of meetings in the year each director listed below attended.
Stephen Anderson	4	4
Stuart Shakespeare	1	-
Paul Donovan	4	4
Caroline Tolmie	1	1

Indemnification and insurance of officers and auditors

During the financial year, the company paid a premium in respect of a contract insuring the directors of the company (as named above), the company secretary and all executive officers of the company against any liability incurred as such a director, secretary or executive officer to the extent permitted by the Corporations Act 2001. The contract of insurance prohibits disclosure of the nature of the liability and the amount of the premium.

Auditor's independence declaration

The auditor's independence declaration in accordance with section 307C of the Corporations Act 2001, for the year ended 31 October 2024 has been received and can be found on page 3 of the financial report.

Signed in accordance with a resolution of the Board of Directors

Director

Poure Lengthe

Director



Lead Auditor's Independence Declaration under Section 307C of the Corporations Act 2001

To the Directors of Sanctuary Cove Community Services Limited

I declare that, to the best of my knowledge and belief, in relation to the audit of Sanctuary Cove Community Services Limited for the financial year ended 31 October 2024 there have been:

- i. no contraventions of the auditor independence requirements as set out in the *Corporations Act 2001* in relation to the audit; and
- ii. no contraventions of any applicable code of professional conduct in relation to the audit.

KPMG

Adam Twemlow Partner

Gold Coast 13 December 2024

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Sanctuary Cove Community Services Ltd and its Controlled Entities ABN: 30 119 669 322

Consolidated Statement of Profit or Loss and Other Comprehensive Income For the year ended 31 October 2024

		2024	2023
	Note	\$	\$
Revenue	4	6,401,340	6,115,549
Depreciation		(106,477)	(97,814)
Amortisation - Right-of-use assets		(167,091)	(172,654)
Employee benefits expense		(5,555,645)	(5,337,632)
Other expenses		(538,305)	(466,544)
Finance costs		(33,822)	(40,905)
Income tax expense	1(b)	-	-
Profit for the year		-	-
Other comprehensive income, net of income tax		-	-
Total comprehensive income for the year			_

Consolidated Statement of Financial Position As at 31 October 2024

	Note	2024 \$	2023 \$
ASSETS	note	Ŷ	Ŷ
CURRENT ASSETS			
Cash and cash equivalents	6	1,127,598	928,101
Trade and other receivables	7	1,896,117	2,127,258
Inventories	8	3,830	4,431
Other assets	10	300,671	250,340
TOTAL CURRENT ASSETS	_	3,328,216	3,310,130
NON-CURRENT ASSETS			
Term deposits	6	200,000	200,000
Property, plant and equipment	9	323,684	286,204
Right of Use Asset	9	431,442	591,129
TOTAL NON-CURRENT ASSETS	_	955,126	1,077,333
TOTAL ASSETS	_	4,283,342	4,387,463
LIABILITIES			
CURRENT LIABILITIES			
Trade and other payables	11	1,310,215	1,244,567
Borrowings	13	254,761	206,660
Short-term provisions	12	564,543	561,021
Other liabilities	14	1,709,386	1,773,614
TOTAL CURRENT LIABILITIES	_	3,838,905	3,785,862
NON-CURRENT LIABILITIES			
Borrowings	13	365,172	516,471
Long-term provisions	12	68,265	74,030
TOTAL NON-CURRENT LIABILITIES	_	433,437	590,501
TOTAL LIABILITES		4,272,342	4,376,363
NET ASSETS	_	11,000	11,100
EQUITY			
Issued capital	15	11,000	11,100
Retained earnings TOTAL EQUITY	_	11,000	- 11,100

Consolidated Statement of Changes in Equity For the year ended 31 October 2024

2024

		Ordinary Shares	Retained Earnings	Total
	Note	\$	\$	\$
Balance at 1 November 2023		11,100	-	11,000
Shares issued during the year		-	-	-
Share movement during the year		(100)	-	-
Surplus for year		-	-	-
Balance at 31 October 2024	15	11,000	-	11,000

2023

		Ordinary Shares	Retained Earnings	Total
	Note	\$	\$	\$
Balance at 1 November 2022		11,000	-	11,000
Shares issued during the year		-	-	-
Share movement during the year		100	-	100
Surplus for year		-	-	-
Balance at 31 October 2023	15	11,100	-	11,100

Consolidated Statement of Cash Flows For the year ended 31 October 2024

		2024	2023
	Note	\$	\$
CASH FLOWS FROM OPERATING ACTIVITIES:			
Receipts from customers		7,219,651	6,406,096
Payments to suppliers and employees		(6,808,616)	(6,219,820)
Interest received		49,276	10,543
Finance costs		(33,822)	(40,905)
Net cash provided by/(used in) operating activities	20	426,489	155,914
CASH FLOWS FROM INVESTING ACTIVITIES:			
Proceeds from sale of plant and equipment		68,155	26,329
Lease repayments		(191,949)	(226,563)
Net cash provided by/(used in) investing activities		(123,794)	(200,234)
CASH FLOWS FROM FINANCING ACTIVITIES:			
Proceeds/(payments) of borrowings		58,077	69,715
Right of Use Asset repayments		(161,275)	(106,493)
Net cash provided by/(used in) financing activities		(103,198)	(36,778)
Net increase/(decrease) in cash and cash equivalents held		199,497	(81,098)
Cash and cash equivalents at beginning of year		928,101	1,009,199
Cash and cash equivalents at end of financial year	6	1,127,598	928,101

Notes to the Financial Statements For the year ended 31 October 2024

The financial report covers Sanctuary Cove Community Services Ltd and its Controlled Entities ('the Group'). Sanctuary Cove Community Services Ltd is a company limited by shares, incorporated and domiciled in Australia.

The functional and presentation currency of the group is Australian Dollars. Comparatives are consistent with prior years.

Statement of Compliance

The financial statements comply with the recognition and measurement requirements of Australian Accounting Standards, the presentation requirements in those Standards as modified by AASB 1060 General Purpose Financial Statements - Simplified Disclosures for For-Profit and Not-for-Profit Tier 2 Entities (AASB 1060) and the disclosure requirements in AASB 1060. Accordingly, the financial statements comply with Australian Accounting Standards – Simplified Disclosures.

The above standard and amendments did not have any impact on the amounts recognised in prior periods and are not expected to significantly affect the current or future periods.

Future Australian Accounting Standards and Interpretations on issue but not yet effective

The Directors do not consider the new accounting standards will materially impact the financial statements when they are required to be implemented.

1 Summary of Material Accounting Policies

(a) Basis for consolidation

The consolidated financial statements include the financial position and performance of controlled entities from the date on which control is obtained until the date that control is lost.

Intragroup assets, liabilities, equity, income, expenses and cashflows relating to transactions between entities in the consolidated entity have been eliminated in full for the purpose of these financial statements.

All controlled entities have an October financial year end.

A list of controlled entities is contained in Note 17 to the financial statements.

Subsidiaries

Subsidiaries are all entities over which the parent has control. Control is established when the parent is exposed to, or has rights to variable returns from its involvement with the entity and has the ability to affect those returns through its power to direct the relevant activities of the entity.

Notes to the Financial Statements For the year ended 31 October 2024

1 Summary of Material Accounting Policies (continued)

(b) Income Tax

The tax expense recognised in the consolidated statement of profit or loss and other comprehensive income comprises of current income tax expense plus deferred tax expense.

Current tax is the amount of income taxes payable (recoverable) in respect of the taxable profit (loss) for the year and is measured at the amount expected to be paid to (recovered from) the taxation authorities, using the tax rates and laws that have been enacted or substantively enacted by the end of the reporting period. Current tax liabilities (assets) are measured at the amounts expected to be paid to (recovered from) the relevant taxation authority.

(c) Goods and services tax (GST)

Revenue, expenses and assets are recognised net of the amount of goods and services tax (GST), except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). Receivables and payable are stated inclusive of GST.

Cash flows in the consolidated statement of cash flows are included on a gross basis and the GST component of cash flows arising from investing and financing activities which is recoverable from, or payable to, the taxation authority is classified as operating cash flows.

(d) Leases

At the lease commencement, the Group recognises a right-of-use asset and associated lease liability for the lease term. The lease term includes extension periods where the Group believes it is reasonably certain that the option will be exercised.

The right-of-use asset is measured using the cost model where cost on initial recognition comprises of the lease liability, initial direct costs, prepaid lease payments, estimated cost of removal and restoration less any lease incentives received.

The right-of-use asset is depreciated over the lease term on a straight line basis and assessed for impairment in accordance with the impairment of assets accounting policy.

The lease liability is initially measured at the present value of the remaining lease payments at the commencement of the lease. The discount rate is the rate implicit in the lease, however where this cannot be readily determined then the Group's incremental borrowing rate is used.

Notes to the Financial Statements For the year ended 31 October 2024

1 Summary of Material Accounting Policies (continued)

(d) Leases (continued)

Subsequent to initial recognition, the lease liability is measured at amortised cost using the effective interest rate method. The lease liability is remeasured where there is a lease modification, change in estimate of the lease term or index upon which the lease payments are based (e.g. CPI) or a change in the Group's assessment of lease term.

Where the lease liability is remeasured, the right-of-use asset is adjusted to reflect the remeasurement or is recorded in profit or loss if the carrying amount of the right-of-use asset has been reduced to zero.

Exceptions to lease accounting

The Group has elected to apply the exceptions to lease accounting for both short-term leases (i.e. leases with a term of less than or equal to 12 months) and leases of low-value assets. The Group recognises the payments associated with these leases as an expense on a straight-line basis over the lease term.

2 Critical Accounting Estimates and Judgements

The directors make estimates and judgements during the preparation of these financial statements regarding assumptions about current and future events affecting transactions and balances.

These estimates and judgements are based on the best information available at the time of preparing the financial statements, however as additional information is known then the actual results may differ from the estimates.

The significant estimates and judgements made have been described below.

Key estimates - impairment of property, plant and equipment

The Group assesses impairment at the end of each reporting period by evaluating conditions specific to the Group that may be indicative of impairment triggers. Recoverable amounts of relevant assets are reassessed using valuein-use calculations which incorporate various key assumptions.

Key estimates - provisions

As described in the accounting policies, provisions are measured at management's best estimate of the expenditure required to settle the obligation at the end of the reporting period. These estimates are made taking into account a range of possible outcomes and will vary as further information is obtained.

Key estimates - receivables

The receivables at reporting date have been reviewed to determine whether there is any objective evidence that any of the receivables are impaired. An impairment provision is included for any receivable where the entire balance is not considered collectible. The impairment provision is based on the best information at the reporting date.

Notes to the Financial Statements For the year ended 31 October 2024

2 Critical Accounting Estimates and Judgements (Continued)

Key estimates - useful life of fixed assets

Management reviews its estimate of the useful life of depreciable assets at each reporting date, based on the expected utility of the assets.

3 Auditors' Remuneration

		2024	2023
		\$	\$
	Auditing or reviewing the financial statements	16,500	10,000
	Total auditors' remuneration	16,500	10,000
4	Revenue and Other Income		
		2024	2023
		\$	\$
	Sale of goods	19,885	33,544
	Cost recovery for services rendered	6,332,179	6,044,249
	Interest received	49,276	37,756
	Total revenue and other income	6,401,340	6,115,549

Sale of goods

Revenue is recognised on transfer of goods to the customer as this is deemed to be the point in time when risks and rewards are transferred and there is no longer any ownership or effective control over the goods.

Provision of services

Revenue in relation to provision of services is recognised depending on whether the outcome of the services can be estimated reliably. If the outcome can be estimated reliably then the stage of completion of the services is used to determine the appropriate level of revenue to be recognised in the period. If the outcome cannot be reliably estimated then revenue is recognised to the extent of expenses recognised that are recoverable. Deferred income is accounted for where income is received for services which have not yet been delivered.

Interest revenue

Interest is recognised using the effective interest method.

Notes to the Financial Statements For the year ended 31 October 2024

5 Result for the Year

6

The result for the year was derived after charging / (crediting) the following items:

	2024	2023
	\$	\$
Finance Costs		
Financial liabilities measured at amortised cost:		
- Other finance costs	33,822	40,905
	33,822	40,905
The result for the year includes the following specific expenses:		
	2024	2023
	\$	\$
Employee benefit expenses	5,555,645	5,337,632
Depreciation expenses	106,477	97,814
Cash and Cash Equivalents		
	2024	2023
CURRENT	\$	\$
Cash at bank and in hand	1,127,598	928,101
Total current cash and cash equivalents	1,127,598	928,101
NON-CURRENT		
Term deposits	200,000	200,000
Total non-current term deposits	200,000	200,000

Cash and cash equivalents comprises cash on hand, demand deposits and short-term investments which are readily convertible to known amounts of cash and which are subject to an insignificant risk of change in value.

7	Trade and Other Receivables	2024 \$	2023 \$
	CURRENT		
	Trade receivables	229,105	218,366
	GST receivable	23,815	2,169
	Other related party (PBC)	1,481,938	1,667,210
	Other related party (PTBC)	161,259	239,513
	Total current trade and other receivables	1,896,117	2,127,258

The carrying value of trade receivables is considered a reasonable approximation of fair value due to the short-term nature of the balances.

The maximum exposure to credit risk at the reporting date is the fair value of each class of receivable in the financial statements.

Notes to the Financial Statements For the year ended 31 October 2024

8 Inventories

	2024	2023
CURRENT	Ş	Ş
At cost:		
Inventories	3,830	4,431
	3,830	4,431

Inventories are measured at the lower of cost and net realisable value.

9 Property, plant and equipment

	2024	2023
	\$	\$
Plant and equipment at cost	920,676	840,412
Accumulated depreciation	(623,478)	(589,466)
Total plant and equipment	297,198	250,946
Leasehold Improvements At cost	47,197	46,919
Accumulated amortisation	(20,711)	(11,661)
Total leasehold improvements	26,486	35,258
RIGHT-OF-USE		
Right-of-use assets	872,064	864,938
Accumulated amortisation	(440,622)	(273,809)
Total right-of-use assets	431,442	591,129
Total property, plant and equipment	755,126	877,333

(a) Movements in carrying amounts of property, plant and equipment

Movement in the carrying amounts for each class of property, plant and equipment between the beginning and the end of the current financial year:

	Plant & Equipment \$	Leasehold Improvements \$	Right of Use Assets \$	Total \$
Year ended 31 October 2024				
Balance at the beginning of year	250,946	35,258	591,129	877,333
Additions	191,949	278	7,404	199,631
Disposals	(48,270)	-		(48,270)
Depreciation/Amortisation expense	(97,427)	(9,050)	(167,091)	(273,568)
Balance at the end of the year	297,198	26,486	431,442	755,126

Notes to the Financial Statements For the year ended 31 October 2024

9 Property, plant and equipment (Continued)

roperty, plant and equipment (continued)	Plant & Equipment \$	Leasehold Improvements \$	Right of Use Assets \$	Total \$
Year ended 31 October 2023				
Balance at the beginning of year	149,209	29,514	763,783	942,506
Additions	192,466	12,829	-	205,295
Depreciation/Amortisation expense	(90,729)	(7,085)	(172,654)	(270,468)
Balance at the end of the year	250,946	35,258	591,129	877,333

Property, plant and equipment is depreciated on a straight-line basis over the assets useful life to the Group, commencing when the asset is ready for use.

Leased assets and leasehold improvements are amortised over the shorter of either the unexpired period of the lease or their estimated useful life.

The depreciation rates used for each class of depreciable asset are shown below:

Fixed asset class	Depreciation rate
Plant and Equipment	6.67% - 50%
Leasehold improvements	20%

At the end of each annual reporting period, the depreciation method, useful life and residual value of each asset is reviewed. Any revisions are accounted for prospectively as a change in estimate.

10 Other Assets

	2024	2023
	\$	\$
CURRENT		
Prepayments	173,891	239,523
Accrued income	126,780	10,817
	300,671	250,340

Notes to the Financial Statements For the year ended 31 October 2024

11 Trade and Other Payables

	2024	2023
	\$	\$
CURRENT		
Trade payables	295,250	141,987
Bonds held	449,500	570,000
GST payable	175,716	187,839
Other payables and accruals	263,542	184,153
Deposit to be refunded	-	30,000
Employee benefits	126,207	130,588
Total current trade and other payables	1,310,215	1,244,567

Trade and other payables are unsecured, non-interest bearing and are normally settled within 30 days. The carrying value of trade and other payables is considered a reasonable approximation of fair value due to the short-term nature of the balances.

12 Provisions

	2024 \$	2023 \$
CURRENT		
Employee benefits	564,543	561,021
Total current provisions	564,543	561,021
NON CURRENT		
Employee benefits	68,265	74,030
Total non current provisions	68,265	74,030

Provision is made for the Group's liability for employee benefits arising from services rendered by employees to the end of the reporting period. Employee benefits that are expected to be wholly settled within one year have been measured at the amounts expected to be paid when the liability is settled.

Employee benefits expected to be settled more than one year after the end of the reporting period have been measured at the present value of the estimated future cash outflows to be made for those benefits. In determining the liability, consideration is given to employee wage increases and the probability that the employee may satisfy vesting requirements. Cashflows are discounted using market yields on high quality corporate bond rates incorporating bonds rated AAA or AA by credit agencies, with terms to maturity that match the expected timing of cashflows. Changes in the measurement of the liability are recognised in profit or loss.

Notes to the Financial Statements For the year ended 31 October 2024

13 Borrowings

	2024 \$	2023 \$
CURRENT		26 540
Asset finance facility	50,055	36,549
Lease liability - building	204,706	170,111
Total current borrowings	254,761	206,660
NON-CURRENT Asset finance facility	85,601	41,030
Lease liability - building lease	279,571	475,441
Total non-current borrowings	365,172	516,471

Leased liabilities are secured by the underlying leased assets.

Leases of fixed assets where substantially all the risks and benefits incidental to the ownership of the asset, but not the legal ownership that are transferred to entities in the Group, are classified as finance leases.

Finance leases are capitalised by recording an asset and a liability at the lower of the amounts equal to the fair value of the leased property or the present value of the minimum lease payments, including any guaranteed residual values. Lease payments are allocated between the reduction of the lease liability and the lease interest expense for the period.

14 Other Liabilities

	2024 \$	2023 \$
CURRENT Deferred revenue	1,709,386	1,773,614
Total current other liabilities	1,709,386	1,773,614

Deferred revenue relates to quarterly management fees charged in advance.

15 Issued Capital

	2024	2023
	\$	\$
Ordinary Shares	11,000	11,100
Total issued capital	11,000	11,100

Notes to the Financial Statements For the year ended 31 October 2024

16 Key Management Personnel Remuneration

Key management personnel remuneration included within employee expenses for the year is shown below:

	2024	2023
	\$	\$
Short-term employee benefits	422,713	466,177
	422,713	466,177

Key management personnel

Any person(s) having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly, including any director (whether executive or otherwise) of that entity, is considered key management personnel.

17 Related parties

Entities exercising control over the group

The entities exercising control over the Group consist of Sanctuary Cove Principal Body Corporate (PBC) and Sanctuary Cove Primary Thoroughfare Body Corporate (PTBC). PBC and PTBC each hold a 50% interest in the group entities of the group exercising their control through their significant shareholding and representation on the board.

Controlled entities

Sanctuary Cove Community Services Ltd which is incorporated in Australia and owns 100% (2023: 100%) of:

Sanctuary Cove Security Services Pty Ltd Sanctuary Cove Body Corporate Services Pty Ltd Resort Body Corp Services Pty Ltd

Other related parties

Other related parties include close family members of key management personnel and entities that are controlled or significantly influenced by those key management personnel or their close family members.

Transactions with related parties 2024

	Cost Recovery	Receivable
PBC	4,855,700	1,481,938
PTBC	493,063	161,259
Total related party transactions	5,348,763	1,643,197

Transactions between related parties are on normal commercial terms and conditions no more favourable than those available to other parties unless otherwise stated.

Notes to the Financial Statements For the year ended 31 October 2024

17 Related parties (Continued)

2023

	Cost Recovery	Receivable
PBC	4,585,909	1,667,210
PTBC	520,712	239,513
Total related party transactions	5,106,621	1,906,723

18 Contingencies

In the opinion of the Directors, the Company did not have any contingencies at 31 October 2024, (31 October 2023:None).

19 Events after the end of the Reporting Period

No matters or circumstances have arisen since the end of the financial year which significantly affected or may significantly affect the operations of the Group, the results of those operations or the state of affairs of the Group in future financial years.

20 Cash Flow Information

Reconciliation of result for the year to cashflows from operating activities Reconciliation of net income to net cash provided by operating activities:

	2024	2023
	\$	\$
Profit for the year	-	-
Adjustment for:		
Depreciation	106,477	97,814
Amortisation	167,091	172,932
Net profit on disposal of assets	(19,885)	(32,727)
Changes in assets and liabilities:		
(Increase) / Decrease in Trade and other receivables	223,360	(415,258)
(Increase) / Decrease in inventories	601	(988)
(Increase) / Decrease in other assets	(50,331)	(138,136)
Increase / (Decrease) in trade payables	65,647	337,361
Increase / (Decrease) in deferred income	(64,228)	240,435
Increase / (Decrease) in employee benefits	(2,243)	(105,519)
Cashflows from operations	426,489	155,914

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Notes to the Financial Statements For the year ended 31 October 2024

21 Statutory Information

The principal place of business of the company is: Shop 01A, Masthead Way Sanctuary Cove 4212

The registered office of the company is: Level 8, 210 George Street, Sydney NSW 2000

22 Economic Dependency

The Company is economically dependent on material contracts with two shareholders – Sanctuary Cove Principal Body Corporate and Sanctuary Cove Primary Thoroughfare Body Corporate. These both expire 31 October 2025 and have two additional 3 year options which if taken up, run to 31 October 2031.

Consolidated entity disclosure statement For the year ended 31 October 2024

Entity Name	Body corporate, partnership or trust	Place incorporated/ formed	% of share capital held directly or indirectly by the Company in the body corporate	Australian or Foreign tax resident
Sanctuary Cove Community Services Limited	Body corporate	Australia		Australian
Sanctuary Cove Security Services Pty Ltd	Body corporate	Australia	100%	Australian
Sanctuary Cove Body Corporate Services Pty Ltd	Body corporate	Australia	100%	Australian
Resort Body Corporate Services Pty Ltd	Body corporate	Australia	100%	Australian

Key assumptions and judgements:

Determination of Tax Residency

Section 295 (3A) of the Corporation Acts 2001 requires that the tax residency of each entity which is included in the Consolidated Entity Disclosure Statement (CEDS) be disclosed. In the context of an entity which was an Australian resident, "Australian resident" has the meaning provided in the Income Tax Assessment Act 1997. The determination of tax residency involves judgment as the determination of tax residency is highly fact dependent and there are currently several different interpretations that could be adopted, and which could give rise to a different conclusion on residency.

In determining tax residency, the consolidated entity has applied the following interpretations:

- Australian tax residency The consolidated entity has applied current legislation and judicial precedent, including having regard to the Commissioner of Taxation's public guidance in Tax Ruling TR 2018/5.
- Foreign tax residency The consolidated entity has applied current legislation and where available judicial precedent in the determination of foreign tax residency. Where necessary, the consolidated entity has used independent tax advisers in foreign jurisdictions to assist in its determination of tax residency to ensure applicable foreign tax legislation has been

Directors' Declaration

- 1 In the opinion of the directors of Sanctuary Cove Community Services Ltd ('the Company'):
 - (a) the Company is not publicly accountable;
 - (b) the consolidated financial statements and notes that are set out on pages 1 to 19 are in accordance with the *Corporations Act 2001*, including:
 - (i) giving a true and fair view of the Group's financial position as at 30 June 2024 and of its performance, for the financial year ended on that date; and
 - (ii) complying with Australian Accounting Standards Simplified Disclosure Requirements and the *Corporations Regulations 2001*; and
 - (c) there are reasonable grounds to believe that the Company will be able to pay its debts as and when they become due and payable.
 - (d) the Consolidated entity disclosure statement as at 31 October 2024 set out on page 20.

Signed in accordance with a resolution of the directors:

Dated at Gold (cast, QLD 13 day of December 2024

Director

Pare Longhe .

Director



Independent Auditor's Report

To the shareholders of Sanctuary Cove Community Services Limited

Opinion

We have audited the *Financial Report* of Sanctuary Cove Community Services Limited (the Company).

In our opinion, the accompanying Financial Report of the Company gives a true and fair view, including of the Group's financial position as at 31 October 2024 and of its financial performance for the year then ended, accordance with the in Corporations Act 2001, in compliance with Australian Accounting Standards Simplified Disclosures the and Corporations Regulations 2001.

The Financial Report comprises:

- Consolidated Statement of financial position as at 31 October 2024
- Consolidated Statement of profit or loss and other comprehensive income, Consolidated Statement of changes in equity, and Consolidated Statement of cash flows for the year then ended
- Consolidated entity disclosure statement and accompanying basis of preparation as at 31 October 2024
- Notes, including material accounting policies
- Directors' Declaration.

The *Group* consists of the Company and the entities it controlled at the year end or from time to time during the financial year.

Basis for opinion

We conducted our audit in accordance with *Australian Auditing Standards*. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Our responsibilities under those standards are further described in the *Auditor's responsibilities for the audit of the Financial Report* section of our report.

We are independent of the Group in accordance with the *Corporations Act 2001* and the ethical requirements of the *Accounting Professional and Ethical Standards Board's APES 110 Code of Ethics for Professional Accountants (including Independence Standards)* (the Code) that are relevant to our audit of the Financial Report in Australia. We have fulfilled our other ethical responsibilities in accordance with these requirements.

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Other Information

Other Information is financial and non-financial information in Sanctuary Community Services Limited's annual report which is provided in addition to the Financial Report and the Auditor's Report. The Directors are responsible for the Other Information.

Our opinion on the Financial Report does not cover the Other Information and, accordingly, we do not express an audit opinion or any form of assurance conclusion thereon.

In connection with our audit of the Financial Report, our responsibility is to read the Other Information. In doing so, we consider whether the Other Information is materially inconsistent with the Financial Report or our knowledge obtained in the audit, or otherwise appears to be materially misstated.

We are required to report if we conclude that there is a material misstatement of this Other Information, and based on the work we have performed on the Other Information that we obtained prior to the date of this Auditor's Report we have nothing to report.

Responsibilities of the Directors for the Financial Report

The Directors are responsible for:

- preparing the Financial Report in accordance with the *Corporations Act 2001*, including giving a true and fair view of the financial position and performance of the Group, and in compliance with *Australian Accounting Standards -Simplified Disclosures* and the *Corporations Regulations 2001*
- implementing necessary internal control to enable the preparation of a Financial Report in accordance with the *Corporations Act 2001*, including giving a true and fair view of the financial position and performance of the Group, and that is free from material misstatement, whether due to fraud or error
- assessing the Group and Company's ability to continue as a going concern and whether the use of the going concern basis of accounting is appropriate. This includes disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless they either intend to liquidate the Group and Company or to cease operations, or have no realistic alternative but to do so.

Auditor's responsibilities for the audit of the Financial Report

Our objective is:

- to obtain reasonable assurance about whether the Financial Report as a whole is free from material misstatement, whether due to fraud or error; and
- to issue an Auditor's Report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with *Australian Auditing Standards* will always detect a material misstatement when it exists.



Misstatements can arise from fraud or error. They are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the Financial Report.

A further description of our responsibilities for the audit of the Financial Report is located at the *Auditing and Assurance Standards Board* website at: <u>http://www.auasb.gov.au/auditors_responsibilities/ar4.pdf</u>. This description forms part of our Auditor's Report.

KPNG

KPMG

Adam Twemlow Partner Gold Coast 13 December 2024

MINUTES OF THE 17TH ANNUAL GENERAL MEETING OF SHAREHOLDERS OF

SANCTUARY COVE COMMUNITY SERVICES LIMITED ACN 119 669 322 ("the Company")

HELD ON 9th MAY 2024

IN THE SANCTUARY COVE BODY CORPORATE SERVICES BOARDROOM

Pursuant to section 249F of the Corporations Act 2001 ("the Act")

PRESENT:

Name: Stuart Shakespeare (SS)

(The duly authorised representative of the Sanctuary Cove Principal Body Corporate).

Name: Stephen Anderson (SA)

(The duly authorised representative of the Sanctuary Cove Primary Thoroughfare Body Corporate).

IN ATTENDANCE:

Mr Paul Kernaghan (PK) – PBC Nominee Director Mr Barry Teeling (BT) – PTBC Nominee Director Mr Dale St George (DSG) – Secretary, Sanctuary Cove Community Services Limited Ms Mika Yanaka (MY) – Finance Manager, Sanctuary Cove Community Services Limited Mrs Brogan Watling (BW) – In-house Counsel, Sanctuary Cove Community Services Limited Mrs Jodie Syrett (JS) – Minute taker, Sanctuary Cove Community Services Limited

INVITEES IN ATTENDANCE

Mr Peter Cohen (PC) – Member for the Cassia body corporate Mrs Jane Burke (JB) - Member for the Darwinia body corporate Mr Brian Earp (BE) – Member for the Livingstonia body corporate Mrs Cheryl McBride (CM) – Member for the Molinia body corporate Mr Nick Eisenhut (NE) – Member for the Plumeria body corporate Mrs Simone Hoyle (SH) – Member for the Roystonia body corporate Mr Wayne Bastion (WE) – Member for the Schotia Island body corporate Mr Hugh Martin (HM) - Member for the Zieria body corporate

CHAIRMAN

Mr Stephen Anderson (SA) chaired the meeting.

Page 1 9th of May 2024

QUORUM

A quorum was present, and the Chairman declared the Annual General Meeting opened at 2:00pm. SA noted that SS and himself were representing the two Shareholders, being the Principal Body Corporate (PBC) and the Primary Thoroughfare Body Corporate (PTBC), respectively.

PROXIES & VOTING PAPERS

Nil

CONFLICT OF INTEREST

There were no declarations of conflict of interests from those present at the meeting.

MOTIONS

1	Confirmation of Minutes	
MOTION		

RESOLVED

That the Minutes of the Annual General Meeting held on the 13th of February 2023 be confirmed as true and correct record of the proceedings at that meeting.

That the Motion be Carried.	Yes	2	No	0	Abstain	0
		_		-		-

2	To receive the directors' report, the auditors' report, and the audited accounts of the
	Company for the period ended 31 st October 2023.

MOTION

RESOLVED

That the Sanctuary Cove Community Services Limited and Controlled Entities Financial Report for the period ended 31st October 2023 be accepted as amended.

That the Motion be Carried.	Yes	2	No	0	Abstain	0

GENERAL BUSINESS

Directors Report

- SA discussed the following issues raised in the Directors Report:
 - · Staff Issues
 - · Inflation
 - Supplier Issues
 - Governance Issues
 - Weather
- SA congratulated the SCCSL staff on the successful delivery of projects over the last year.

Change in Auditors

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- SA discussed disagreement over the current auditor's treatment of minor items. The appointment of these auditors will come to an end, with a new auditor to be engaged.

Resort Body Corporate Services Pty Ltd (RBCS)

- *Q* what legal advice was sought by RBCS and what the cost was. SA mentioned advice was received in 2014 from McCullough Robertson and further advised that this advice is professional privilege and will not be disclosed. *SA confirmed* RBCS commenced trading in 2023.
- Q how SCCSL staff's time and effort has expanded accommodate RBCS workload and how the cost is separated. It was confirmed that there are no additional staffing expenses associated with operating Resort Body Corporate Services. Contributions from external residential bodies corporate are credited to RBCS and offset to SCCSL.
- Q where staff numbers increased to accommodate RBCS workload. It was confirmed that staffing had not been increased.

Board Membership

- Q noted that board meetings were held where SA attended whilst his tenure had expired. SA confirmed this was correct, the Board has appointed an Independent Secretarial Company to ensure this does not occur again.
- Q further noted that SS expressed concerns on numerous occasions that he was not being invited to board meetings. SA advised no one expressed concerns to the Secretary or Board Members.

<u>CLOSURE</u>

There being no further business, the Chairman declared the Annual General Meeting closed at 2:38pm.

Confirmation

Confirmed as a true record 2024

.....

Stephen Anderson Chairman



23 January 2025

Mr R and Mrs M Hinves 2026 The Circle SANCTUARY COVE QLD 4212

Dear Roger and Mary,

BAMBOO SCREENING INSTALLED BETWEEN 2026 AND 2024 THE CIRCLE

I am writing on behalf of the Principal Body Corporate (PBC) regarding the bamboo screening installed between your property and your neighbours at 2024 The Circle.

The PBC has reviewed the situation and advises that the screening <u>must be removed</u> within the next two weeks from the date of this letter. Ample time has been provided to allow the trees on the property boundary to mature and provide sufficient privacy between the two properties.

Unfortunately, the PBC is unable to continue providing relaxations to permit the screening to remain. We kindly request that you take the necessary steps to remove the screening by **6 February 2025**.

Your prompt attention to this matter is appreciated.

Thank you for your cooperation. Yours sincerely,

For and on behalf of **Sanctuary Cove Principal Body Corporate GTP 202**

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Jodie Syrett – Manager of Body Corporate Sanctuary Cove Community Services Limited

SANCTUARY COVE PRINCIPAL BODY CORPORATE GTP 202

MINUTES OF GOVERNANCE REVIEW – DIRECTORS AUSTRALIA

for Sanctuary Cove Principal Body Corporate GTP 202

Location of meeting: Date and time of meeting: Meeting time: Meeting Room 1, Body Corporate Services Office Masthead Way, Sanctuary Cove QLD 4212 Monday 9th December 2024 11:30AM – 12:30PM

Observations & Recommendations

Why two sessions and three objectives of the two sessions with PBC members:

- 1. Today's meeting Understand the Governance Review Findings and Recommendations...live Q&A with Directors Aust.
- For 6 Feb session, dedicated meeting to governance blueprint endorsement based on DA availability and post the Christmas NY holiday period – Brief recap and opportunity for a Follow up Q&A session for MNs, PBC alignment on the key priorities, actions and timings.
- 3. PBC Exec will present next steps, with timings, resourcing and accountability

The top three outcomes from the completion of two sessions should be:

1. Consensus on Priority Actions

A clear agreement among PBC members on the prioritisation of the recommended governance improvements, including which actions will be implemented immediately and those scheduled for subsequent phases.

2. Defined Implementation Plan

A high-level plan outlining timelines, responsible parties, and specific deliverables for the top-priority actions, ensuring clarity and accountability moving forward.

3. Alignment on Roles and Next Steps

PBC members fully understand their roles and responsibilities in the governance improvement process and are aligned on the immediate next steps, including stakeholder communication and follow-up sessions.

PBC MN feedback and suggestions to DA during Session

1. Digital Tools and Resources

- Development of an app to serve as a digital manual, including the emergency management plan.
- Simplify communication and access to governance materials for stakeholders.

2. Governance Structure and Role Clarity

- Refine sub-committees, ensuring they have clear capabilities, accountabilities, and performance management.
- Define new Terms of Reference (TOR) for the PBC Executive Committee.
- Clarify roles, responsibilities, and delegation of authority to the company and sub-committees.

- Address governance challenges related to dual roles (e.g., PBC Executive Committee members serving on sub-committees).
- Ensure sub-committees serve the PBC's primary interests, not external objectives.

3. Conflict of Interest Management

- Address conflicts of interest through identification, examples, and auditor feedback.
- Provide educational workshops to build understanding among stakeholders.
- Establish clearer protocols for participation in discussions versus voting in cases of conflict.

4. Operational Simplification

- Identify areas for simplification in the governance structure.
- Allocate extra resources to streamline processes for major initiatives, such as renewing the BSC contract.
- Ensure the frequency of meetings aligns with operational needs without overburdening participants.

5. Communication and Transparency

- Improve communication and transparency, allowing any PBC member to participate in sub-committees.
- Address stakeholder concerns around PBC's role as a communication body for residents.
- Develop clearer communication protocols between the PBC and its stakeholders.

6. Meeting Logistics

- Adjust meeting schedules to accommodate working members and ensure access to resources during flexible hours.
- Review frequency and purpose of PBC meetings to align with operational demands.
- Ensure timely preparation and distribution of meeting agendas and supporting documents.

7. Risk Management and Legal Clarity

- Define PBC's risk management responsibilities and clarify terms in agreements.
- Develop a more detailed ToR for risk oversight, including legal responsibilities.
- Resolve dynamic tensions between PBC and external parties (e.g., Mulpha) through clearer agreements.

8. Resource Allocation and Workload

- Assess and redistribute workloads among PBC members to reduce reliance on individuals.
- Clarify expectations around attendance and roles, balancing voluntary and remunerated efforts.
- Explore remuneration options (levies vs. fees) for key roles.

9. Leadership and Cultural Alignment

- Ensure committee members align with PBC's objectives, avoiding conflicts of interest or alternative agendas.
- Provide support and resources for sub-committees to perform effectively.
- Build stronger relationships between the Executive Committee and PBC through clear role definitions.



SANCTUARY COVE PBC GOVERNANCE REVIEW BLUEPRINT - FINAL DRAFT

Context and scope of the review

The governance, effectiveness, and efficiency of the current operating model for the Sanctuary Cove resort has not undergone a thorough review for 10 years. Similarly, several existing governance documents have not undergone timely periodic review and re-approval as required.

For these reasons, Directors Australia has been engaged to conduct a governance review of the Sanctuary Cove PBC. The objective of the review is to ensure that the governance is fit-for-purpose given contemporary governance requirements.

The review is focussed exclusively on the operation of the PBC, PBC Executive Committee (EC), Sub-Committees, their interface with PTBC, and the interaction with SCCSL as service provider to the PBC (and RBCs) and PTBC under the current Administration and Management Agreement.

This review scope does not include the internal governance of SCCSL, which will be covered by a separate review. The review is also separate from a review of the current Administration and Management Agreement.

Phase 1 of the review involved Directors Australia reviewing the existing governance artefacts in place, preparing a draft governance blueprint and facilitating a PBC EC roundtable to discuss Directors Australia's preliminary observations and suggested actions.

During Phase 2 of the review Directors Australia further consulted with a number of key stakeholders to receive feedback regarding the proposed governance blueprint prior to its submission to the PBC for its consideration. <u>Our consultation included engagement with PBC members in attendance at the 9 December 2024 PBC meeting.</u>

The governance blueprint is structured around 5 focus areas. For each area, the blueprint outlines the desired attributes, our key observations and suggested actions. We have further provided our view regarding how to prioritise implementation of our suggested actions over time.

In the PBC's <u>9 December 20246 February 2025</u> meeting, the final draft blueprint will be presented for <u>discussion consideration</u> and <u>to support</u> <u>adoption by</u> the PBC-to determine next steps.

Desired attributes	Key observations	Suggested actions	Priority ¹
 The PBC's governance framework is appropriate to its purpose and nature An appropriate suite of governance policies is in place The PBC is clear as to its role and functions PBC members understand their roles and responsibilities There is clarity regarding the respective roles of the governing entity and management PBC members set and nurture an appropriate culture The PBC committee structure and operations assists the PBC in the performance of its functions 	 The SC governance and operating structure is relatively complex There is an opportunity for clear communication for all home owners, including new home owners, regarding this structure and specific resident obligations regarding seeking PBC approval for matters such as parking and dwelling painting All new home owners should receive timely information regarding their RBC Chair contact and role of RBC following a change in home ownership A home owner's manual was previously provided to the first residents of each property and a varied approach has been taken to the presentation of the manual to future home owners 	 Develop an owners' manual for all SC home owners via a mobile application (see Action 32). 	2
	• There is a need to clarify roles, responsibilities and authorities as they relate to the PBC, PBC EC and each sub-committee	2. Develop a simple role statement regarding the SC structure, including the role of the PBC and PBC EC	1

Focus Area 1 - Governance structure, roles and relationships

¹ Priority One: to be implemented within the next three months: Priority Two: to be implemented within the next three to six months; and Priority Three: to be implemented within six to twelve months Priority Four: to be implements within 1 and 2 years

Desired attributes	Key observations	Suggested actions	Priority ¹
	 There are some misconceptions regarding the role of the company. Some view the PBC EC as 'the workhorse' of the PBC There is a lack of clarity regarding the role of the RBC Chair (especially where an individual holds dual role of RBC Chair and PBC Member Nominee) The PBC could provide clearer guidance regarding: how motions can be developed and submitted to the PBC, and the required process by which PBC Member Nominees consult with their RBC committees prior to PBC meetings 	 Develop role statements clearly defining expectations of individual PBC, PBC EC and sub-committee members Prepare a short form PBC governance manual for new members of the PBC, PBC EC, PBC sub-committees and RBC which outlines the governance related matters specific to each forum 	1
	 PBC EC Terms of Reference (ToR) includes a wide description of its role and responsibilities There is an opportunity to develop a PBC ToR which includes more detail regarding the PBC's role, responsibilities and interface with PBC EC and sub-committees 	5. Develop a new ToR for the PBC <u>and revised</u> <u>ToR for the PBC EC following resolution of</u> <u>Actions 28–30 below</u>	1

Desired attributes	Key observations	Suggested actions	Priority ¹
	 The role and extent of any decision-making at sub-committee level requires greater clarity SCRA only permits the PBC to appoint a sub-committee to advise it, yet the: Finance Sub-committee (FSC) encompasses PBC, PTBC and SCCSL financial matters, and Contracts Sub-committee (CSC) encompasses PBC, PTBC and SCCSL contractual matters Perceptions include that: the sub-committees are driven by company objectives rather than primarily PBC matters the FSC and CSC by-pass the EC and report directly to the PBC the sub-committees approve matters rather than making recommendations to the PBC 	 PBC to further discuss the opportunity to disband certain sub-committees (eg: FSC) and redistribute responsibilities to the PBC EC and/or PBC Clarify and document via a revised ToR the role of the continuing sub-committees and who they serve (including whether they serve the PBC only going forward) Clarify and document the reporting lines for the sub-committees to the PBC (including any requirement to report to PBC via through the PBC EC) Review and, if necessary, change the delegated specific approval authorities provided by the PBC to relevant sub- committees 	1 2 2 (consider completion Action 9 in parallel with Action 11 below)

Desired attributes	Key observations	Suggested actions	Priority ¹
	 It is important to ensure the sub- committees serve the PBC's primary interests, not external objectives The PBC needs to provide support and resourcing to sub-committees to enable each forum to perform effectively A number of stakeholders suggested in consultation that in order to gain efficiencies in process and to support the PBC's oversight of key matters such as financial management, there is an opportunity to disband the current FSC and transfer the oversight role back to the PBC (and potentially PBC EC), supported by SCCSL It can be difficult to attract and retain suitably skills and diligent committee members 		
	• There is scope to set desired culture and nurture culture through activities which allow PBC and EC members to build respectful and constructive relationships	10. Agree and document the principles for operation for each of the PBC and EC	1 (consider completing in parallel with Actions 5, 7 and 8 above)

Desired attributes	Key observations	Suggested actions	Priority ²
 The PBC meets with an appropriate frequency The PBC maintains an effective annual calendar and work plan The standard PBC meeting agenda effectively focuses the governing entity's discussion and decisionmaking The PBC's decision-making processes are sound The PBC effectively manages conflicts of interest PBC meeting minutes provide an accurate record of proceedings, decision-making processes and 	 Matters reserved for the PBC (restricted matters) are outlined in the SCRA, with PBC EC authorities and responsibilities set out in PBC EC ToR There is an opportunity to enhance clarity of decision-making authority through consolidation of all current authorities in a single 'source of truth' document for the PBC, PBC EC, sub- committees and SCCSL (as secretariat) Where authorities are provided by the PBC to an individual or role within SCCSL, ensure sufficient <u>internal</u> control protocols (including segregation of duties) are in place within SCCSL to support the individual / role to exercise authority in the best interests of the PBC 	11. Develop a single authorities/decision making matrix outlining all authorities provided to PBC, PBC EC, PBC sub- committees (if applicable) and SCCSL and associated internal controls to support compliance with the matrix requirements	2
 decisions The PBC's administrative practices and record-keeping are effective and properly maintained by the SCCSL The PBC receives effective governance and 	Further guidance regarding conflict of interest management is desirable, including establishing clearer protocols for participation in discussions versus voting in cases of conflict of interest	12. Develop a refreshed code of conduct (CoC) based on the existing CoC for individual members of the PBC, RBCs, PBC EC and sub-committees to attest to upon appointment	1 (consider completing in parallel with Action 3 above)

Focus Area 2 - PBC processes and decision-making

² Priority One: to be implemented within the next three months: Priority Two: to be implemented within the next three to six months; and Priority Three: to be implemented within six to twelve months Priority Four: to be implements within 1 - 2 years

Desired attributes	Key observations	Suggested actions	Priority ²
administrative support and advice from SCCSL	 <u>To support conflict of interest</u> management, it will be important to offer educational workshops to PBC, RBCs and PBC sub-committee members to build understanding of conflict management protocols among stakeholders Code of conduct needs to specify minimum meeting attendance and broader role expectations for individual members 	13. Develop a conflict of interest management policy outlining principles and examples of standard conflict scenarios to guide all decision-making forums, forum Chairs and SCCSL as secretariat	2
	Tenders to award material supplier contracts undertaken in line with PBC Purchasing Policy and Tender Process Principles and Procedures	14. Ensure new delegation matrix developed as part of Action 11 above includes details of specific authorities provided to individuals and specific forums to review and approve the various aspects of tenders	2
	 PBC and, PBC EC meetings are held for 1-3 hours monthly, with sub- committees also meeting frequently It is important to ensure frequency of meetings aligns with operational needs, without over burdening participants Query whether Given key matters relating to strategy, governance and the review of the Administration and Management Agreement occurring during 2025, it is felt the the PBC and EC need to meet with the current level of frequency, with a further review of 	 15. Prepare annual workplan for each meeting forum (PBC, EC and SCCSL) forum to: review and confirm frequency of PBC, EC and sub-committee meetings in 2025, consider adjustments to meeting schedules to accommodate working members of the PBC and sub-committees, and ensure key responsibilities of each forum are documented in workplan and met throughout the year 	1 <u>(note this</u> <u>action is in</u> <u>progress</u>)

Desired attributes	Key observations	Suggested actions	Priority ²
	 <u>meeting frequency to occur in 12</u> <u>months' time (early 2026)</u> <u>Further consideration could be given</u> <u>to adjusting meeting schedules to</u> <u>accommodate working PBC and PBC</u> <u>sub-committee members and ensure</u> <u>access to resources to support flexible</u> <u>hours</u> Greater clarity regarding role of PBC members, office bearers and PBC EC would support PBC and PBC EC meeting effectiveness (see above) 		
	 PBC EC meeting papers are provided three days before EC meetings due to timing of sub-committee meetings There is a need to ensure PBC meeting agendas and supporting documents are distributed in a timely way to provide PBC members sufficient time to consider (and where required seek RBC input) prior to each meeting 	16. Review timing of <u>all forum</u> meetings to enable <u>agendas and associated meeting</u> papers to be issued <u>to meeting attendees</u> earlier (based on annual work plan developed in Action 15 above)	1

Desired attributes	Key observations	Suggested actions	Priority ³
 The PBC's size and composition enables it to perform its role effectively There is appropriate consideration given by the PBC to its renewal and succession planning The PBC uses open and objective processes for recruitment There is an effective and comprehensive process of induction for new PBC member nominees The PBC has a constructive dynamic There are clearly stated and enforced expectations of 	 It is important to ensure the PBC, PBC EC and sub- committees have the collective skills, experience and personal attributes to perform their respective roles <u>Given the voluntary nature of</u> <u>sub-committee member roles,</u> <u>it is felt the ideal size of each</u> <u>sub-committee is minimum 3</u> <u>members</u> <u>Appointment of an PBC EC</u> <u>member as sub-committee</u> <u>chair or member can be an</u> <u>important way to support</u> <u>effective two-way</u> <u>communication between the</u> <u>PBC and each sub- committee</u> 	 17. Develop a one page matrix outlining the key skills and other key attributes required collectively for the PBC EC and sub-committees 18. Require that each sub-committee comprise a minimum of 3, and maximum of 5 members (at least one member being a PBC or PBC EC member who holds the role of sub-committee chair), with final composition to be determined having regard to the time commitment and scope of responsibilities 	2
 PBC member nominees behaviour and performance The remuneration structure as it relates to PBC members is appropriate The performance of the PBC as-a-whole is regularly and 	• There is a limited pool of candidates available due to the governance structure. Time availability and appropriate skills / experience further limits the pool	19. Document the ongoing approach to succession planning for key leadership roles (PBC and PBC EC chairpersons, Treasurers and Secretaries and sub-committee chairpersons) including interim arrangements for key roles and handover support for key roles following annual election	3

Focus Area 3 - PBC composition, dynamics, performance and development

³ Priority One: to be implemented within the next three months: Priority Two: to be implemented within the next three to six months; and Priority Three: to be implemented within six to twelve months Priority Four: to be implements within 1 - 2 years

Desired attributes	Key observations	Suggested actions	Priority ³
 appropriately reviewed The performance of individual PBC member nominees is regularly and appropriately reviewed 	• The tenure of PBC and EC office holders is dependent on the annual election of the Chair and intermediate resignations		
 There is a demonstrated commitment by individual governing entity members and the governing entity as- a-whole to ongoing professional development 	 There is a level of turnover of key leadership roles across PBC, PBC EC and PBC subcommittees Recognising the complex structure, it can take time for new members to understand structure and governance requirements to then effectively contribute Regular sessions could focus on ensuring consistent understanding of the operating context across the PBC, PBC EC and PBC subcommittees as well as provide opportunities to remain abreast of relevant emerging issues and challenges for body corporate managers Sessions would be delivered in a dynamic and practical way to enable attendees to engage with the content and gain insights relevant to the 	20. Consider whether there is an opportunity to deliver regular body corporate governance sessions to PBC and RBCs	3

Desired attributes	Key observations	Suggested actions	Priority ³
	Sanctuary Cove context.		
	• There is a linkage between the sub-committees and the EC through a crossover of membership. This is highly desirable for effective communication.	21. Ensure that there is at least one PBC (or PBC EC) member appointed to each sub-committee and further consider protocols to enable any PBC member to join sub-committee meetings	This action can be completed in parallel with Actions 17 and 18 above
	In the 9 December 2024 PBC meeting, the PBC discussed the importance of ensuring at least one PBC member sits on each sub-committee		
	To improve communication and transparency, the PBC should consider allowing any PBC member to participate in PBC sub-committees		
	Where a PBC member sits on a sub-committee and is not also a PBC EC member, communication protocols may be required to ensure both the PBC EC and PBC receive updates from the sub-committee.		

Desired attributes	Key observations	Suggested actions	Priority ³
	 The workload of the PBC EC Chair is high (especially for a volunteer) and involves being: MN PBC chair PBC EC chair PBC EC chair Representative of the PBC on the PTBC PBC nominee director on the SCCSL board Proxy holder of the PBC shareholding of SCCSL It is timely for the PBC to: consider redistribution of workload amongst the PBC to reduce reliance on key individuals, and explore remuneration options for key PBC roles (via reduction in levies versus fees) 	 22. Consider ways to reduce workload of the PBC EC Chair including splitting the functions associated with the role and formally assigning to other individuals eg: Chair of the PBC and EC (annual election) Director and proxy holder to SCCSL (2 year tenure appointed by PBC) Representative on the PTBC (annual appointment of the PBC) 23. Ensure the individual(s) assigned the functions of SCCSL director and/or PTBC in Action 22 above formally reports to and take instructions from the PBC- 	1
	 It is important to ensure members of PBC, PBC EC and sub-committees and RBCs receive induction 	24. Develop refreshed induction session(s) <u>format</u> for all new members to RBCs, PBC EC and PBC	3

Desired attributes	Key observations	Suggested actions	Priority ³
	training when joining one of these forums		
	• Attendance at current induction sessions delivered in March / April each year is varied. There is no mandatory requirement to attend induction session prior to commencing as a member of the PBC, PBC EC or as a RBC Chair or RBC member		
	• It is imperative that new members undertake induction training prior to attendance at first forum meeting (or shortly thereafter)		

Focus Area 4 - Monitoring	performance.	risk and compliance
	po	

Desired attributes	Key observations	Suggested actions	Priority ^₄
 The PBC is provided with appropriate information to perform its role The PBC effectively monitors the SCCSL's operational performance The PBC effectively monitors financial performance The PBC constructively challenges SCCSL on its 	 The PBC and PBC EC monitor performance of SCCSL as key service provider via monthly operational and financial reports An annual operational plan is developed by SCCSL outlining operational priorities and prior year performance 	25. Add the operational planning timelines to the PBC EC annual work plan (see Action 15 above)	1 – noting this action can be completed in parallel with action 15 above.
performance	 The approval pathway for the annual financial budget is unclear 	26. Document the approval pathway for the annual financial budget and add timelines to the PBC EC annual work plan (see above)	2
	• There is a lack of clarity regarding the underlying financial management principles to be applied by the PBC to guide medium to long term financial management decisions by the PBC (eg: namely capex)	27. Develop a Financial Management Strategy to guide longer term decision making with respect to PBC financial matters and support consistency of decision making by the PBC over consecutive financial years	3
	• The current PBC EC ToR requires the PBC EC to:	28. PBC EC-seek confirmation from SCCL regarding the extent of the risk and compliance activities currently undertaken within the scope of the Administration and Management Agreement	1

⁴ Priority One: to be implemented within the next three months: Priority Two: to be implemented within the next three to six months; and Priority Three: to be implemented within six to twelve months Priority Four: to be implements within 1 - 2 years

Desired attributes	Key observations	Suggested actions	Priority ⁴
	 guide policy and governance matters across the resort ensure PBC compliance with all licences and statutory regulations, Local and State OHS, water quality, biodiversity environmental requirements and legislative laws 	 29. The PBC EC-seek legal advice regarding the role of the PBC and PBC EC in terms of overseeing risk management and compliance related matters within Sanctuary Cove 30. Upon receipt of legal advice, PBC EC-to oversee development of a plan to implement a risk management framework, supported by SCCSL or another service provider, as required 	1 2
	 It is unclear where responsibility for administration of compliance and risk management matters lie – not referenced as a 'service' in the Administration and Management Agreement (AMA) nor does SCCSL organisational structure include dedicated roles 		
	 For example, if a workplace health and safety issue or public liability arose, which entity is liable? 		
	<u>The PBC needs to define its</u> ongoing risk management responsibilities and clarify risk activities undertaken by SCCSL via AMA		

Focus Area 5 - Stakeholder	engagement
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Desired attributes	Key observations	Suggested actions	Priority ⁵
 The PBC has a shared agreement as to who are its key stakeholders The PBC effectively engages with its key stakeholders 	 The PBC needs to reflect on, and address stakeholder concerns around PBC's role as a communication body for residents It is imperative that the PBC develop clearer communication protocols between the PBC and stakeholders It is important to ensure outcomes and decisions taken in all meeting forums are advised to relevant stakeholders It is particularly important for PBC EC to share outcomes to maintain transparency (where appropriate) Further consider the communication protocols between PBC and RBC Chairs (noting not all RBC Chairs are PBC Member Nominees) 	31. Consider how forums could agree a communique to relevant stakeholders at the end of each forum meeting (ie: home owners and other residents, other meeting forums, SCCSL) in regard to the key matters discussed in each forum	2

⁵ Priority One: to be implemented within the next three months: Priority Two: to be implemented within the next three to six months; and Priority Three: to be implemented within six to twelve months Priority Four: to be implements within 1 - 2 years

Desired attributes	Key observations	Suggested actions	Priority ⁵
	• There is an opportunity to consider how PBC could use broadscale forums to support communication with home owners and other key stakeholders such as service providers	32. Consider developing an App to share information with funding shared across all residents - this could be used not only for information sharing but also sharing of key resources such as a suggested owner's manual and role statements	3 <u>(noting this</u> <u>action is in</u> <u>progress)</u>
	 <u>An App would also serve as a digital home owners manual (see Action 1) as well as assist with the broad communication of key documents such as the Emergency Management Plan</u> There are currently no resources allocated to communications 		

CORRESPONDENCE FOR ACTION

I think this may be the one you are looking for.... P.

Begin forwarded message:

From: Peter Cohen Subject: Recommendation from Cassia Date: 7 December 2024 at 8:51:38 AM AEST To: Stuart Cheryl Mcbride Paul Kernaghan Earp Brian Hoyle Simone andrewbrownsydney eisenhaut Nick

As you are now aware, following concerns expressed to Mulpha regarding the state of various Lots under their control, apart from agreeing to tidy up the area near the hotel Roundabout, the "solution" they have suggested is that they make the fencing more opaque. They have not agreed to take action to clean up these eyesores and potential homes to vermin, fire ants etc, (Interestingly, it seems they have dragged the broken flag Pole to the other side of the hill, so it can't be seen from the entrance road). It is Cassia's view that this response is unacceptable and inadequate. Note:

The Aveo land is a 'Development Parcel', Precinct Type P11 within the General Residential Zone of Stage 1. Surely then, any activity on the land should be subject to the provisions of the RZABL. However, the condition of the land is deplorable. It is covered with building material rubbish and is an absolute eyesore. That material incidentally, should not be classified as fill material awaiting spreading, compaction or pre-loading for buildings because it is not clean fill and would have to be abandoned for that purpose and removed. Thus, Mulpha is using it as a dumping ground to avoid paying disposal fees at a recognised disposal centre. (See attached photos).

As this is an apparent breach of the RZABL's, we recommend that official action be taken, just as in the case of any other apparent breach, and that Mulpha be requested to clean up the Lots, and in the case this is not undertaken, that the matter be referred to the Referee. Clearly, this is a matter that the EC needs to agree to take forward as it is almost certainly the first time such an action would be taken here against the Developer and it would probably not fall within the authority of one RBC to pursue.

Perhaps this communication should be listed under "Correspondence for Action"....





We look forward to hearing from you on this matter, regards, Peter Cohen Chairman and Members Nominee, Cassia Hi Jodie,

I would like you to include the following for discussion at the next meeting of the PBC EGM.

To PBC.

I observed the dog gathering in Paul Toose park which occurred on Friday 19th December. Bylaws and GCCC laws were continually breached throughout the event with dogs not being under control at all times and often off leash.

Loud music was played at times and an MC was used to make announcements. This deprived immediate neighbours of the quiet and peaceful enjoyment of their properties.

The idea that this was not the use of the park as a dog park is NONSENSE.

The use of any public space in Schotia Island as a dog park is a blatant breech of the bylaws and GCCC laws.

Mark Winfield was given tacit approval by the EC for this event even though it was submitted to the EC that these breeches were almost certain to occur.

It would appear to me that MW is on a crusade to create a dog park within Schotia Island regardless of the bylaws and against GCCC laws.

To give permission for this event only encourages MW.

I believe that he may be about to raise this issue of an off leash dog park at a further meeting.

We live in an harmonious environment and this can only continue when people accept and abide by established rules & bylaws

I would like to see the EC consider taking the following action.

Write to MW to inform him that the gathering at the park breeched the bylaws and will NOT be approved next year.

The EC should issue a ruling on what it considers constitutes the unlawful use of a general area as a dog park.

I believe the rule should be that a gathering of three or more dogs should constitute a breach of the bylaw.

This is a matter which I believe will not go away and needs to be faced by and resolved by the PBC/ EC now.

I feel this is a very simple matter. A dog park is against the bylaws and GCCC laws. What occurred on Friday 19th was a blatant breach of these rules. The EC has to take a stand on this now and not put it off until later.

The continuing use of Paul Toose park on an almost daily basis as a dog park should also

be covered by any action taken.

As a side issue, but also very important, can the PBC take any action to allow fines to be applied for the breach of bylaws.

Regards

Robert J Pearson

From:	Michael Kowalczyk
То:	Jodie Syrett
Subject:	FW: ALPINIA Correspondence
Date:	Thursday, 23 January 2025 3:03:45 PM
Attachments:	Document 2024-06-18 091729.pdf
	vmp PAR04 feb24.pdf
	image001 ppg

Please see attached.

Michael Kowalczyk

Body Corporate Manager

Direct07 5500 3323 | michael.kowalczyk@scove.com.auMain07 5500 3333 | enquiries@scove.com.auAddressPO Box 15 | Shop 1A, Building 1, Masthead Way Sanctuary Cove Q 4212Weboursanctuarycove.com.au



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From: Caroline Brisebois <caroline.brisebois@gmail.com>
Sent: Tuesday, 14 January 2025 9:06 AM
To: Michael Kowalczyk <michael.kowalczyk@scove.com.au>
Subject: Fwd: ALPINIA Correspondence

HI Michael

Happy New Year, hope you had a great break.

Please see the email below and correspondence attached. Can you please indicate if there has been any updates / news from the PBC regarding our request.

I would be grateful if you could please follow this up for Alpinia.

Thank you

Caroline Brisebois

------ Forwarded message ------From: **Caroline Brisebois** <<u>caroline.brisebois@gmail.com</u>> Date: Tue, Jun 18, 2024 at 9:20 AM Subject: Fwd: ALPINIA Correspondence To: Michael Kowalczyk <<u>michael.kowalczyk@scove.com.au</u>>

HI Michael

Please find attached a letter and attachment for the PBC.

Could you please confirm receipt?

Thank you

Caroline

From:	Stewart Webster
To:	PBC
Subject:	Re: COMPLIANCE ADVICE: 7081 Keyside Close
Date:	Wednesday, 22 January 2025 7:54:50 AM

Good morning Jodie, thank you for your prompt email that certainly had better content from that as I've received to date. Here is the situation. At the time the of the replacement of the bricks on the roadway in Keyside Close, which happened when we in Melbourne, I spoke to Craig Mc Donald from Smart Stone the contractor about putting in a concrete crossover to our property as was the case with others in the street Despite a numbers of calls to him it didn't get done at the same time. The kerb height is such that we have incurred damage to the front of our vehicle on several occasions, which is not inexpensive to remedy I might add my wife and I are extremely careful in reversing out to avoid damage but visitors have varying degrees of success depending on the vehicle. I spent time around the cove to see how others had overcome the issue and the ramps I installed appeared to be the answer, I purchased and installed unaware a approval was required Unfortunately the Garbage truck destroyed the ramps at which time I spoke to Eliza at security who was more than helpful and she undertook to contact the company concerned to get the damage repaired. At this point she was advised by your staff there was no approval in place and she was unable to assist further. I then received emails from your staff member insisting I remove the ramps by a specific date. I requested on at least two occasion I wished to be compliant and please advise the process, she did nothing to assist re that request. I then went out to see if approvals had been given for the same system I installed that other residents had installed to find no approvals had been obtained. In simple terms I wish to have the ramps in place, repairs to be carried out by the garbage truck, be compliant and get on with life The person I have had the unfortunate experience of dealing with the matter should have been trying to understand the problem and guide me through the process to reach a desired result. Thank you for becoming involved and I trust the PBC can resolve the situation. Stewart Webster

Sent from my iPhone

On 22 Jan 2025, at 8:18 am, PBC <pbc@scove.com.au> wrote:

Hi Stewart,

Bronte has forwarded your concern to me as the Manager of Body Corporate.

As the body corporate, we are responsible for enforcing the by-laws on behalf of the PBC. However, we do not have the authority to make decisions regarding relaxations or approvals for items to remain.

Bronte is obligated to issue breach notices under the RZABLs and Secondary Thoroughfare by-laws on behalf of the PBC. If an exception is sought, the owner may write to the PBC, stating their case and providing reasons for the requested relaxation. There will be a PBC EGM meeting next Thursday, 30th January 2025, with the agenda to be distributed by COB tomorrow. If you could email me your concerns and the reasons why the ramps need to remain by today or, at the latest, tomorrow morning, I will ensure it is presented to the PBC for a decision.

Please understand me or Bronte (Compliance) are not in a position to give permission for the ramp to remain.

As I will be training a new staff member and attending meetings today, I kindly ask that you email me your input so I can include it on the agenda for next week's discussion.

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Kind Regards,
```

JODIE SYRETT

Manager Body Corporate

Direct 07 5500 3326 |jodie.syrett@scove.com.au
Main 07 5500 3333 | enquiries@scove.com.au
Address PO Box 15 | Shop 1A, Building 1, Masthead Way Sanctuary Cove Q
4212
Web oursanctuarycove.com.au

<image001.png>

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From: Stewart Webster
Sent: Tuesday, 21 January 2025 10:51 AM
To: Compliance <<u>compliance@scove.com.au</u>>
Subject: Re: COMPLIANCE ADVICE: 7081 Keyside Close

I have now ascertained other ramps the same as I installed are in place in exactly the same situation as I am placed with no prior approval. Be on notice any action you should take will meet with the strongest legal I can mount. Your approach to this matter is more than disappointing and I wish to have a discussion with person in charge as soon as possible Stewart Webster Sent from my iPhone

On 20 Jan 2025, at 8:01 pm, Stewart Webster wrote:

I've received your email and find it to be far from what I would expect from your department. I requested the protocols to have a permit issued and this was not addressed at all I want to be compliant and you have done nothing to assist that process. I am coming up mid February for a funeral and will call personally to get this matter resolved. In the meantime I would request you take no further action in both of our interests I would appreciate the details of the person in charge of body corporate services

Stewart Webster

Sent from my iPhone

On 20 Jan 2025, at 5:55 pm, Compliance <<u>compliance@scove.com.au</u>> wrote:

Dear Stewart,

Thank you for your reply and for sharing your concerns regarding the road surface changes and the resulting impact on your vehicle.

While we understand your reasons for installing the ramp, we must reiterate that it was constructed without prior approval, as required for all modifications made to Secondary Thoroughfare land by the proprietors. This constitutes a breach of By-Law RZABL 4.11, and as the Body Corporate, we are obligated to ensure compliance with these by-laws across the community.

We kindly request that the ramp be removed no later

than **Monday, January 27th, 2025**. If the ramp is not removed by this date, the Body Corporate will proceed with arranging its removal, and any associated costs or damages to the road will be your responsibility.

Please rest assure that the Body Corporate continues to address your stated issues, including Marine Drive East and unapproved vehicles, as part of our ongoing commitment to the community.

We appreciate your understanding and cooperation in resolving this matter and upholding the community standards.

Should you have any further questions or require clarification, please do not hesitate to contact us.

Kind Regards, Bronte Sullivan Administration Assistant/Compliance Officer

Direct07 5500 3333| bronte.sullivan@scove.com.auMain07 5500 3333 | enquiries@scove.com.auAddressPO Box 15 | Shop 1A, Building 1,Masthead Way Sanctuary Cove Q 4212Weboursanctuarycove.com.au

<image001.png>

SANCTUARY COVE COMMUNITY SERVICES LIMTED

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or email and delete this email and any attachments from your computer.

From: Stewart Webster Sent: Friday, 17 January 2025 5:14 PM
To: Compliance <<u>compliance@scove.com.au</u>> Subject: Re: COMPLIANCE ADVICE: 7081 Keyside

Close

Thank you for your email regarding the crossover at 7081 Keyside close. When the new road surfaces were put in there was a slight lowering of the road surface making the drop such that continual damage occurred on the front area of our vehicle. Craig McDonald of smart stone was to put in a concrete crossover in at the time of doing the court as happened on other properties in the court, despite numerous calls to him in never happened so I sought to see how others dealt with the issue and observed many that have the same system I put in unaware a approval was required. As numerous of these ramps are all over the resort I can apply for approval according to legal advice I have no intention of removing and would appreciate ANY reason such application would not be approved Please give explicit reasons. This is small fish for the Body Corp. fix the problems in marine Drive East with cars and boats that nothing has been done about for years to name one and there are plenty of others Let's sort this as easily as possible please and I wish to pursue the garbage truck that has caused damage. Regards Stewart Stewart Webster

Sent from my iPhone

<!--[if !supportLineBreakNewLine]--> <!--[endif]-->

On 17 Jan 2025, at 4:05 pm, Compliance <<u>compliance@scove.com.au</u>> wrote:

Dear Sir/Madam,

I hope this email finds you both well.

It has been brought to our attention that an unapproved vehicle ramp has been

installed leading onto the driveway from the secondary thoroughfare road. Please find attached image for your reference.

As this installation has not received prior approval, it constitutes a breach of By-Law RZABL 4.11 regarding Temporary Buildings. For your convenience, please see the relevant excerpt below:

4.11 TEMPORARY BUILDING

4.11.1 Except for children's recreational facilities only, outbuildings, tents, shacks, sheds and other temporary buildings or improvements, may not be placed on any part of the Residential Areas temporarily or permanently unless the Principal Body Corporate has approved the placement in writing and then only as set out in the Principal Body Corporates approval.

The PBC therefore kindly request that the vehicle ramp is immediately removed from the secondary thoroughfare.

Should you have any questions regarding the By-Laws or require further clarification, please don't hesitate to contact us.

Thank you for your prompt attention to this matter, and we appreciate your understanding and cooperation.

Kind Regards, Bronte Sullivan Administration Assistant/Compliance Officer

 Direct
 07 5500 3333

 bronte.sullivan@scove.com.au

 Main
 07 5500 3333 |

Hi again Jodie , upon reflection perhaps the optional solution is a concrete cross over as I originally intended. If possible seek an approval for both. I don't want to visit damage in future from the garbage truck Stewart Webster

Sent from my iPhone





15 Jan 2025 at 12:07:54 pm



15 Jan 2025 at 12:07:41 pm



-

15 Jan 2025 at 12:07:29 pm



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 Principal, PO Box 15 SANCTUARY COVE, QLD, 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: SANCTUARY COVE PRINCIPAL 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:	:	••••

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 owner's 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.