



## MINUTES OF EXTRAORDINARY GENERAL MEETING for 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

**Date and time of meeting:** Thursday 27 February 2025 at 10:00 AM

**Meeting time:** **10:00am – 12:05pm**

**Chairperson:** Mr Stuart Shakespeare

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### ATTENDANCE

#### The following members were Present in Person at the meeting:

Lot 1701	Bauhinia GTP 1701	Ms Dianne Taylor (DT)
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 Simone Hoyle (SH)
Lot 1790	Araucaria GTP 1790	Mrs Maxine Monroe (MM)
Lot 2504	Colvillia GTP 2504	Mr Robert Nolan (RN)
Lot 107045	Harpullia GTP 107045	Mr Paul Kernaghan (PK)
Lot 107106	Schotia Island GTP 107106	Mr Wayne Bastion (WB)
Lot 107128	Felicia GTP 107128	Mr Stuart Shakespeare (SS)
Lot 107209	Alpinia GTP 107209	Ms Dianne Taylor (DT)
Lot 107217	Tristania GTP 107217	Mr Mark Winfield (MW)
Lot 107353	Woodsia GTP 107353	Mr Peter Hay (PH)
Lot 107434	Zieria GTP 107434	Mr Hugh Martin (HM)
Lot 107399	Caladenia GTP 107399	Mr Tony McGinty (TM)
Lot 107406	Corymbia GTP 107406	Mrs Shawlene Nefdt (SN)
Lot 107442	Molinia GTP 107442	Mrs Cheryl McBride (CM)

#### The following members present by Voting Paper and In Person:

Lot 1701	Bauhinia GTP 1701	Owner present (pre-voted)
Lot 107209	Alpinia GTP 107209	Owner present (pre-voted)
Lot 10744	Molinia GTP 107442	Owner present (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 (Developments) Pty Limited	Electronic vote
Lot 2207	Plumeria GTP 2207	Electronic vote
Lot 107509	Alphitonia GTP 107509	Electronic vote
Lot 107053	Acacia GTP 107053	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 Michael Longes
- Mr Stephen Anderson
- Mrs Jane Burke
- Mr Nabil Issa
- Mr Nicholas Eisenhut
- Mr Mick McDonald

The following members were not financial for the meeting:

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

The Chairperson (SS) opened the meeting by welcoming Maxine Monroe, the new MN for Araucaria, and expressing gratitude to Caroline Tolmie for her contributions during her time in the role. He noted that Dianne Taylor now represents both Bauhinia and Alpinia following Richard Sherman's resignation as MN and expressed appreciation for Richard's contributions.

**Motions**

<b>1</b>	<b>Approval of previous PBC General Meeting Minutes held on 30 January 2025 (Agenda Item 5.1)</b>	<b>Ordinary Resolution</b>
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Statutory Motion Submitted by Chairperson **Motion CARRIED**

**RESOLVED** that the Minutes of the PBC Extraordinary General Meeting held on 30 January 2025 be accepted as a true and correct record of the proceedings of the meeting.

Yes	13
No	0
Abstain	10

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

**2 Extension of Security Services User Agreement (Agenda Item 5.2) Ordinary Resolution**

Submitted by Chairperson

**Motion CARRIED**

**RESOLVED** that the PBC revokes motion 2 passed at the EGM held on 28 November 2024.

Further **RESOLVED** that the PBC extends the term of Security Services User Agreement dated 1 November 2021 by 1 year, on the terms set out in the correspondence from Sanctuary Cove Security Services Pty, a copy of which has been circulated with the agenda.

Yes	23
No	0
Abstain	0

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

**3 Approval to pay outstanding Niche Studio invoice for SC Website (Agenda Item 5.3) Ordinary Resolution**

Submitted by Chairperson

**Motion CARRIED**

**RESOLVED** that approval is given by the PBC EGM to pay the outstanding amount on the invoice from Niche Studio of \$3,234.00 (inc GST) for the work completed on the Sanctuary Cove website.

Yes	23
No	0
Abstain	0

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

**4 Architectural Review Committee Member (Agenda Item 5.4) Ordinary Resolution**

Submitted by Chairperson

**Motion CARRIED**

**RESOLVED** that the PBC EGM accepts the recommendation from the PBC EC of the appointment of Mr John Venn to the role of ARC Chairperson.

Yes	23
No	0
Abstain	0

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

**5 Policy for Electric Bicycles and Personal Mobility Devices (Agenda Item 5.5) Ordinary Resolution**

Submitted by Owner Peter Cohen - Cassia

**Motion CARRIED**

**RESOLVED** that the PBC EGM notes and approves the Policy for E Bikes and Personal Mobility Devices dated March 2023 as tabled.

(Note: Following the PBC EC recommendation in March 2023, the proposed motion was not referred to the PBC for approval)

Yes	23
No	0
Abstain	0

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

<b>6</b>	<b>Approval to pay outstanding amount for Director Australia's attendance for December 2024 meeting (Agenda Item 5.6)</b>	<b>Ordinary Resolution</b>
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Submitted by Chairperson

**Motion CARRIED**

**RESOLVED** that the PBC EGM approves payment of \$1,980 (Including GST) for the attendance of Director Australia at the meeting held on 9th December 2024.

Yes	23
No	0
Abstain	0

Further **RESOLVED** that Directors Australia (DA) attended the 9th December 2024 meeting which was not included in their original fee proposal. Given the additional consultation with key stakeholders, the considerable amendment of the previous blueprint, and the refinement of previous and additional recommendations, it was decided to invite the Directors Australia CEO and GM to present an interactive session on the final draft Governance Review blueprint. The purpose was to capture the MNs feedback and address any outstanding questions from the blueprint's findings and recommendations, in preparation for the final document.

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

**6. Correspondence for Information:**

- Noted

## **7. Correspondence for Action:**

### **6301 Boundary Enclosure:**

- SS recommended that the PBC act on this matter, as a portion of the fenced enclosure has been built on Secondary Thoroughfare (ST). Addressing this now would prevent potential issues with future owners and given that the PBC is already aware of the situation, it needs to act. He suggested that if Mulpha constructed this enclosure before selling the property to the current owner then they should be responsible for rectifying it. The owner should take this up directly with Mulpha.
- MN of Araucaria (MM) noted that both the owner and the neighbours who initially raised the concern are now satisfied with the enclosure remaining as is. She further stated that, in her view, rectification would cost approximately \$25,000, as it would require cutting the slab and relocating the fence. A possible solution could be granting the owners exclusive rights to the ST or allowing them to apply for the small section of ST to be rezoned into their property, thereby mitigating future issues.
- SS mentioned that the PBC is not empowered under Act to create exclusive use rights over the ST to a lot owner and that a rezoning is a long and expensive process that would probably involve a PBC re-zoning application to the state government.
- MM mentioned it was much less than one square metres of ST land. SS expressed the view that it could be as much as two square metres. Even if it was possible, it may set an unacceptable precedent for other owners to request similar approvals in the future.
- MN for Tristania (MW) pointed out that, if left unaddressed, this would likely be flagged as an encroachment issue by a future buyer.
- SS reiterated that the only way to resolve the issue properly is to relocate the fence back to the boundary line. The owner would need to approach Mulpha, as they were responsible for the original construction on ST.

### **Schotia Island (SI) Crossover Kerb:**

- SS discussed the existing ramp and the reasons the owners are requesting for it to remain. One of the owner's concerns was the application fee for building approvals. SS suggested that this fee be waived, requiring the owner to cover only the cost of rectifying the works to install a permanent crossover, because the reason for the ramp related to their disabled son
- WB noted that other owners in SI have received breach notices for the same issue. He mentioned that one owner has not yet been issued a breach but intends to challenge it legally if they do. He also questioned which by-law this matter falls under if disputed.
- SS advised reviewing the DCBLs to determine whether there is any relevant reference to this issue.

## **8. General Business:**

### **StrataVote/AMA:**

- MN for Molinia (CM) advised there was two recent Correspondence for Information that was circulated to the MN as it wasn't possible to add to the agenda in StrataVote once distributed.
- MN for Zieria (HM) mentioned it appears to be an inflexible system and unsure why the company went with it.
- Jodie (JS) explained that StrataVote is widely used within the Strata Community and that the restrictions are in place to comply with legislative requirements, which prevent additional information from being added to the agenda once it has been released. JS to contact StrataVote to enquire if this can be amended.
- HM suggested adding an addendum to the pack, called General Business leading up to the meeting should not be an issue.
- CM advised that this year would require some pre-reading, particularly regarding the Administration & Management Agreement.

- MN for Harpullia (PK) explained there isn't enough time until the agreement expires, hence why they are drafting a 12-month contract initially. To debate or explore other options will take time, and in this instance, we don't have that.
- The Chair requested JS to leave the room and stop recording to facilitate an off-the-record discussion.

**List of MN attendance:**

- HM enquired why the request for a list of MN attendance at previous meetings, made at a past meeting, had not been distributed.
- CM advised this information was sitting with her; however, it has been missed with the AGMs now completed. She asked HM what he would like to do with this information?
- HM stated that there had been ongoing discussions regarding the lack of MN representation, and having this information available could influence committee members' votes or prompt further questions.
- CM explained she had obtained the recording details and there was not a definitive directive for this to be actioned.
- PK expressed concern that sharing this information might discourage individuals from taking on the role of MN in the future. He noted that StrataVote was implemented to facilitate online voting and improve participation.
- MN for Cassia (PC) mentioned the negative views were not mentioned at the last meeting when HM discussed this topic, they are only being raised now.

**Paul Toose Park:**

- The MN for Schotia Island (WB) expressed surprise at the statement made by Brogan (BW – In-House Counsel) in the last meeting and enquired whether this was backed up in writing.
- The Chair (SS) confirmed that he had received one via email but this was not a legal opinion.
- WB noted that the Chair for Schotia Island had requested this document twice.
- WB discussed a wider discussion needs to take place around what takes place on the Secondary Thoroughfare and rules regarding it.
- SS advised that the Secondary Thoroughfare By-Laws need reviewing as they are out of date currently.
- MN for Tristania (MW) suggested this topic would be better suited to a working group.

**Website/App:**

- PC enquired at what stage the app was at which was discussed in previous meetings as the portal is lacking information and the ability to interact.
- SS explained this task had been assigned to Kira to reach out to the Paul Sanders at the Golf Club and seek information on the app they currently use. SS mentioned a monthly newsletter to come with updated information possibly when Tamara has returned from maternity leave.
- MN for Roystonia (SH) advised the Governance Review provided feedback around what should be included in the app.
- PC to provide JS with suggestions for the app from other MN.

**Vacancy for Two PBC EC members:**

- SS noted that no nominations had been submitted for the two PBC EC member vacancies. He invited nominations from the floor, at which point Mark Winfield and Tony McGinty self-nominated. As there were no further nominations, both were duly appointed by a show of hands. A formal motion via a PBC EC VOC will be carried out in the coming days.



**MN for Tristania (MW) update on Gate Delay:**

- MN mentioned he had a meeting with Mike (MT) from Security regarding the delay with the gates opening when reading LPR (Licence Plate Recognition). Only a few minor changes were required, which Security will investigate.
- Another solution was to go to other companies with LPR systems and see if there is a better system worth exploring.

**PBC Motions for March 2025:**

- Executive Architect Agreement with Scheduled fee increase
- Governance Review blueprint and plan
- Geese Relocation - PTBC

**WPGA:**

- PC suggested maps and the Q & A from Mulpha to go out to all residents ahead of the start date on 6<sup>th</sup> March 2025. Especially for the RBCs that back onto the golf course with no fence boundary.
- BE mentioned the residents need to be notified that the buggy path from parkway to the village will be closed from Sunday night. JS to send BE communications to check.
- PC advised there were concerns from residents regarding the Kangaroos and how they will be managed safely when on the golf course.

**MSCD Breach Notice:**

- PC mentioned from the last meeting the Chairperson advised a breach notice will be served on Mulpha for unsightly lots. He enquired into whether this had been done.
- SS explained the letter is still being drafted to ensure all the information is included.
- MN for Alpinia & Bauhinia (DT) asked JS to add 3081 to the breach as it has been left unsightly and undeveloped for over two (2) years, and it is a Mulpha build. JS to follow up with Mulpha for a response prior to a breach notice being issued.

**PBC Information Access:**

- SS enquired if the information relating to minutes/agendas only go back 12 months on the internet.
- JS explained, Brogan advised it is normal to only display 12 months' worth of records online and if required a person can do a search for records past this time. JS to upload more information further back for easy access.
- BE asked for consistency with how files are saved on StrataMax by Body Corporate Managers as it should be year/month/day then RBC to make it easier when searching for a particular record.

**A Class Water:**

- HM asked for an update.
- SS advised the contractor hasn't completed the work required in the contract. There is contractual issues with defects and is currently with a legal team.
- HM asked if there will be an issue with the availability A Class water.
- SS mentioned he wasn't aware of an issue with this.

**Sanctuary Greens Irrigation:**

- HM asked the proposed date of this task as it was under the sinking fund project for this year.
- SS asked JS to follow up with Shanyn (SF) for more information.

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

**MEETING CLOSED** at 12:05 PM

Chairperson: Mr Stuart Shakespeare X.....