

The agenda for this meeting was deliberately hidden by Bannermans Lawyers, Waratah Strata Management, and Mr. Stan Pogorelsky to NCAT in case 2024/00454780 on 20 March 2025. Applicant is highlighting it to show to what extent strata managers and committee members went to ensure non-compliance with strata laws and regulations in regards to organising meetings and managing SP52948. Instead of proving quality of their work to NCAT, they did the opposite: the below evidence proves persistent misconduct and dysfunctional operation of SP52948 (meetings were not sent to all owners, did not have detailed agenda, did not provide any details of continuous and significant negative balances in Admin Fund, and hid long-term fire safety non-compliance orders issued by City of Ryde Council). More than 30 ordinary committee and general meetings failed to comply with strata laws since Waratah Strata Management took office on 1 February 2017:

<https://www.nswstratasleuth.info/SP52948-Waratah-Strata-Management-organised-non-compliant-ordinary-committee-meetings-since-1Feb2017.html>

<https://www.nswstratasleuth.info/SP52948-year-2025/NCAT-2024-00454780-non-compliant-meetings-in-SP52948-evidence.pdf>

Meeting Details	Calculation of delivery
Notice of EGM on 30 November 2023 not listed in Mr. Pogorelsky's witness statement as submitted by Bannermans Lawyers on 20 March 2025, with premeditated and deliberate intentions to hamper Tribunal investigations	<p>8 November 2023, agenda created at 18:01 hours - too late to be sent by post</p> <p>9 November 2023, Day of Notice, postage date not included</p> <p>10 November 2023, First Working Day</p> <p>11 November 2023, Saturday</p> <p>12 November 2023, Sunday</p> <p>13 November 2023, Second Working Day</p> <p>14 November 2023, Third Working Day</p> <p>15 November 2023, Fourth Working Day</p> <p>16 November 2023, Fifth Working Day</p> <p>17 November 2023, Sixth Working Day</p> <p>18 November 2023, Saturday</p> <p>19 November 2023, Sunday</p> <p>20 November 2023, Seventh Working Day, notice effective</p> <p>21 November 2023, First Notice Day</p> <p>22 November 2023, Second Notice Day</p> <p>23 November 2023, Third Notice Day</p> <p>24 November 2023, Fourth Notice Day</p> <p>25 November 2023, Fifth Notice Day</p> <p>26 November 2023, Sixth Notice Day</p> <p>27 November 2023, Seventh Notice Day</p> <p>28 November 2023, Eight Notice Day</p> <p>29 November 2023, Ninth Notice Day</p> <p>Five Notice Days missing!</p> <p>30 November 2023, Date of Meeting, not counted</p>

1) Extract from 976-page witness statement by unfinancial committee member Mr. Stan Pogorelsky on 20 March 2025, where he also claimed he was authorised by the owners corporation to make the statements on its behalf:

WITNESS STATEMENT

I, Stan Pogorelsky, make the following statements:

1. I am a co-owner of lot 181 in strata scheme 52948 (the "**Scheme**"). I am a current member of the strata committee for The Owners – Strata Plan No. 52948 ("**owners corporation**") and have been since in or around 1999.
2. The Scheme is located at 1-15 Fontenoy Road, Macquarie Park NSW 2113 and comprises of 218 residential lots.

(See attachment "**1**" common property title search for registered strata plan 52948)

(See attachment "**2**" registered by-laws for the scheme)

(See attachment "**3**" registered strata plan)

3. I am authorised by the owners corporation to make this statement on its behalf.
4. I made this statement from my own knowledge and belief, save where otherwise stated.
5. The current strata managing agent of the Scheme is Waratah Strata Management.

(See attachment "**4**" strata management agency agreement dated 27 October 2022)

1.1) This conflicted with decisions at committee meeting on 6 January 2025:

<https://www.nswstratasleuth.info/SP52948-year-2025/SP52948-minutes-EC-meeting-6Jan2025-published-15Jan2025.pdf>

Motion 2	
Election of Office Bearers	Ordinary Resolution Submitted by Strata Committee
THAT the office bearers positions for chairperson, treasurer & secretary will be nominated and elected.	
MOTION DEFEATED	

Motion 4 Alternatives	
Alternatives for Appointment of Emergency Contact	Motion Alternatives Submitted by Strata Committee
(Option A) The Strata Managing Agent. (Option B) The Chairperson. (Option C) The Secretary. 'OPTION A' has been selected with the highest votes.	

Motion 5	
Record Chairperson's Details on NSW Strata Hub	Ordinary Resolution Submitted by Strata Committee
<p>THAT the Chairperson's contact information be recorded on the NSW Strata Hub.</p> <p><i>(Please note, if motion is carried the chairperson's name and email address will be uploaded to Strata Hub and they will receive automatic system emails from NSW Strata Hub. If motion is defeated, the strata managing agent's details will be uploaded and they will receive these emails.)</i></p>	
MOTION DEFEATED	

Motion 6	
Record Secretary's Details on NSW Strata Hub	Ordinary Resolution Submitted by Strata Committee
<p>THAT the secretary's contact information be recorded on the NSW Strata Hub.</p> <p><i>(Please note, if motion is carried the secretary's name and email address will be uploaded to Strata Hub and they will receive automatic system emails from NSW Strata Hub. If motion is defeated, the strata managing agent's details will be uploaded and they will receive these emails.)</i></p>	
MOTION DEFEATED	

Motion 8	
Notice of Directions Hearing	Ordinary Resolution Submitted by Strata Committee
<p>That the Strata Committee review the Notice of Directions Hearing and NCAT Tribunal Application, case number 2024/00454780.</p>	
MOTION RESOLVED	

1.3) In Bannermans Lawyers submission to NCAT on 12 February 2025, which Ms. Pham did not send to the Applicant and failed to comply with Tribunal Orders made on 15 January 2025, and even lied to Tribunal at Directions Hearing on 20 February 2025 that she had sent the letter to the Applicant via courier, the following was stated in Paragraph 12:

12. Paragraph 3.3 of the POC is irrelevant to the Applicant's application. In addition, there is no requirement for a strata committee member to be financial to be elected to the strata committee.

Bannermans Lawyers made this senseless statement in direct contradiction with SSMA 2015 Section 23 (8):

(4) Voting rights cannot be exercised if contributions not paid A member of the strata committee is not entitled to vote on any motion put or proposed to be put to the strata committee if the member was, or was nominated as a member by a member who was, an unfinancial owner of a lot in the strata scheme at the date notice of the meeting was given and the amounts owed by the unfinancial owner were not paid before the meeting.

Under the Strata Schemes Management Act 2015 (NSW), an owner cannot vote at a general meeting if they are "unfinancial" at the time of the meeting, meaning they have not paid all contributions and other amounts owed in relation to the lot. This rule also applies to the exercise of voting rights on the strata committee. An owner must make these payments before the meeting to be eligible to vote on motions other than those requiring a unanimous resolution.

An owner is considered unfinancial if they have outstanding contributions or other amounts (like late fees or charges) owed to the owners corporation at the time of the meeting. The restriction applies to general meetings of the owners corporation and meetings of the strata committee. An unfinancial owner cannot exercise their voting rights at the meeting. To regain their voting rights, the owner must pay all overdue contributions and any other outstanding amounts related to their lot before the meeting. The payment must be made by the meeting date to be eligible to vote on most matters.

Ms. Pham could not provide any evidence on how would Mr. Pogorelsky , or any other unfinancial owner, vote at any meeting if all contributions not paid before the meeting.

2) The outcome of contract renewals for Uniqueco Property Services without valid tenders since 2017 is best displayed through how Waratah Strata Management mis(managed) it at high costs to owners:

FY	Building Manager (old name Caretaker)	Total Contract Value	Official annual inflation rate
2017	Uniqueco Property Services	\$291,507.13 (difference to previous year: -1.27% , contract renewed without tender at general meeting on 24 October 2017 and signed by two unfinancial owners - Mr. Moses Levitt and Mr. Stan Pogorelsky of Lot 147 and 181 due to unpaid levies since 2001 and 1999 respectively, increasing the contract value by 4% per year , Waratah Strata Management did not present Auditor Report at AGM 2017 and forged FY 2017 Auditor Report date of issue - it was published two and half years after due date without any financial details in late April 2020 but backdated on Waratah Strata Management website to 31 August 2017, Solicitor Adrian Mueller rejected strata files access to O'Brien Criminal & Civil Solicitors, including auditor's reports for 2017 and 2018, on 14 November 2019, claiming that they were "likely not available" and asking "what was the purpose pressing for the records to be produced", Auditor Report was never given to any owner)	1.95%
2018	Uniqueco Property Services	\$306,837.99 (Auditor signed incomplete version of financials at AGM 2018, agenda for AGM 2019 confirmed it , difference to previous year: 5.25%)	1.91%
2019	Uniqueco Property Services	\$293,031.44 (difference to previous year: -4.50%)	1.61%
2020	Uniqueco Property Services	\$330,986.89 (difference to previous year: 12.95% , contract renewed without tender at general meeting on 22 October 2020 , Waratah Strata Management did not present Auditor Report at AGM 2020 and - it was signed on 3 November 2020 (13 days after due date and never given to any owner))	0.85%
2021	Uniqueco Property Services	\$339,249.60 (difference to previous year: 2.49%)	2.86%
2022	Uniqueco Property Services	\$339,741.00 (difference to previous year: 0.14%)	6.59%
2023	Uniqueco Property Services	\$343,507.47 (difference to previous year: 1.10% , undisclosed increase of 2.0% since February 2023 , Waratah Strata Management did not present Auditor Report at AGM 2023 and - it was signed on 11 December 2023 (46 days after due date and never given to any owner), For AGM 2023 Admin Fund approved balance on 26 October 2023 differed from one audited by Economos 46 days after due date by 74.04% (\$10,652.86 vs \$6,120.73), approved expenses for electricity usage and supply at AGM on 26 October 2023 differed from one audited by Economos by 9.21% (\$49,171.9 vs \$53,704.10), Waratah Strata Management attempted to renew three-year contract with Uniqueco Property Services without tender and Motion, Admin Fund had negative balance of \$242,432.81 in Balance Sheet, Waratah Strata Management and Uniqueco Property Services did not provide proof of validity and justification of expenses in amount of \$122,843.87 (GST excl), Waratah Strata Management prevented owners from having information about NSW Fair Trading case 11138875 about their failures to have Auditor's reports before general meetings)	4.1% as published on 31 January 2024
2024	Uniqueco Property Services	\$415,012.63 , split into two account codes ("Maint Bldg--Building Management" and "Maint Bldg--Building Management Expenses") , increase of 20.81% for incomplete year since their contract increased by around 30%	2.4% as published on 29 January 2025
2025	Uniqueco Property Services	\$454,942.80 , (difference to previous year: 9.62%)	2.1%, the most recent data from the Australian Bureau of Statistics (ABS) published annual inflation in the June quarter of 2025

3) In FY 2024 (period from 1 September 2023 to 31 August 2024), Waratah Strata Management's official documents state that Uniqueco Property Services earned \$415,012.63, split into two account codes ("Maint Bldg--Building Management" and "Maint Bldg--Building Management Expenses"), increase of 20.81% compared to previous year.

4) In FY 2025 (period from 1 September 2024 to 31 August 2025), Waratah Strata Management's official documents state that Uniqueco Property Services earned \$454,942.80, increase of 9.62% compared to previous year.

5) In SP52948 Delegated Functions Report for period 1 January 2024 to 31 December 2024, which Waratah Strata Management hid from all owners and NCAT (allegedly created on 8 April 2025 by Marth Lim), and did not publish it on their website even as late as 24 August 2025, it clearly listed sum of \$489,040.73 for Uniqueco Property Services in Creditors Payments:

<https://www.nswstratasleuth.info/SP52948-year-2024/SP52948-Delegated-Functions-Report-1Jan2024-to-31Dec2024.pdf>

08/04/2025	13:38	Marth Lim	Waratah Strata Management Pty Ltd	Page 23
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Strata Plan 52948		Macquarie Gardens, 1-15 Fontenoy Road, Macquarie Park NSW 2113
Sydney Water	Water supplier	104,240.61
The Window Guy Pty Ltd	Window Maintenance	1,694.00
Tuned To Perfection Pty Ltd	Gym Equipment Maintenance	1,265.00
Uniqueco Pty Ltd	Building Manager	489,040.73

This information does not match Waratah Strata Management Income & Expenditure statements:

<https://www.nswstratasleuth.info/SP52948-Income-and-Expenditure-Report-1Sep2023-to-31Dec2023-downloaded-on-13Sep2025.pdf>

<https://www.nswstratasleuth.info/SP52948-Income-and-Expenditure-Report-1Sep2023-to-31Jan2024-downloaded-on-13Sep2025.pdf>

<https://www.nswstratasleuth.info/SP52948-Income-and-Expenditure-Report-1Sep2023-to-29Feb2024-downloaded-on-13Sep2025.pdf>

<https://www.nswstratasleuth.info/SP52948-Income-and-Expenditure-Report-1Sep2023-to-31Mar2024-downloaded-on-13Sep2025.pdf>

<https://www.nswstratasleuth.info/SP52948-Income-and-Expenditure-Report-1Sep2023-to-30Apr2024-downloaded-on-13Sep2025.pdf>

<https://www.nswstratasleuth.info/SP52948-Income-and-Expenditure-Report-1Sep2023-to-31May2024-downloaded-on-13Sep2025.pdf>

<https://www.nswstratasleuth.info/SP52948-Income-and-Expenditure-Report-1Sep2023-to-30Jun2024-downloaded-on-13Sep2025.pdf>

<https://www.nswstratasleuth.info/SP52948-Income-and-Expenditure-Report-1Sep2023-to-31Jul2024-downloaded-on-13Sep2025.pdf>

<https://www.nswstratasleuth.info/SP52948-Income-and-Expenditure-Report-1Sep2023-to-31Aug2024-downloaded-on-13Sep2025.pdf>

<https://www.nswstratasleuth.info/SP52948-Income-and-Expenditure-Report-1Sep2023-to-30Sep2024-downloaded-on-13Sep2025.pdf>

<https://www.nswstratasleuth.info/SP52948-Income-and-Expenditure-Report-1Sep2023-to-31Oct2024-downloaded-on-13Sep2025.pdf>

<https://www.nswstratasleuth.info/SP52948-Income-and-Expenditure-Report-1Sep2023-to-30Nov2024-downloaded-on-13Sep2025.pdf>

<https://www.nswstratasleuth.info/SP52948-Income-and-Expenditure-Report-1Sep2023-to-31Dec2024-downloaded-on-13Sep2025.pdf>

Extracts from those reports, with cumulative figures within financial years (FY 2024 is for period 1 September 2023 to 31 August 2024, and FY 2025 is for period from 1 September 2024 to 31 August 2025):

Date	Building Management (Acc 161300)	Building Management Expenses (Acc 161350)
Dec 2023	\$115,511.92	\$5,511.67
Jan 2024	\$144,389.90	\$6,385.22
Feb 2024	\$180,973.23	\$7,731.78
Mar 2024	\$217,556.56	\$8,386.23
Apr 2024	\$254,139.89	\$9,519.17
May 2024	\$290,723.22	\$10,363.90
Jun 2024	\$327,306.55	\$11,254.90
Jul 2024	\$363,889.88	\$13,193.02
Aug 2024	\$400,473.21	\$14,539.42
Sep 2024	\$38,041.94	\$0.00
Oct 2024	\$75,376.98	\$0.00
Nov 2024	\$113,106.79	\$0.00
Dec 2024	\$150,593.47	\$0.00

Summarising these figures for period 1 January 2024 to 31 December 2024, two values are obtained for Uniqueco Property Services earnings:

Building Management (Acc 161300)	Building Management Expenses (Acc 161350)
\$444,582.51	\$9,027.75

In total, Uniqueco Property Services earnings in period from 1 January 2024 to 31 December 2024 amounted to \$453,610.26.

The difference between figure in Delegated Functions Report for period 1 January 2024 to 31 December 2024 and monthly Income & Expenditure reports for period 1 January 2024 to 31 January 2024 amounts to \$35,430.47.

6) At SP52948 committee meeting on 22 February 2024, Waratah Strata Management was forced to admit they kept false version of financial data in Admin and Capital Works Funds for three months. \$28,877.98 was not recorded for building manager's November 2023 monthly salary for three months (until late February 2025), completely distorting the financial status. Waratah Strata Management forged these figures in co-operation with Uniqueco Property Services and committee members.

6.1) On 31 January 2024, Admin Fund recorded negative balance (deficit) in amount of -\$276,492.96 (end of FY quarter) but November 2023 monthly salary for building manager was hidden:

<https://www.nswstratasleuth.info/SP52948-year-2024/SP52948-Income-and-Expenditure-Report-1Sep2023-to-31Jan2024.pdf>

181100	Reimbursements - Gas Usage	312.69	636.80
181101	Reimbursements - Water Usage	1,961.38	4,520.54
190200	Utility--Electricity	34,696.23	53,704.10
190400	Utility--Gas	854.73	27,768.79
191200	Utility--Water & Sewerage	56,803.43	100,993.06

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Strata Plan 52948 Macquarie Gardens, 1-15 Fontenoy Road, Macquarie Park NSW 2113

Administrative Fund

	Current period 01/09/2023-31/01/2024	Previous year 01/09/2022-31/08/2023
Total expenses	491,257.17	903,398.93
Surplus/Deficit	(282,613.69)	(69,680.22)
Opening balance	6,120.73	75,800.95
Closing balance	-\$276,492.96	\$6,120.73

6.2) On 27 February 2024, Admin Fund for quarter ending on 31 January 2024 recorded negative balance (deficit) in amount of -\$309,762.23:

<https://www.nswstratasleuth.info/SP52948-year-2024/SP52948-Income-and-Expenditure-Report-1Sep2023-to-31Jan2024-downloaded-on-27Feb2024.pdf>

181100	Reimbursements - Gas Usage	312.69	636.80
181101	Reimbursements - Water Usage	1,961.38	4,520.54
190200	Utility--Electricity	34,696.23	53,704.10
190400	Utility--Gas	4,436.02	27,768.79
191200	Utility--Water & Sewerage	56,803.43	100,993.06

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Strata Plan 52948 Macquarie Gardens, 1-15 Fontenoy Road, Macquarie Park NSW 2113

Administrative Fund

	Current period 01/09/2023-31/01/2024	Previous year 01/09/2022-31/08/2023
Total expenses	524,526.44	903,398.93
Surplus/Deficit	(315,882.96)	(69,680.22)
Opening balance	6,120.73	75,800.95
Closing balance	-\$309,762.23	\$6,120.73

6.3) Waratah Strata Management significantly manipulated accounting data, where \$28,877.98 was missing in Income & Expenditure Report on 31 January 2024 and was added on 27 February 2024:

<https://www.nswstratasleuth.info/SP52948-year-2024/SP52948-accounting-differences-for-status-on-31Jan2024-found-on-Waratah-Strata-Management-website-27Feb2024.pdf>

At SP52948 committee meeting on 22 February 2024, Waratah Strata Management was forced to admit they kept false version of financial data in Admin and Capital Works Funds for three months. Here is difference in Income & Expenditure Reports for 31 January 2024 found on Waratah Strata Management website up to 26 and modified version on 27 February 2024, with huge change in balance for Admin and Capital Works Funds

<div> <div> WARATAH Strata Management </div> <div> Income & Expenditure Report for the financial year-to-date 01/09/2023 to 31/01/2024 </div> <div> Waratah Strata Management ABN 75 45 63 14 52 PO Box 125, Eastwood, NSW 2122 Ph (02) 9414 5099 Fax (02) 9414 5098 www.waratahstrata.com.au </div> </div>			
Strata Plan 52948 Macquarie Gardens, 1-15 Fontenoy Road, Macquarie Park NSW 2113			
	Administrative Fund		
	Current period	Previous year	
	01/09/2023-31/01/2024	01/09/2022-31/08/2022	
Revenue			
141900 Gas - Additional Service	0.00	2,945.40	
142500 Interest on Arrears-Admin	581.32	976.85	
142800 Key Deposits	0.00	862.00	
143000 Levies Due-Admin	207,502.16	810,586.82	
144000 Miscellaneous Income-Admin	0.00	17,040.64	
146500 Status Certificate Fees	436.00	1,090.00	
147000 Strata Roll Inspection Fees	124.00	217.00	
Total revenue	208,643.48	833,718.71	
Less expenses			
150200 Admin-Accounting	0.00	900.00	
153800 Admin-Agent Disbursements	5,964.63	13,771.85	
153802 Admin-Agent Disburse-Other	0.00	100.00	
150800 Admin-Auditors-Audit Services	1,405.00	1,205.00	
150900 Admin-Auditors-Taxation Services	0.00	475.00	
153000 Admin-Key Deposit Refunds	0.00	200.00	
153200 Admin-Legal & Debt Collection Fees	1,071.93	2,214.58	
154100 Admin-Management Fees-Additional Charges	50.00	768.18	
154000 Admin-Management Fees-Standard	11,545.37	26,663.37	
156000 Admin-Status Certificate Fees Paid	545.00	981.00	
156500 Admin-Strata Hub Fees Paid	654.00	654.00	
156400 Admin-Strata Inspection Fees Paid	124.00	248.00	
159100 Insurance-Premiums	181,778.06	149,529.07	
161300 Maint Bldg-Building Management	120,899.69	343,507.47	
161350 Maint Bldg-Building Management Expenses	0.00	13,768.42	
162000 Maint Bldg-Carpet	0.00	600.00	
162400 Maint Bldg-Carspace Line Marking	0.00	730.00	
162600 Maint Bldg-Ceiling	115.00	593.64	
163000 Maint Bldg-Cleaning	0.00	600.00	
163200 Maint Bldg-Cleaning & Lawns	800.00	100.00	
163001 Maint Bldg-Cleaning-Carpet/Furniture	0.00	3,280.00	
163010 Maint Bldg-Cleaning-Pressure Cleaning	0.00	2,000.00	
164200 Maint Bldg-Consultants	0.00	3,750.00	
164600 Maint Bldg-Doors & Windows	1,792.00	6,422.18	

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<div> <div> WARATAH Strata Management </div> <div> Income & Expenditure Report for the financial year-to-date 01/09/2023 to 31/01/2024 </div> <div> Waratah Strata Management ABN 75 45 63 14 52 PO Box 125, Eastwood, NSW 2122 Ph (02) 9414 5099 Fax (02) 9414 5098 www.waratahstrata.com.au </div> </div>			
Strata Plan 52948 Macquarie Gardens, 1-15 Fontenoy Road, Macquarie Park NSW 2113			
	Administrative Fund		
	Current period	Previous year	
	01/09/2023-31/01/2024	01/09/2022-31/08/2023	
Revenue			
141900 Gas - Additional Service	0.00	2,945.40	
142500 Interest on Arrears-Admin	581.32	976.85	
142800 Key Deposits	0.00	862.00	
143000 Levies Due-Admin	207,502.16	810,586.82	
144000 Miscellaneous Income-Admin	0.00	17,040.64	
146500 Status Certificate Fees	436.00	1,090.00	
147000 Strata Roll Inspection Fees	124.00	217.00	
Total revenue	208,643.48	833,718.71	
Less expenses			
150200 Admin-Accounting	0.00	900.00	
153800 Admin-Agent Disbursements	5,964.63	13,771.85	
153802 Admin-Agent Disburse-Other	0.00	100.00	
150800 Admin-Auditors-Audit Services	1,405.00	1,205.00	
150900 Admin-Auditors-Taxation Services	0.00	475.00	
153000 Admin-Key Deposit Refunds	0.00	200.00	
153200 Admin-Legal & Debt Collection Fees	1,071.93	2,214.58	
154100 Admin-Management Fees-Additional Charges	50.00	768.18	
154000 Admin-Management Fees-Standard	11,545.37	26,663.37	
156000 Admin-Status Certificate Fees Paid	545.00	981.00	
156500 Admin-Strata Hub Fees Paid	654.00	654.00	
156400 Admin-Strata Inspection Fees Paid	124.00	248.00	
159100 Insurance-Premiums	181,778.06	149,529.07	
161300 Maint Bldg-Building Management	149,777.87	343,507.47	
161350 Maint Bldg-Building Management Expenses	0.00	13,768.42	
162000 Maint Bldg-Carpet	0.00	600.00	
162400 Maint Bldg-Carspace Line Marking	0.00	730.00	
162600 Maint Bldg-Ceiling	115.00	593.64	
163000 Maint Bldg-Cleaning	0.00	600.00	
163200 Maint Bldg-Cleaning & Lawns	800.00	100.00	
163001 Maint Bldg-Cleaning-Carpet/Furniture	0.00	3,280.00	
163010 Maint Bldg-Cleaning-Pressure Cleaning	0.00	2,000.00	
164200 Maint Bldg-Consultants	0.00	3,750.00	
164600 Maint Bldg-Doors & Windows	1,792.00	6,422.18	

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6.4) Difference in Income & Expenditure Reports for 30 November 2023 found on Waratah Strata Management website up to 26 and modified version on 27 February 2024, with huge change in balance for Admin and Capital Works Funds (\$28,877.98 was missing in Income & Expenditure Report on 30 November 2023 and was added on 27 February 2024):

<https://www.nswstratasleuth.info/SP52948-year-2024/SP52948-accounting-differences-for-status-on-30Nov2023-found-on-Waratah-Strata-Management-website-27Feb2024.pdf>

At SP52948 committee meeting on 22 February 2024, Waratah Strata Management was forced to admit they kept false version of financial data in Admin and Capital Works Funds for three months. Here is difference in Income & Expenditure Reports for 30 November 2023 found on Waratah Strata Management website up to 26 and modified version on 27 February 2024, with huge change in balance for Admin and Capital Works Funds

WARATAH

Strata Management



Income & Expenditure Report

for the financial year-to-date

01/09/2023 to 30/11/2023

Waratah Strata Management

PO Box 125, Epping, NSW 2122

Ph (02) 9114 9199

Fax (02) 9114 9198

www.waratahstrata.com.au

Strata Plan 52948

Macquarie Gardens, 1-15 Fontenoy Road, Macquarie Park, NSW 2113

	Administrative Fund	
	Current period	Previous year
	01/09/2023-30/11/2023	01/09/2022-31/08/2023
Revenue		
141900 Gas - Additional Service	0.00	2,945.40
142500 Interest on Arrears-Admin	242.54	976.85
142800 Key Deposits	0.00	862.00
143000 Levies Due-Admin	207,502.16	810,586.82
144000 Miscellaneous Income-Admin	0.00	17,040.64
146500 Status Certificate Fees	218.00	1,090.00
147000 Strata Roll Inspection Fees	93.00	217.00
Total revenue	208,055.70	833,718.71

Less expenses

150200 Admin-Accounting	0.00	900.00
153800 Admin-Agent Disbursements	3,532.45	13,771.85
153802 Admin-Agent Disburse-Other	0.00	100.00
150900 Admin-Auditors-Audit Services	0.00	1,205.00
150900 Admin-Auditors-Taxation Services	0.00	475.00
153000 Admin-Key Deposit Refunds	0.00	200.00
153200 Admin-Legal & Debt Collection Fees	681.93	2,214.58
154100 Admin-Management Fees-Additional Charges	30.00	768.18
154000 Admin-Management Fees-Standard	6,837.55	26,663.37
156000 Admin-Status Certificate Fees Paid	218.00	991.00
156500 Admin-Strata Hub Fees Paid	0.00	654.00
156400 Admin-Strata Inspection Fees Paid	93.00	248.00
159100 Insurance-Premiums	181,778.06	149,529.07
161300 Maint Bldg-Building Management	61,630.31	343,507.47
161350 Maint Bldg-Building Management Expenses	0.00	13,768.42
162000 Maint Bldg-Carpet	0.00	600.00
162400 Maint Bldg-Carpasce Line Marking	0.00	730.00
162600 Maint Bldg-Ceiling	115.00	593.64
163000 Maint Bldg-Cleaning	0.00	600.00
163200 Maint Bldg-Cleaning & Lawns	800.00	100.00
163001 Maint Bldg-Cleaning-Carpet/Furniture	0.00	3,280.00
163010 Maint Bldg-Cleaning-Pressure Cleaning	0.00	2,000.00
164200 Maint Bldg-Consultants	0.00	3,750.00
164600 Maint Bldg-Doors & Windows	747.00	6,422.18

20/05/2024

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Waratah Strata Management Pty Ltd

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WARATAH
Strata Management

Income & Expenditure Report for the financial year-to-date 01/09/2023 to 30/11/2023

Waratah Strata Management
Unit 1, 40/11/23
PO Box 125, Epping, NSW 2122
Ph (02) 9114 9199
Fax (02) 9114 9198
www.waratahstrata.com.au

Strata Plan 52948

Macquarie Gardens, 1-15 Fontenoy Road, Macquarie
Park NSW 2113

Administrative Fund

	Current period 01/09/2023-30/11/2023	Previous year 01/09/2022-31/08/2023
Revenue		
141900 Gas - Additional Service	0.00	2,945.40
142500 Interest on Arrears-Admin	242.54	976.85
142800 Key Deposits	0.00	862.00
143000 Levies Due-Admin	207,502.16	810,586.82
144000 Miscellaneous Income-Admin	0.00	17,040.64
146500 Status Certificate Fees	218.00	1,090.00
147000 Strata Roll Inspection Fees	93.00	217.00
Total revenue	208,055.70	833,718.71
Less expenses		
150200 Admin-Accounting	0.00	900.00
153800 Admin-Agent Disbursements	3,532.45	13,771.85
153802 Admin-Agent Disburse-Other	0.00	100.00
150900 Admin-Auditors-Audit Services	0.00	1,205.00
150900 Admin-Auditors-Taxation Services	0.00	475.00
153000 Admin-Key Deposit Refunds	0.00	200.00
153200 Admin-Legal & Debt Collection Fees	681.93	2,214.58
154100 Admin-Management Fees-Additional Charges	30.00	768.18
154000 Admin-Management Fees-Standard	6,837.55	26,663.37
156000 Admin-Status Certificate Fees Paid	218.00	991.00
156500 Admin-Strata Hub Fees Paid	0.00	654.00
156400 Admin-Strata Inspection Fees Paid	93.00	248.00
159100 Insurance-Premiums	181,778.06	149,529.07
161300 Maint Bldg-Building Management	90,508.29	343,507.47
161350 Maint Bldg-Building Management Expenses	0.00	13,768.42
162000 Maint Bldg-Carpet	0.00	600.00
162400 Maint Bldg-Carpasce Line Marking	0.00	730.00
162600 Maint Bldg-Ceiling	115.00	593.64
163000 Maint Bldg-Cleaning	0.00	600.00
163200 Maint Bldg-Cleaning & Lawns	800.00	100.00
163001 Maint Bldg-Cleaning-Carpet/Furniture	0.00	3,280.00
163010 Maint Bldg-Cleaning-Pressure Cleaning	0.00	2,000.00
164200 Maint Bldg-Consultants	0.00	3,750.00
164600 Maint Bldg-Doors & Windows	747.00	6,422.18

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Waratah Strata Management Pty Ltd

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6.5) Difference in Income & Expenditure Reports for 31 December 2023 found on Waratah Strata Management website up to 26 and modified version on 27 February 2024, with huge change in balance for Admin and Capital Works Fund (\$28,877.98 was missing in Income & Expenditure Report on 31 December 2023 and was added on 27 February 2024):

<https://www.nswstratasleuth.info/SP52948-year-2024/SP52948-accounting-differences-for-status-on-31Dec2023-found-on-Waratah-Strata-Management-website-27Feb2024.pdf>

At SP52948 committee meeting on 22 February 2024, Waratah Strata Management was forced to admit they kept false version of financial data in Admin and Capital Works Funds for three months. Here is difference in Income & Expenditure Reports for 31 December 2023 found on Waratah Strata Management website up to 26 and modified version on 27 February 2024, with huge change in balance for Admin and Capital Works Funds

WARATAH

Strata Management

Income & Expenditure Report

for the financial year-to-date

01/09/2023 to 31/12/2023

Waratah Strata Management

ABN 75 529 487 722

PO Box 125, Epping NSW 2122

Ph (02) 9114 0949

Fax (02) 9114 0948

www.waratahstrata.com.au

Strata Plan 52948

Macquarie Gardens, 1-15 Fontenoy Road, Macquarie Park NSW 2113

	Administrative Fund	
	Current period	Previous year
	01/09/2023-31/12/2023	01/09/2022-31/08/2023
Revenue		
141900 Gas - Additional Service	0.00	2,945.40
142500 Interest on Arrears-Admin	441.41	976.85
142800 Key Deposits	0.00	862.00
143000 Levies Due-Admin	207,592.16	810,586.82
144000 Miscellaneous Income-Admin	0.00	17,040.64
146500 Status Certificate Fees	436.00	1,090.00
147000 Strata Roll Inspection Fees	93.00	217.00
Total revenue	208,472.57	833,718.71
Less expenses		
150200 Admin-Accounting	0.00	900.00
153800 Admin-Agent Disbursements	4,748.54	13,771.85
153802 Admin-Agent Disburse-Other	0.00	100.00
150800 Admin-Auditors-Audit Services	105.00	1,205.00
150900 Admin-Auditors-Taxation Services	0.00	475.00
153000 Admin-Key Deposit Refunds	0.00	200.00
153200 Admin-Legal & Debt Collection Fees	261.93	2,214.58
154100 Admin-Management Fees-Additional Charges	40.00	768.18
154000 Admin-Management Fees-Standard	9,191.46	26,663.37
156000 Admin-Status Certificate Fees Paid	327.00	961.00
156500 Admin-Strata Hub Fees Paid	0.00	854.00
156400 Admin-Strata Inspection Fees Paid	124.00	248.00
159100 Insurance-Premiums	181,778.06	149,529.07
161300 Maint Bldg-Building Management	91,148.16	343,507.47
161350 Maint Bldg-Building Management Expenses	0.00	13,768.42
162000 Maint Bldg-Carpet	0.00	600.00
162400 Maint Bldg-Carpaspace Line Marking	0.00	720.00
162600 Maint Bldg-Ceiling	115.00	593.64
163000 Maint Bldg-Cleaning	0.00	600.00
163200 Maint Bldg-Cleaning & Lawns	800.00	100.00
163001 Maint Bldg-Cleaning-Carpet/Furniture	0.00	3,280.00
163010 Maint Bldg-Cleaning-Pressure Cleaning	0.00	2,000.00
164200 Maint Bldg-Consultants	0.00	3,750.00
164600 Maint Bldg-Doors & Windows	1,322.00	6,422.18


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With consent report

Waratah Strata Management Pty Ltd

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WARATAH

Strata Management

Income & Expenditure Report

for the financial year-to-date

01/09/2023 to 31/12/2023

Strata Plan 52948

Macquarie Gardens, 1-15 Fontenoy Road, Macquarie Park NSW 2113

Waratah Strata Management

ABN 75 529 487 722

PO Box 125, Epping NSW 1512

Ph (02) 9114 0949

Fax (02) 9114 0948

www.waratahstrata.com.au

Administrative Fund

Current period

01/09/2023-31/12/2023

Previous year

01/09/2022-31/08/2023

Revenue

141900 Gas - Additional Service

0.00

2,945.40

142500 Interest on Arrears-Admin

441.41

976.85

142800 Key Deposits

0.00

862.00

143000 Levies Due-Admin

207,592.16

810,586.82

144000 Miscellaneous Income-Admin

0.00

17,040.64

146500 Status Certificate Fees

436.00

1,090.00

147000 Strata Roll Inspection Fees

93.00

217.00

Total revenue

208,472.57

833,718.71

Less expenses

150200 Admin-Accounting

0.00

900.00

153800 Admin-Agent Disbursements

4,748.54

13,771.85

153802 Admin-Agent Disburse-Other

0.00

100.00

150800 Admin-Auditors-Audit Services

105.00

1,205.00

150900 Admin-Auditors-Taxation Services

0.00

475.00

153000 Admin-Key Deposit Refunds

0.00

200.00

153200 Admin-Legal & Debt Collection Fees

261.93

2,214.58

154100 Admin-Management Fees-Additional Charges

40.00

768.18

154000 Admin-Management Fees-Standard

9,191.46

26,663.37

156000 Admin-Status Certificate Fees Paid

327.00

961.00

156500 Admin-Strata Hub Fees Paid

0.00

854.00

156400 Admin-Strata Inspection Fees Paid

124.00

248.00

159100 Insurance-Premiums

181,778.06

149,529.07

161300 Maint Bldg-Building Management

120,026.14

343,507.47

161350 Maint Bldg-Building Management Expenses

0.00

13,768.42

162000 Maint Bldg-Carpet

0.00

600.00

162400 Maint Bldg-Carpaspace Line Marking

0.00

720.00

162600 Maint Bldg-Ceiling

115.00

593.64

163000 Maint Bldg-Cleaning

0.00

600.00

163200 Maint Bldg-Cleaning & Lawns

800.00

100.00

163001 Maint Bldg-Cleaning-Carpet/Furniture

0.00

3,280.00

163010 Maint Bldg-Cleaning-Pressure Cleaning

0.00

2,000.00

164200 Maint Bldg-Consultants

0.00

3,750.00

164600 Maint Bldg-Doors & Windows

1,322.00

6,422.18

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6.6) Difference in Income & Expenditure Reports for 31 January 2024 found on Waratah Strata Management website up to 26 and modified version on 27 February 2024, with huge change in balance for Admin and Capital Works Funds (\$28,877.98 was missing in Income & Expenditure Report on 31 January 2024 and was added on 27 February 2024):

<https://www.nswstratasleuth.info/SP52948-year-2024/SP52948-accounting-differences-for-status-on-31Jan2024-found-on-Waratah-Strata-Management-website-27Feb2024.pdf>

At SP52948 committee meeting on 22 February 2024, Waratah Strata Management was forced to admit they kept false version of financial data in Admin and Capital Works Funds for three months. Here is difference in Income & Expenditure Reports for 31 January 2024 found on Waratah Strata Management website up to 26 and modified version on 27 February 2024, with huge change in balance for Admin and Capital Works Funds

WARATAH Strata Management			
Income & Expenditure Report for the financial year-to-date 01/09/2023 to 31/01/2024			
Strata Plan 52948		Macquarie Gardens, 1-15 Fontenoy Road, Macquarie Park, NSW 2113	
Administrative Fund			
	Current period 01/09/2023-31/01/2024	Previous year 01/09/2022-31/08/2023	
Revenue			
141900 Gas - Additional Service	0.00	2,945.40	
142500 Interest on Arrears-Admin	581.32	976.85	
142800 Key Deposits	0.00	862.00	
143000 Levies Due-Admin	207,502.16	810,586.82	
144000 Miscellaneous Income-Admin	0.00	17,040.84	
146500 Status Certificate Fees	436.00	1,090.00	
147000 Strata Roll Inspection Fees	124.00	217.00	
Total revenue	208,643.48	833,718.71	
Less expenses			
150200 Admin-Accounting	0.00	900.00	
153800 Admin-Agent Disbursements	5,964.63	13,771.85	
153802 Admin-Agent Disburse-Other	0.00	100.00	
150800 Admin-Auditors-Audit Services	1,405.00	1,205.00	
150900 Admin-Auditors-Taxation Services	0.00	475.00	
153000 Admin-Key Deposit Refunds	0.00	200.00	
153200 Admin-Legal & Debt Collection Fees	1,071.93	2,214.58	
154100 Admin-Management Fees-Additional Charges	50.00	768.18	
154000 Admin-Management Fees-Standard	11,545.37	26,663.37	
156000 Admin-Status Certificate Fees Paid	545.00	981.00	
156500 Admin-Strata Hub Fees Paid	654.00	654.00	
156400 Admin-Strata Inspection Fees Paid	124.00	248.00	
159100 Insurance-Premiums	181,778.06	149,529.07	
161300 Maint Bldg-Building Management	120,899.69	343,507.47	
161350 Maint Bldg-Building Management Expenses	0.00	13,768.42	
162000 Maint Bldg-Carpet	0.00	600.00	
162400 Maint Bldg-Carpace Line Marking	0.00	730.00	
162600 Maint Bldg-Ceiling	115.00	593.84	
163000 Maint Bldg-Cleaning	0.00	600.00	
163200 Maint Bldg-Cleaning & Lawns	800.00	100.00	
163001 Maint Bldg-Cleaning-Carpet/Furniture	0.00	3,280.00	
163010 Maint Bldg-Cleaning-Pressure Cleaning	0.00	2,000.00	
164200 Maint Bldg-Consultants	0.00	3,750.00	
164600 Maint Bldg-Doors & Windows	1,792.00	6,422.18	

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WARATAH Strata Management			
Income & Expenditure Report for the financial year-to-date 01/09/2023 to 31/01/2024			
Strata Plan 52948		Macquarie Gardens, 1-15 Fontenoy Road, Macquarie Park, NSW 2113	
Administrative Fund			
	Current period 01/09/2023-31/01/2024	Previous year 01/09/2022-31/08/2023	
Revenue			
141900 Gas - Additional Service	0.00	2,945.40	
142500 Interest on Arrears-Admin	581.32	976.85	
142800 Key Deposits	0.00	862.00	
143000 Levies Due-Admin	207,502.16	810,586.82	
144000 Miscellaneous Income-Admin	0.00	17,040.84	
146500 Status Certificate Fees	436.00	1,090.00	
147000 Strata Roll Inspection Fees	124.00	217.00	
Total revenue	208,643.48	833,718.71	
Less expenses			
150200 Admin-Accounting	0.00	900.00	
153800 Admin-Agent Disbursements	5,964.63	13,771.85	
153802 Admin-Agent Disburse-Other	0.00	100.00	
150800 Admin-Auditors-Audit Services	1,405.00	1,205.00	
150900 Admin-Auditors-Taxation Services	0.00	475.00	
153000 Admin-Key Deposit Refunds	0.00	200.00	
153200 Admin-Legal & Debt Collection Fees	1,071.93	2,214.58	
154100 Admin-Management Fees-Additional Charges	50.00	768.18	
154000 Admin-Management Fees-Standard	11,545.37	26,663.37	
156000 Admin-Status Certificate Fees Paid	545.00	981.00	
156500 Admin-Strata Hub Fees Paid	654.00	654.00	
156400 Admin-Strata Inspection Fees Paid	124.00	248.00	
159100 Insurance-Premiums	181,778.06	149,529.07	
161300 Maint Bldg-Building Management	149,777.67	343,507.47	
161350 Maint Bldg-Building Management Expenses	0.00	13,768.42	
162000 Maint Bldg-Carpet	0.00	600.00	
162400 Maint Bldg-Carpace Line Marking	0.00	730.00	
162600 Maint Bldg-Ceiling	115.00	593.84	
163000 Maint Bldg-Cleaning	0.00	600.00	
163200 Maint Bldg-Cleaning & Lawns	800.00	100.00	
163001 Maint Bldg-Cleaning-Carpet/Furniture	0.00	3,280.00	
163010 Maint Bldg-Cleaning-Pressure Cleaning	0.00	2,000.00	
164200 Maint Bldg-Consultants	0.00	3,750.00	
164600 Maint Bldg-Doors & Windows	1,792.00	6,422.18	

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6.7) Difference in Income & Expenditure Reports for February 2024 found on Waratah Strata Management website up to 26 and modified version on 27 February 2024, with huge change in balance for Admin and Capital Works Funds:

<https://www.nswstratasleuth.info/SP52948-year-2024/SP52948-accounting-differences-for-status-for-late-Feb2024-found-on-Waratah-Strata-Management-website-27Feb2024.pdf>

At SP52948 committee meeting on 22 February 2024, Waratah Strata Management was forced to admit they kept false version of financial data in Admin and Capital Works Funds for three months. Here is difference in Income & Expenditure Reports for February 2024 found on Waratah Strata Management website up to 26 and modified version on 27 February 2024, with huge change in balance for Admin and Capital Works Funds

WARATAH

Strata Management

Waratah Strata Management

PO Box 125, Macquarie NSW 2113

PH (02) 9414 4949

FX (02) 9414 4998

www.waratahstrata.com.au

Income & Expenditure Report

for the financial year-to-date

01/09/2023 to 26/02/2024

Strata Plan 52948

Macquarie Gardens, 1-15 Fontenoy Road, Macquarie Park NSW 2113

Administrative Fund

Current period

01/09/2023-26/02/2024

Previous year

01/09/2022-31/08/2023

Revenue

141900 Gas - Additional Service	0.00	2,945.40
142500 Interest on Arrears-Admin	629.69	976.85
142800 Key Deposits	0.00	862.00
143000 Levies Due-Admin	452,502.16	810,586.82
144000 Miscellaneous Income-Admin	0.00	17,040.64
146500 Status Certificate Fees	436.00	1,090.00
147000 Strata Roll Inspection Fees	124.00	217.00
Total revenue	453,691.85	833,718.71

Less expenses

150200 Admin-Accounting	0.00	900.00
153800 Admin-Agent Disbursements	7,180.72	13,771.85
153802 Admin-Agent Disburse- Other	0.00	100.00
150800 Admin-Auditors-Audit Services	1,510.00	1,205.00
150900 Admin-Auditors-Taxation Services	0.00	475.00
153000 Admin-Key Deposit Refunds	(122.00)	200.00
153200 Admin-Legal & Debt Collection Fees	1,131.93	2,214.58
154100 Admin-Management Fees-Additional Charges	180.00	768.18
154000 Admin-Management Fees-Standard	13,699.28	26,663.37
155600 Admin-Search Fees	(28.18)	0.00
156000 Admin-Status Certificate Fees Paid	545.00	981.00
156500 Admin-Strata Hub Fees Paid	654.00	654.00
156400 Admin-Strata Inspection Fees Paid	155.00	248.00
159100 Insurance-Premiums	181,778.06	149,529.07
161300 Maint Bldg-Building Management	158,829.58	343,507.47
161350 Maint Bldg-Building Management Expenses	0.00	13,768.42
162000 Maint Bldg-Carpet	0.00	600.00
162400 Maint Bldg-Carpasce Line Marking	0.00	730.00
162600 Maint Bldg-Ceiling	115.00	593.64
163000 Maint Bldg-Cleaning	0.00	600.00
163200 Maint Bldg-Cleaning & Lawns	800.00	100.00
163001 Maint Bldg-Cleaning-Carpet/Furniture	0.00	3,280.00
163010 Maint Bldg-Cleaning-Pressure Cleaning	0.00	2,000.00
164200 Maint Bldg-Consultants	0.00	3,750.00

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Waratah Strata Management Pty Ltd

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WARATAH

Strata Management

Waratah Strata Management

PO Box 125, Eastwood NSW 2113

PH (02) 9414 4949

FX (02) 9414 4998

www.waratahstrata.com.au

Income & Expenditure Report

for the financial year-to-date

01/09/2023 to 27/02/2024

Strata Plan 52948

Macquarie Gardens, 1-15 Fontenoy Road, Macquarie Park NSW 2113

Administrative Fund

Current period

01/09/2023-27/02/2024

Previous year

01/09/2022-31/08/2023

Revenue

141900 Gas - Additional Service0.002,945.40

142500 Interest on Arrears-Admin629.69976.85

142800 Key Deposits0.00862.00

143000 Levies Due-Admin452,502.16810,586.82

144000 Miscellaneous Income-Admin0.0017,040.64

146500 Status Certificate Fees436.001,090.00

147000 Strata Roll Inspection Fees124.00217.00

Total revenue453,691.85833,718.71

Less expenses

150200 Admin-Accounting0.00900.00

153800 Admin-Agent Disbursements7,180.7213,771.85

153802 Admin-Agent Disburse- Other0.00100.00

150800 Admin-Auditors-Audit Services1,510.001,205.00

150900 Admin-Auditors-Taxation Services0.00475.00

153000 Admin-Key Deposit Refunds(122.00)200.00

153200 Admin-Legal & Debt Collection Fees1,131.932,214.58

154100 Admin-Management Fees-Additional Charges180.00768.18

154000 Admin-Management Fees-Standard13,699.2826,663.37

155600 Admin-Search Fees(28.18)0.00

156000 Admin-Status Certificate Fees Paid545.00981.00

156500 Admin-Strata Hub Fees Paid654.00654.00

156400 Admin-Strata Inspection Fees Paid155.00248.00

159100 Insurance-Premiums181,778.06149,529.07

161300 Maint Bldg-Building Management187,707.56343,507.47

161350 Maint Bldg-Building Management Expenses0.0013,768.42

162000 Maint Bldg-Carpet0.00600.00

162400 Maint Bldg-Carpasce Line Marking0.00730.00

162600 Maint Bldg-Ceiling115.00593.64

163000 Maint Bldg-Cleaning0.00600.00

163200 Maint Bldg-Cleaning & Lawns800.00100.00

163001 Maint Bldg-Cleaning-Carpet/Furniture0.003,280.00

163010 Maint Bldg-Cleaning-Pressure Cleaning0.002,000.00

164200 Maint Bldg-Consultants0.003,750.00

02/03/202419:14Web generated reportWaratah Strata Management Pty Ltd

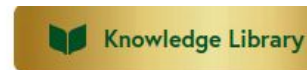
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7) The meeting as organised by Waratah Strata Management, did not satisfy requirements of Strata Schemes Management Act 2015 (SSMA), Schedule 2, Section 4 (1) and (2), and section 7, and Interpretation Act 1987 (NSW).

In public display of keeping appearances, Bannermans Lawyers are well aware of risks with time limits to send notices for general meetings (similar applies to ordinary meetings too, but with shorter time frames):

<https://www.bannermans.com.au/library/what-a-difference-a-day-makes-well-two-days-beware-of-time-limits-when-using-mail-services/>



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What a difference a day makes (well two days) – Beware of time frames for General Meetings when using mail services

POSTED 08 DECEMBER 2023

Category: [Strata](#)

Beware of time limits when placing notices for general meeting into the postal system

A recent case brought us back to basics with respect to the timeframes in which notices of general meetings must be served under the Strata Scheme Management Act 2015 ("SSMA").

Pursuant to Schedule 1 Clause 7(3) of the SSMA, different notice periods apply to different types of general meetings of the owners corporation. For annual general meetings, notice must be served on each lot owner at least 14 days before the general meeting. For general meetings other than an annual general meeting, notice of the general meeting of the owners corporation must be served on each owner at least 7 days before the general meeting. Please see below the excerpt of clause 7(2) of the SSMA:

8) As of 18 September 2025, Bannermans Lawyers, Waratah Strata Management, and three committee members who attended two Hearings on 22 April 2025 and 22 July 2025 (Mr. Stan Pogorelsky, Mr. Joe Spatola, and Mrs. Genelle Godbee) failed to respond to this evidence or refute it.

Further more, they did not address Applicant's submission on 7 July 2025, with Table of Contents shown herewith:

<https://www.nswstratasleuth.info/SP52948-year-2025/Table-of-Contents-NCAT-2024-00454780-concerns-about-procedural-errors-and-misleading-statements-6Jul2025.pdf>

9) In Mr. Pogorelsky's witness statement, which Bannermans Lawyers submitted on 20 March 2025, Tribunal was prevented from having access to details of agenda and minutes of this EGM:

Witness Statement of Stan Pogorelsky_20.03.25 (executed)-1.pdf

1

(See attachment "5" email correspondence between the Applicant and Waratah Strata Management dated 30 January 2024 to 12 February 2024)

The Scheme Functioning Satisfactorily

8. The following is a timeline of significant events that reflect that the Scheme has been functioning properly:
- A. Annual General Meetings: The owners corporation has regularly convened Annual General Meetings whereby it has considered (and resolved) motions that were relevant to the proper and satisfactory functioning of the Scheme.

(See attachment "6" notice of annual general meeting held on 22 October 2020)

(See attachment "7" minutes of annual general meeting held on 22 October 2020)

(See attachment "8" notice of annual general meeting held on 28 October 2021)

(See attachment "9" minutes of annual general meeting held on 28 October 2021)

(See attachment "10" notice of annual general meeting held on 27 October 2022)

(See attachment "11" minutes of annual general meeting held on 27 October 2022)

(See attachment "12" notice of annual general meeting held on 26 October 2023)

(See attachment "13" minutes of annual general meeting held on 26 October 2023)

(See attachment "14" notice of annual general meeting held on 28 November 2024)

(See attachment "15" minutes of annual general meeting held on 28 November 2024)

10) Lot 7 was allowed to attend the EGM and vote against paying interest in amount of \$48.00 for levy arrears whilst unfinancial. Waratah Strata Management failed to disclose to owners that Lot 7 was also allowed to vote at Extraordinary General Meeting whilst owing \$1,238.80 on 30 November 2023:

<https://www.nswstratasleuth.info/SP52948-Lot-7-with-overdue-levies-on-8Nov2023-allowed-to-vote-and-attend-EGM-on-30Nov2023.pdf>

WARATAH

Strata Management

Meeting Attendance Register

Meeting date: 30/11/2023

Arrears cut-off date: 8/11/2023

Waratah Strata Management

ABN 75 164 032 745

PO Box 125, Eastwood, NSW 2122

Ph (02) 9114 9599

Fax (02) 9114 9598

www.waratahstrata.com.au

Strata Plan 52948

Macquarie Gardens, 1-15 Fontenoy Road, Macquarie Park NSW 2113

Lot	Unit	UE	Owner's contact name	Vote	Proxy/Nominee name	Name on title	Meeting arrears only	Total arrears (-)prepaid
1	①	40.00	Jacqueline J E Lee & Brian J W Suh 133	Yes		Jacqueline Jung Eun Lee & Brian Jung Won Suh	0.00	0.00
2	②	41.00	Mr Nuria Gonsalves & Mr Rodney Gonsalves 88	Yes		Nuria Rodney Gonsalves & Rodney Thomas Gonsalves	0.00	0.00
3	3	44.00	Loma Zelunzuk & Yigal Zelunzuk	Yes		Loma Zelunzuk & Yigal Zelunzuk	0.00	0.00
4	4	31.00	Mr Donald Murden	Yes		Donald Murden	0.00	0.00
5	⑤	44.00	Ms Jeanne Satz 181	Yes		Jeanne Satz	0.00	0.00
6	⑥	41.00	Shina Dayan 88	No		Shina Dayan	0.30	0.30
7	⑦	39.00	Zuravle, James Zachary	No		James Zachary Zuravle	1,238.80	1,238.80
8	8	41.00	Choy Fai Shirley Lam	No		C F S Lam	1,299.94	1,299.94
9	9	44.00	Mr Paul Thabet & Ms Alison Hammond	Yes		Paul Thabet & Alison Margaret Hammond	0.00	0.00
10	10	44.00	Gang Yang & Lin Liu	Yes		Gang Yang & Lin Liu	0.00	0.00

30/11/2023 12:29

Heath Crosbie

Waratah Strata Management Pty Ltd

Page 1

11) At this EGM, then-Chairperson John Gore was allowed to vote whilst hiding significant information:

11.1) Mr. John Gore sold his townhouse on 4 November 2023, without disclosure to owners. He was effectively not a valid member of the committee even before AGM on 26 October 2023 due to non-disclosure of his advanced plans to sell his property:

<https://www.nswstratasleuth.info/SP52948-Lot-200-sold-prior-to-auction-4Nov2023.png>

11.2) Mr. Gore had six proxy votes at AGM 2023 without disclosure that he planned sale of his townhouse before the meeting:

<https://www.nswstratasleuth.info/SP52948-six-proxy-votes-for-Lot-200-AGM-26Oct2023.png>

11.3) At AGM 2023, Mr. Gore, committee members, and Waratah Strata Management attempted to renew contract with Uniqueco Property Services, which the Applicant prevented due to lack of proper process (Motion not even listed in the agenda):

<https://www.nswstratasleuth.info/SP52948-abridged-agenda-AGM-5Oct2023.pdf>

<https://www.nswstratasleuth.info/SP52948-minutes-AGM-26Oct2023.pdf>

MACQUARIE GARDENS CHAIRPERSON'S REPORT TO AGM OCTOBER 2023

Firstly, I want to thank the members of the strata committee for their time and input into the work of the committee, Waratah Strata for their management of the strata and the staff of UNIQUECO for the services they have provided and the work that has been done to maintain the high standards of presentation.

The key matters are:

Strata levies

Last year, levies were increased by 5% and some felt that this might be too low given the then annual level of inflation (7.5%). This matter has caught up with us and we recommend to the AGM an increase of 8% for 2023-4 so that we can maintain all existing services, cope with some huge cost increases (e.g.. insurances) and provide substantial funds to fulfill obligations from the fire audit.

Property manager's contract

Overwhelming endorsement by owners and residents of the services provided by UNIQUECO under the leadership of Steve Carbone encouraged the strata committee to renew a three-year contract with new figures to reflect the inflation of the last three years 18% and the anticipated inflation for the next three years. The AGM is requested to approve this proposal.

Fire audit

Over the last three years, the committee has been trying to address a fire audit report and Fire Safety Order from Ryde Council. With far reaching implications, including cost, two fire engineers have been engaged to review the original audit and now finally a proposal has been sent to council about how these matters will be addressed. The Council response will result in a scope of works and job orders and then finally work will commence. The extent of these works will depend on the response from council.

Swimming pool

The pool has been renovated to cut out the concrete cancer, to laydown a fibreglass shell and retile the edges. In addition, the surrounding tiles including the change rooms have been coated with a non-stick material to improve safety.

Contact

Both owners and residents are encouraged to contact relevant personnel if any issues arise. Most issues will go through Steve Carbone in the first instance or may involve Waratah Strata directly. Members of the strata committee are available for advice, to discuss new proposals and clarify issues. The House Rules remain relevant and when adhered to provide for a peaceful and harmonious living place for all of us to enjoy.

John Gore

Chairperson

11.4) Whilst already defunct committee member, Mr. Gore received Building Management Australia tender, which offered higher services. However, they were not directly comparable to offer by Uniqueco Property Services so another round of talks with Building Management Australia was required. Applicant requested that details of the tender documents provided to Building Management Australia must match those for Uniqueco Property Services to give everyone a "fair-go". Waratah Strata Management ignored Applicant's request.

Alleged "tender" for building management contract was completely flawed and void. Building Management Australia was a (dummy) fictive competitor.

<https://www.nswstratasleuth.info/SP52948-committee-members-failed-to-respond-to-Lot-158-complaints-about-EGM-2023-29Nov2023.html>

11.5) Mr. John Gore secretly resigned on 1 December 22023, just half-day after the EGM:

<https://www.nswstratasleuth.info/SP52948-Lot-200-John-Gore-resignation-1Dec2023.png>

From: jgore5@waratahstrata.com.au
Sent: Friday, 1 December 2023 12:20 PM
To: Heath Crosbie | Waratah Strata Management <heath@waratahstrata.com.au>
Subject: Resignation

Hi Heath

Please accept this email as a resignation from the Macquarie Gardens Strata Committee as of today. Thank you for your work at Waratah Strata and best wishes.

John Gore.

12) Major contributor at this EGM was unfinancial committee member Mr. Stan Pogorelsky, who did not pay his full gas heating levies since 1999:

<https://www.nswstratasleuth.info/SP52948-year-2025/SP52948-Stan-Pogorelsky-efforts-to-avoid-paying-gas-heating-levies-Apr2025.pdf>

13) Agenda was created on 8 November 2023 at 18:01 hours, which means it could not have been sent by post on that day:

NOTICE OF AN EXTRAORDINARY GENERAL MEETING
THE OWNERS - STRATA PLAN 52948

ADDRESS OF THE STRATA SCHEME:

Macquarie Gardens, 1-15 Fontenoy Road, Macquarie Park NSW 2113

DATE, PLACE & TIME OF MEETING: An Extraordinary General Meeting of The Owners - Strata Plan 52948 will be held on 30/11/2023 via Zoom Video/Audio Conference. The meeting will commence at 06:00 PM.

We have arranged for this meeting to be conducted by Zoom video or telephone conference. Following are the connection details to access the meeting by video (for those owners with video and audio on their computer) or

This meeting
email address

We suggest c

Zoom softwa

Topic: SP 529

Time: Nov 30

Join Zoom M

https://us06v

Meeting ID: 8

Passcode: 36

One tap mob

+6128015601

Dial by your l

• +61 2 8015

The Agenda f

Properties

General Fonts

Location:	file:///tmp/SP52948-agenda-EGM-sent-on-8Nov2023.pdf
Producer:	iTextSharp™ 5.4.3 ©2000-2013 1T3XT BVBA (AGPL-version)
Created:	Wed 08 Nov 2023 18:01:53
Modified:	Wed 08 Nov 2023 18:01:53
Format:	PDF-1.4
Number of Pages:	66
Optimised:	No
Security:	No
Paper Size:	A4, Portrait (210 × 297 mm)
Contains Javascript:	No
Size:	15.9 MB

1 MINUTES

That the minutes of the previous general meeting of the owners corporation be confirmed as a true record of the proceedings of that meeting.

2 BUILDING & FACILITIES MANAGEMENT AGREEMENT

That in accordance with section 67 of the Strata Schemes Management Act 2015, fee proposals supplied by Uniqueco Pty Ltd and Building Management Australia for building management be tabled and discussed.

3 LOT 7 RENOVATION

That the application submitted by Lot 7 for Major Renovation be tabled and discussed.

[Explanatory Note: The application attached pages 22 to 35 of the agenda.]

14) In agenda, belated letter from Uniqueco Property Services dated 19 July 2023 was presented, which was not provided to owners in agenda for AGM in October 2023:

UNIQUECO PTY LTD

ABN: 44 169 421 194

304 Brenan Street

Mobile: 0416 160 382

SMITHFIELD NSW 2164

Email: sp52948.uniqueco@gmail.com

19th July 2023

Macquarie Gardens
Strata Plan 52948
Attn: Mr John Gore
Chairman
1-15 Fontenoy Road
MACQUARIE PARK NSW 2113

Dear Mr Gore & Committee Members,

PRICING FOR 2024, 2025 & 2026 CARETAKING SERVICES STRATA PLAN 52948

We thank you for the opportunity of submitting our new contract price for 2024, 2025 and 2026. We believe our services to Macquarie Gardens over the past 8 years has been of value and greatly appreciated by the owners and residents.

In calculating our contract pricing, we have taken into account the level of service that is required to cover the running of such a large complex and the increases to wages, superannuation, insurances, contractors, equipment and material.

Our services continue to be 7 days a week, 24 hours a day. We are on call 24 hours a day for any emergency, general enquiry or any issues that arise at the complex. We have looked at and factored in all these variables and believe we have arrived at a reasonable pricing structure.

This price increase has occurred due to the rising inflation rate that has affected the running and staffing costs for us.

The increase costing price is to cover:

- the increase to superannuation from 9.5%, an increase we have absorbed in our previous contract. Superannuation is currently at 11%, with further increases to 12% during the new contract period,
- the increases to wages, which we have had to absorb for the past 3 to 4 years,
- increases to insurances,
- increases to equipment and material

Due to the increases to superannuation and insurances alone, we have calculated over \$40,000 per annum to cover these costs.

Once we have factored in the running costs and increases, and the fact that our increase since 2020 was only 1%, (with a 2% increase for 2023), we have calculated the costs as follows:

NEW CONTRACT PRICE FOR 2024, 2025 & 2026:

	Annual Price	Monthly Price
1. Night Shift Caretaker	\$ 166,000.00	\$ 13,833.33
2. Caretaker/Assistant	\$ 175,800.00	\$ 14,650.00
3. Cleaner	\$ 38,100.00	\$ 3,175.00
4. Gardener	\$ 41,100.00	\$ 3,425.00
5. Pool Maintenance	\$ 18,000.00	\$ 1,500.00
TOTAL:	\$ <u>439,000.00</u> +GST	\$ <u>36,583.33</u> +GST

We are outlining the CURRENT PRICING TO NEW PRICING as follows:

	CURRENT 2023	NEW 2024, 2025 & 2026
1. Night Shift Caretaker	\$ 125,861.88	\$ 166,000.00
2. Caretaker/Assistant	\$ 145,095.00	\$ 175,800.00
3. Cleaner	\$ 30,000.00	\$ 38,100.00
4. Gardener	\$ 32,376.02	\$ 41,100.00
5. Pool Maintenance	\$ 13,202.88	\$ 18,000.00
TOTAL:	\$ <u>346,535.78</u> +GST	\$ <u>439,000.00</u> +GST
PER MONTH:	\$ 28,877.98 +GST	\$ 36,583.33 +GST

The new monthly cost from January 2024 will be \$36,583.33+GST per month.

If you require any further information, please do not hesitate to contact me.

Regards,

Steven Carbone
Managing Director

15) In the same agenda for EGM, then-Chairperson Mr. John Gore, who had already sold his property (townhouse 200), made significant false statements about inflation rates in Australia, trying to justify massive increases for Uniqueco Property Services:

UNIQUECO PTY LTD QUOTE FOR CARETAKING SERVICES 2024-2026

The quote from UNIQUECO is attached. It proposes a cost of \$439,000 for each of the three years 2024-2026. This is an increase of 27% on the 2021-2023 price of \$346 535.

The reasons for the increase are explained in the proposal. However, there is no detail about how these figures were calculated. I have calculated the total costs based on the following researched information and assumptions:

1. The inflation rate for the three years 2021-2023 being 18.33%
2. 2% inflation increase was built into the 2021-2023 agreement (1% for each of years 2022 and 2023)
3. The equivalent starting price at the beginning of 2024 with an increase of 16.33% of \$403,124.
4. Anticipated inflation 2024-2026 is difficult to predict and I suggest that a figure of 3.5% based on the predictions of inflation falling to 4% in 2024 and possibly lower in the proceeding years.
5. To cover this uncertainty, I recommend that the agreement include a phrase that the base figure (2 above) increase cumulatively for each of years 2024-2026 by 3.5% and any variation with the CPI (up or down) be added/subtracted to the following year as an adjustment.

Based on this information and assumptions the payments for the period 2024-2026 would be:

2024	\$417,233
2025	\$431,836
2026	\$446,950

The request for the same total payment in each of years 2024-2026 seems a strange way to calculate payments because it does not allow for variations which could disadvantage of advantage either UNIQUECO or strata. However, UNIQUECO in their response have indicated that they would accept the total figures but, as explained in their response, do not what an inflation adjustment on a yearly basis.

The strata committee can consider each set of total figures and decide which one it wants to recommend to the AGM. Either is acceptable to me.

For your consideration and decision at the next strata meeting.

John Gore

Official inflation rates form period 2021 to 2023 were:

2021	2.86%
2022	6.59%
2023	4.1%

16) Applicant warned Waratah Strata Management and committee members and misconduct of AGM 2023:

<https://www.nswstratasleuth.info/SP52948-AGM-2023-misconducts-and-risks-24Oct2023.pdf>

<https://www.nswstratasleuth.info/SP52948-AGM-2023-dubious-invoices-24Oct2023.pdf>

Waratah Strata Management and committee members failed to justify invoices and expenses in amount of \$122,843.87 (GST excl) before, at, and after AGM 2023.

16.1) Waratah Strata Management ignored the warnings about previous three general meetings as organised by Waratah Strata Management, did not satisfy requirements of Strata Schemes Management Act 2015 (SSMA), Schedule 1, Section 4 (1) and (3), and section 7, and Interpretation Act 1987 (NSW).

Annual General Meeting on 27 October 2022

Day/Date Weekday Service Calculation Event

- 1, 11/10/2022 Tuesday Notice posted (postage date must not be counted)
- 2, 12/10/2022 Wednesday First working day
- 3, 13/10/2022 Thursday Second working day
- 4, 14/10/2022 Friday Third working day
- 5, 15/10/2022 Saturday Weekend
- 6, 16/10/2022 Sunday Weekend
- 7, 17/10/2022 Monday Fourth working day
- 8, 18/10/2022 Tuesday Fifth working day
- 9, 19/10/2022 Wednesday Sixth working day
- 10, 20/10/2022 Thursday Seventh working day - notice effective
- 11, 21/10/2022 Friday First notice day
- 12, 22/10/2022 Saturday Second notice day
- 13, 23/10/2022 Sunday Third notice day
- 14, 24/10/2022 Monday Fourth notice day
- 15, 25/10/2022 Tuesday Fifth notice day
- 16, 26/10/2022 Wednesday Sixth notice day
- Seventh notice day is missing!
- 17, 27/10/2022 Thursday Date of meeting (must not be counted)

Extraordinary General Meeting on 27 April 2023

Day/Date Weekday Service Calculation Event

- 1, 12/04/2023 Wednesday Notice posted (postage date must not be counted)
- 2, 12/04/2023 Wednesday First working day
- 3, 13/04/2023 Thursday Second working day
- 4, 14/04/2023 Friday Third working day
- 5, 15/04/2023 Saturday Weekend
- 6, 16/04/2023 Sunday Weekend
- 7, 17/04/2023 Monday Fourth working day
- 8, 18/04/2023 Tuesday Fifth working day
- 9, 19/04/2023 Wednesday Sixth working day
- 10, 20/04/2023 Thursday Seventh working day - notice effective
- 11, 21/04/2023 Friday First notice day
- 12, 22/04/2023 Saturday Second notice day
- 13, 23/04/2023 Sunday Third notice day
- 14, 24/04/2023 Monday Fourth notice day
- 15, 25/04/2023 Tuesday Anzac day - Fifth notice day
- 16, 26/04/2023 Wednesday Sixth notice day
- Seventh notice day is missing!
- 17, 27/04/2023 Thursday Date of meeting (must not be counted)

Extraordinary General Meeting on 17 August 2023

- 1, 03/08/2023 Thursday Notice posted? (postage date must not be counted)
- 2, 04/08/2023 Friday First working day
- 3, 05/08/2023 Saturday Weekend
- 4, 06/08/2023 Sunday Weekend
- 5, 07/08/2023 Monday Second working day
- 6, 08/08/2023 Tuesday Third working day
- 7, 09/08/2023 Wednesday Fourth working day
- 8, 10/08/2023 Thursday Fifth working day
- 9, 11/08/2023 Friday Sixth working day
- 10, 12/08/2023 Saturday Weekend
- 11, 13/08/2023 Sunday Weekend
- 12, 14/08/2023 Monday Seventh working day - notice effective
- 13, 15/08/2023 Tuesday First notice day
- 14, 16/08/2023 Wednesday Second notice day
- 15, 17/08/2023 Thursday Date of meeting (must not be counted) (five notice days missing!)

17) Applicant warned committee members about problems with this EGM day before meeting:

<https://www.nswstratasleuth.info/SP52948-committee-members-failed-to-respond-to-Lot-158-complaints-about-EGM-2023-29Nov2023.html>

In the email, some of the issues were:

*“As of today, negative balance in Admin Fund reached **-\$131,161.52**, and for the next two months, until next collection of levies on 1 February 2024, there is no income for SP52948, just lot of expenses.*

b) As of today, according to information from Waratah Strata Management, Uniqueco Property Services monthly salary was not paid.

Early in November 2023, Lot 158 predicted that Waratah Strata Management:

- *Either did not pay Uniqueco Property Services for month of November 2023 so that negative balance in Admin Fund did not look as bad as it really was,*
- *Or would pay the building manager's invoice for November 2023 but hide it in accounting files for owners.*

In both cases, it would be a premeditated effort to mislead owners about bad financial status.

*Reasonable estimate is that real negative balance in Admin Fund is at least **-\$165,000.00**.*

c) Waratah Strata Management failed to provide access to financials in accordance with Strata Schemes Management Act 2015 (NSW), Sch1, Part 10(1) - full copies of Administrative Fund, the Capital Works fund, and any other fund of the owners corporation (term deposits and trust accounts, and others as applicable).

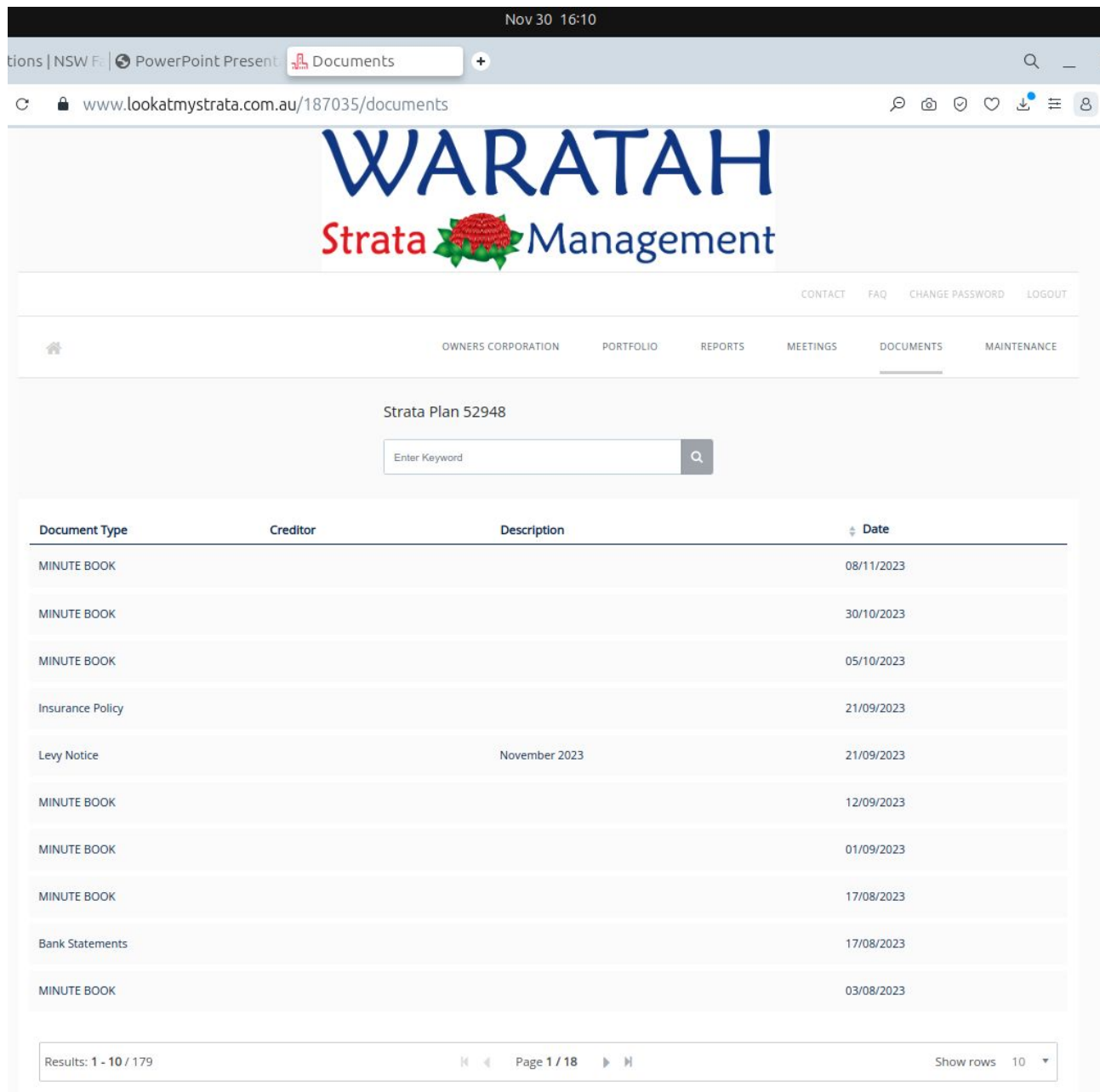
None of the committee members and strata managers could provide an answer to simple question: how is SP52948 paying bills when Admin Fund have no money for most of 2023 and will continue with same problem in 2024.

d) None of the questions for misconduct of AGM 2023 and expenses in amount of \$122,843.87 (GST excl) before, at, and after AGM 2023 were answered.

Most critical one, from criminal perspective: Auditor Report for FY 2023 was 43 days late and not presented to owners at any meeting, which removed \$10,000.00 (GST incl) from accounting data and obtained signature from the auditor. \$10,000.00 is missing in allegedly audited accounts!”

18) Even on the day of the EGM, 30 November 2023, Waratah Strata Management still did not provide a copy of the Audited accounts:

<https://www.nswstratasleuth.info/SP52948-waratahstrata.com.au-website-Documents-folder-page-1-30Nov2023.png>



The screenshot shows a web browser window with the address bar displaying www.lookatmystrata.com.au/187035/documents. The website header features the "WARATAH Strata Management" logo. A navigation menu includes links for CONTACT, FAQ, CHANGE PASSWORD, LOGOUT, OWNERS CORPORATION, PORTFOLIO, REPORTS, MEETINGS, DOCUMENTS (which is highlighted), and MAINTENANCE. Below the navigation menu, the page title is "Strata Plan 52948". There is a search bar with the placeholder text "Enter Keyword". A table lists documents with the following columns: Document Type, Creditor, Description, and Date. The table contains 10 rows of data. At the bottom of the page, there is a pagination bar showing "Results: 1 - 10 / 179", "Page 1 / 18", and a "Show rows" dropdown set to 10.

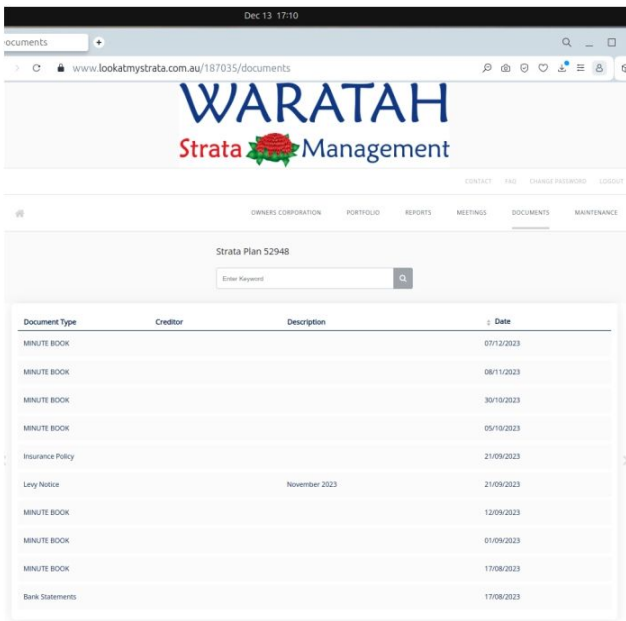
Document Type	Creditor	Description	Date
MINUTE BOOK			08/11/2023
MINUTE BOOK			30/10/2023
MINUTE BOOK			05/10/2023
Insurance Policy			21/09/2023
Levy Notice		November 2023	21/09/2023
MINUTE BOOK			12/09/2023
MINUTE BOOK			01/09/2023
MINUTE BOOK			17/08/2023
Bank Statements			17/08/2023
MINUTE BOOK			03/08/2023

<https://www.nswstratasleuth.info/SP52948-discrepancies-between-Solicitor-Adrian-Mueller-legal-and-insurance-payments-FY-2022-and-2023.pdf>

Waratah Strata Management forged SP52948 FY 2023 Auditor Report date of issue:

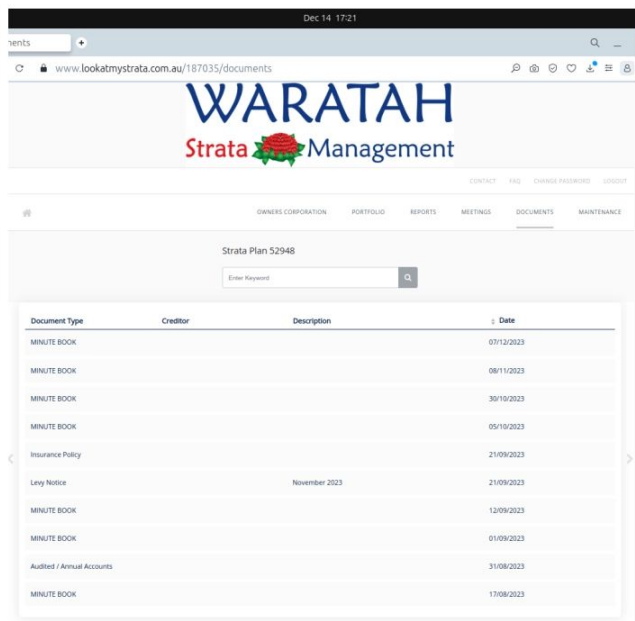
<https://www.nswstratasleuth.info/SP52948-Waratah-Strata-Management-forged-FY2023-Auditor-Report-date-of-issue-14Dec2023.webp>

Waratah Strata Management website with SP52948 documents on 13 December 2023 (without Auditor Report)



Document Type	Creditor	Description	Date
MINUTE BOOK			07/12/2023
MINUTE BOOK			08/11/2023
MINUTE BOOK			30/10/2023
MINUTE BOOK			05/10/2023
Insurance Policy			21/09/2023
Levy Notice		November 2023	21/09/2023
MINUTE BOOK			12/09/2023
MINUTE BOOK			01/09/2023
MINUTE BOOK			17/08/2023
Bank Statements			17/08/2023

Waratah Strata Management website with SP52948 documents on 14 December 2023 with fraudulently backdated Auditor Report (Auditor Report signed on 11 December 2023, 46 days after due date, but only made available as late as 14 December 2023, 49 days after due date)



Document Type	Creditor	Description	Date
MINUTE BOOK			07/12/2023
MINUTE BOOK			08/11/2023
MINUTE BOOK			30/10/2023
MINUTE BOOK			05/10/2023
Insurance Policy			21/09/2023
Levy Notice		November 2023	21/09/2023
MINUTE BOOK			12/09/2023
MINUTE BOOK			01/09/2023
Audited / Annual Accounts			31/08/2023
MINUTE BOOK			17/08/2023

19) Waratah Strata Management prevented Applicant’s Motions to hide mismanagement, criminal activities, and poor financial status:

<https://www.nswstratasleuth.info/SP52948-Motions-by-Lot-158-EGM-public-30Oct2023.pdf>

20) For Admin Fund, approved balance at AGM on 26 October 2023 differed from one audited by Economos 46 days after due date by 74.04% (\$10,652.86 vs \$6,120.73):

<https://www.nswstratasleuth.info/SP52948-Income-and-Expenditure-Report-1Sep2023-to-evening-26Oct2023.pdf>

<https://www.nswstratasleuth.info/SP52948-Income-and-Expenditure-Report-1Sep2023-to-11Dec2023.pdf>

<https://www.nswstratasleuth.info/SP52948-FY-2023-differences-between-Economos-audited-and-owner-approved-accounting-figures.webp>

SP52948 FY 2023
Accounts allegedly approved by owners at AGM on 26 October 2023 Economos Audited Accounts 46 days after due date on 11 December 2023



Balance Sheet
As at 31/08/2023

Waratah Strata Management
405 75 01 013 701
PO Box 125, Eastwood, NSW 2122
Ph (02) 9114 9599
Fax (02) 9114 9598
www.waratahstrata.com.au

Strata Plan 52948	Macquarie Gardens, 1-15 Fontenoy Road, Macquarie Park NSW 2113		
		Current period	Previous year
Owners' funds			
Administrative Fund			
Operating Surplus/Deficit-Admin		(65,148.09)	(34,757.74)
Owners Equity-Admin		75,800.95	110,558.69
		10,652.86	75,800.95
Capital Works Fund			
Operating Surplus/Deficit-Capital Works		200,606.91	254,603.98
Owners Equity-Capital Works		1,289,098.16	1,034,494.18
		1,489,705.07	1,289,098.16
Net owners' funds		\$1,500,357.93	\$1,364,899.11



Balance Sheet - Group
As at 31/08/2023

Waratah Strata Management
405 75 01 013 701
PO Box 125, Eastwood, NSW 2122
Ph (02) 9114 9599
Fax (02) 9114 9598
www.waratahstrata.com.au

Strata Plan 52948	Macquarie Gardens, 1-15 Fontenoy Road, Macquarie Park NSW 2113	Note	Current period	Previous year
Owners' funds				
Administrative Fund				
Operating Surplus/Deficit-Admin			(69,680.22)	(34,757.74)
Owners Equity-Admin			75,800.95	110,558.69
			6,120.73	75,800.95
Capital Works Fund				
Operating Surplus/Deficit-Capital Works			205,002.04	254,603.98
Owners Equity-Capital Works			1,289,098.16	1,034,494.18
			1,494,100.20	1,289,098.16
Net owners' funds			\$1,500,220.93	\$1,364,899.11

<https://www.nswstratasleuth.info/Waratah-Strata-Management-non-compliance-of-SP52948-Auditor-reports.html>

For Admin Fund, approved balance at AGM 2023 on 26 October 2023 differed from one audited by Economos 46 days after due date on 11 December 2023 by 47.04% (\$10,652.86 vs \$6,120.73). Four different versions of this figure exist: \$18,759.11 in report on 31 August 2023, \$14,903.11 in report on 6 September 2023, \$10,652.86 in report on 16 September 2023, and audited accounts on 11 December 2023 was \$6,120.73; number of invoices and work moved into new financial year to give appearance of positive balance.

Some of differences in accounts between what owners allegedly approved on 26 October 2023 and what Economos signed 46 days later:

SP52948 FY 2023 Item	Accounts allegedly approved at AGM 2023	Economos Audited Accounts	Difference
Administrative Fund Operating Surplus/Deficit-Admin	-\$65,148.09	-\$69,680.22	\$4,532.13
Administrative Fund Owners Equity Balance	\$10,652.86	\$6,120.73	\$4,532.13
Capital Works Fund Operating Surplus/Deficit-Capital Works	\$200,606.91	\$205,002.04	\$4,395.13
Capital Works Fund Owners Equity Balance	\$1,489,705.07	\$1,494,100.20	\$4,395.13
Net owners' funds	\$1,500,357.93	\$1,501,703.12	\$1,345.19
Assets Administrative Fund Cash at Bank-Admin	\$17,408.18	\$12,559.84	\$4,848.34
Assets Balance	\$37,964.94	\$33,116.60	\$4,848.34
Less Liabilities Administrative Fund Creditors-GST-Admin	\$5,714.49	\$5,261.28	\$453.21
Less Liabilities Administrative Fund Provision-Income Tax-Admin	-\$137.00	\$0.00	\$137.00
Less Liabilities Balance	\$27,312.08	\$26,995.87	\$316.21
Less Liabilities Capital Works Fund Creditor-GST-Capital Works	\$2,066.77	\$2,519.98	\$453.21
Total liabilities	\$35,431.39	\$35,568.39	\$137.00
Net assets	\$1,500,357.93	\$1,500,220.93	\$137.00

Approved expenses for electricity usage and supply at AGM on 26 October 2023 differed from one audited by Economos 46 days after due date by 9.21% (\$49,171.9 vs \$53,704.10):

<https://www.nswstratasleuth.info/SP52948-FY-2023-differences-between-Economos-audited-and-owner-approved-accounting-figures-for-electricity.webp>

Electricity expenses audited by Economos 46 days after due date on 11 December 2023 reported \$53,704.10 (GST excl) whilst figure given by Waratah Strata Management in agenda for AGM approved on 26 October 2023 was \$49,171.97 (GST excl) - difference of 9.21%

Strata Plan 52948		Macquarie Gardens, 1-15 Fontenoy Road, Macquarie Park NSW 2113	
Administrative Fund			
	Current period	Annual budget	Previous year
	01/09/2022-31/08/2023	01/09/2022-31/08/2023	01/09/2021-31/08/2022
Maint Grounds--Pool Repairs	0.00	1,000.00	736.36
Maint Grounds--Pool Sauna/Equipment	1,000.00	1,000.00	0.00
Maint Grounds--Tennis Court	318.18	0.00	679.09
Maint Grounds--Tree Lopping/Removal	2,572.72	5,000.00	3,536.36
Prior Period GST Expense Adjustment-Admin	(306.21)	0.00	0.00
Reimbursements - Gas Usage	636.80	1,000.00	747.24
Reimbursements - Water Usage	4,520.54	6,000.00	5,014.28
Utility--Electricity	53,704.10	60,000.00	57,939.98
Utility--Gas	27,768.79	27,500.00	25,668.18
Utility--Water & Sewerage	100,993.06	95,000.00	95,367.60
Total expenses	903,398.93	900,050.00	802,734.45
Surplus/Deficit	(69,680.22)	(67,150.00)	(34,757.74)
Opening balance	75,800.95	75,800.95	110,558.89
Closing balance	\$6,120.73	\$8,650.95	\$75,800.95

Utility--Electricity 190200

02/09/2022 1/8/22 - 31/8/22	Origin Energy (747428)	4,690.91	Paid	BPAY	50002728763 273 9
04/10/2022 1/9/22 - 30/9/22	Origin Energy (747428)	4,277.08	Paid	BPAY	50002728763 281 9
07/11/2022 1/10/22 - 31/10/22	Origin Energy (747428)	4,396.04	Paid	BPAY	50002728763 286 9
06/12/2022 1/11/22 - 30/11/22	Origin Energy (747428)	4,724.04	Paid	BPAY	50002728763 292 9
09/01/2023 1/12/22 - 31/12/22	Origin Energy (747428)	4,716.42	Paid	BPAY	50002728763 295 9
03/02/2023 1/1/23 - 31/1/23	Origin Energy (747428)	4,636.65	Paid	BPAY	50002728763 298 9
06/03/2023 1/2/23 - 28/2/23	Origin Energy (747428)	4,205.31	Paid	BPAY	50002728763 303 9
03/04/2023 1/3/23 - 31/3/23	Origin Energy (747428)	4,614.16	Paid	BPAY	50002728763 306 9
02/05/2023 1/4/23 - 30/4/23	Origin Energy (747428)	4,120.69	Paid	BPAY	50002728763 309 9
05/06/2023 1/5/23 - 31/5/23	Origin Energy (747428)	4,359.35	Paid	BPAY	50002728763 313 9
03/07/2023 1/6/23 - 30/6/23	Origin Energy (747428)	4,431.32	Paid	BPAY	50002728763 319 9
		\$49,171.97			

21) Waratah Strata Management failed to notify owners that negative balance (deficit) in Admin Fund on 30 November 2023 was -\$131,161.52 and that it did not include monthly salary for Uniqueco Property Services:

<https://www.nswstratasleuth.info/SP52948-Income-and-Expenditure-Report-1Sep2023-to-30Nov2023.pdf>

181100	Reimbursements - Gas Usage	98.28	636.80
181101	Reimbursements - Water Usage	659.74	4,520.54
190200	Utility--Electricity	25,474.38	53,704.10
190400	Utility--Gas	0.00	27,768.79
191200	Utility--Water & Sewerage	28,082.24	100,993.06

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Strata Plan 52948 Macquarie Gardens, 1-15 Fontenoy Road, Macquarie Park NSW 2113

Administrative Fund		
	Current period 01/09/2023-30/11/2023	Previous year 01/09/2022-31/08/2023
Total expenses	345,228.95	903,398.93
Surplus/Deficit	(137,282.25)	(69,680.22)
Opening balance	6,120.73	75,800.95
Closing balance	<u><u>-\$131,161.52</u></u>	<u><u>\$6,120.73</u></u>

22) Waratah Strata Management orchestrated renewal of a three-year contract with Uniqueco Property Services without valid tender and valid Motion:

<https://www.nswstratasleuth.info/SP52948-extract-from-agenda-EGM-sent-on-8Nov2023.pdf>



Waratah Strata Management
ABN 75 161 033 745
PO Box 125, Eastwood, NSW 2122
Ph (02) 9114 9599
Fax (02) 9114 9598
www.waratahstrata.com.au

NOTICE OF AN EXTRAORDINARY GENERAL MEETING
THE OWNERS - STRATA PLAN 52948

ADDRESS OF THE STRATA SCHEME:

Macquarie Gardens, 1-15 Fontenoy Road, Macquarie Park NSW 2113

DATE, PLACE & TIME OF MEETING: An Extraordinary General Meeting of The Owners - Strata Plan 52948 will be held on 30/11/2023 via Zoom Video/Audio Conference. The meeting will commence at 06:00 PM.

We have arranged for this meeting to be conducted by Zoom video or telephone conference. Following are the connection details to access the meeting by video (for those owners with video and audio on their computer) or by telephone (for those owners that do not have video and audio, or no computer access).

This meeting information will also be sent by email to those owners that have provided an email address, which will allow you to use the hyperlink to directly join the meeting.

We suggest connecting to the meeting 10 minutes before the start time as you may need to download the Zoom software.

Topic: SP 52948 - General Meeting

Time: Nov 30, 2023 06:00 PM Canberra, Melbourne, Sydney

Join Zoom Meeting

<https://us06web.zoom.us/j/87661877354?pwd=NrrMB5QqxABBZt9fN80bavI84MMMIY.1>

Meeting ID: 876 6187 7354

Passcode: 362624

One tap mobile

+61280156011,,87661877354# Australia

Dial by your location

• +61 2 8015 6011 Australia

The Agenda for the meeting is:

1 MINUTES

That the minutes of the previous general meeting of the owners corporation be confirmed as a true record of the proceedings of that meeting.

2 BUILDING & FACILITIES MANAGEMENT AGREEMENT

That in accordance with section 67 of the Strata Schemes Management Act 2015, fee proposals supplied by Uniqueco Pty Ltd and Building Management Australia for building management be tabled and discussed.

23) Motions for building management did not satisfy the requirements. According to Strata Community Association (NSW), definition of a Motion:

A proposal put forward for consideration at a meeting. A well written motion enables the lot owner or committee member to vote yes (for) or no (against) on the matter.

- A motion must clearly state the proposal to be considered at the meeting.
- Motion must clearly state if an ordinary, special, or unanimous resolution is required.

Motion 2 from the agenda of the EGM on 30 November 2023:

2 BUILDING & FACILITIES MANAGEMENT AGREEMENT

That in accordance with section 67 of the Strata Schemes Management Act 2015, fee proposals supplied by Uniqueco Pty Ltd and Building Management Australia for building management be tabled and discussed.

Minutes of Motion 2 at EGM on 30 November 2023:

2 BUILDING & FACILITIES MANAGEMENT AGREEMENT

Resolved that Uniqueco Pty Ltd be appointed to continue building management services in accordance with pricing schedule tabled for 2024, 2025 & 2026.

24) Waratah Strata Management prevented owners from having information about NSW Fair Trading case 11138875 about their failures to have Auditor's reports before general meetings:

<https://www.nswstratasleuth.info/SP52948-Lot-158-request-to-committee-members-to-publish-NSW-Fair-Trading-case-11138875-Waratah-Strata-Management-failed-to-provide-copy-of-audit-reports.html>

25) Waratah Strata Management ignored concerns about incomplete agenda for EGM 2023:

<https://www.nswstratasleuth.info/SP52948-Waratah-Strata-Management-failed-to-respond-to-concerns-about-incomplete-agenda-for-EGM-2023-10Nov2023.html>

Extract from the Applicant's email:

"1) Lot 200 (Mr. John Gore) sold his townhouse on 4 November 2023, without disclosure to owners.

He is effectively not a valid member of the committee even before AGM on 26 October 2023 due to non-disclosure of his advanced plans to sell his property.

Attachment "SP52948-Lot-200-sold-prior-to-auction-4Nov2023.png".

2) Lot 200 had six proxy votes at AGM 2023 without disclosure that he planned sale of his townhouse before the meeting.

Attachment "SP52948-six-proxy-votes-for-Lot-200-AGM-26Oct2023.png".

3) Whilst already defunct committee member, Mr. Gore received Building Management Australia tender, which offers higher services.

However, they are not directly comparable to offer by Uniqueco Property Services so another round of talks with Building Management Australia is required.

Details of the tender documents provided to Building Management Australia must match those for Uniqueco Property Services to give everyone a "fair-go".

4) On 19 July 2023, Uniqueco Property Services made an offer for new three-year contract, asking for increase of 26.68% over next three years, in spite of clear evidence of poor services, decreased quality of services, lack of proactive maintenance, and repetitive repairs without warranties.

Lot 200 (Mr. Gore) strongly supported Uniqueco Property Services and recommended their contract renewal.

Attachment "SP52948-Lot-200-justification-to-support-Uniqueco-Property-Services-through-false-statements-for-committee-meeting-in-Sep2023.png".

5) On 1 September 2023, Waratah Strata Management prepared agenda for committee meeting and in Motion 4 listed:

BUILDING MANAGEMENT FEE PROPOSAL

That the fee proposal submitted by Uniqueco Pty Ltd for building management pricing for 2024, 2025 & 2026 be tabled and discussed.

[Explanatory Note: The fee proposal will be tabled at the meeting and reviewed by the Strata Committee before being put to the Annual General meeting.]

6) Strata Plan SP52948 committee meeting dated 7 September 2023, as organized by Waratah Strata Management, did not satisfy requirements of Strata Schemes Management Act 2015 (SSMA), Schedule 2, Section 4 (1) and (2), and section 7, and Interpretation Act 1987 (NSW).

Agenda was created on 1 September 2023 and scheduled for 7 June 2023. Excluding date of creation, meeting date, and the weekend, only three days were allowed for delivery of notice to all owners.

The minutes of the meeting stated:

BUILDING MANAGEMENT FEE PROPOSAL

Resolved that the fee proposal submitted by Uniqueco Pty Ltd for building management pricing for 2024, 2025 & 2026 was tabled and discussed. It was noted that countless comments of positive feedback regarding Steve's services contribute to a recommendation from the committee to accept Uniqueco's fee proposal. The Chairperson Report tabled at the AGM will provide more detail of this recommendation.

Attachment "SP52948-extract-from-minutes-salary-increases-for-building-management-contact-7Sep2023.png".

7) In agenda for AGM 2023, Lot 200 (Mr. Gore) mislead all owners by providing false statements in effort to push for Uniqueco Property Management renewal without any tender.

Attachment "SP52948-Chairperson-John-Gore-misleading-and-false-statements-agenda-AGM-2023.png".

In spite of 92 owners being presented at the meeting (only 15 in person of which 9 were FY 2023 committee members, all others were proxy votes), Lot 158 decisively prevented renewal of the contract with Uniqueco Management Services.

Waratah Strata Management did not "forget" to include Motion for building management contract at AGM 2023. It was a deliberate, premeditated plan."

26) Waratah Strata Management failed to provide access to financials and other strata documents before and at EGM 2023:

<https://www.nswstratasleuth.info/SP52948-request-to-Waratah-Strata-Management-to-provide-financial-documents-for-EGM-2023-13Nov2023.html>

Uniqueco Property Services already received excessive increases without disclosure to owners. Information collected from official strata Income & Expenditure statements:

FY 2015, **8.78%** (increase), whilst Australian inflation rate was **1.51%**

FY 2016, **6.00%** (increase), whilst Australian inflation rate was **1.28%**

FY 2017, **-0.48%** (decrease), whilst Australian inflation rate was **1.95%**

FY 2018, **5.12%** (increase), whilst Australian inflation rate was **1.91%**

FY 2019, **-4.60%** (decrease), whilst Australian inflation rate was **1.61%**

FY 2020, **12.16%** (increase), whilst Australian inflation rate was **0.85%**

FY 2021, **2.46%** (increase), whilst Australian inflation rate was **2.86%**

FY 2022, **0.14%** (increase), whilst Australian inflation rate was **6.59%**

FY 2023, **1.1%** (increase), whilst Australian inflation rate was **5.4%** (as of October 2023)

27) At committee meeting on 9 February 2023, Uniqueco Property Services monthly salary was increased without general meeting, giving them an extra \$9,044.03 in period from March 2023 to January 2024, in spite of Uniqueco Property Services contract had fixed price until 31 January 2024 and meeting being non-compliant (strata manager even lied about the date of the agenda):

<https://www.nswstratasleuth.info/SP52948-non-compliant-committee-meeting-9Feb2023.pdf>

<https://www.nswstratasleuth.info/NCAT-2024-00454780-non-compliant-meeting-raising-salary-for-building-manager-in-spite-of-fixed-term-contract-9Feb2023.pdf>

28) Minutes of EGM on 30 November 2023 listed approval for Lots 7 and 39 owners to have major renovations in accordance with Special By-Law and Uniqueco Property Services contract renewal without any details:

<https://www.nswstratasleuth.info/SP52948-minutes-EGM-30Nov2023.pdf>

Minutes of the meeting:

1 MINUTES

Resolved that the minutes of the previous general meeting of the owners corporation be confirmed as a true record of the proceedings of that meeting.

2 BUILDING & FACILITIES MANAGEMENT AGREEMENT

Resolved that Uniqueco Pty Ltd be appointed to continue building management services in accordance with pricing schedule tabled for 2024, 2025 & 2026.

3 LOT 7 RENOVATION

Resolved that the renovation application under terms of Special By-Law 13 submitted by Lot 7 was approved by Special Resolution and annexure B of the By-Law be updated as follows:

7 30/11/2023 X2 BATHROOM (WATERPROOFING INCLUSIVE) ENTRY & KITCHEN TILING

4 LOT 39 RENOVATION

Resolved that the renovation application under terms of Special By-Law 13 submitted by Lot 39 was approved by Special Resolution and annexure B of the By-Law be updated as follows:

39 30/11/2023 FLOATING FLOORBOARDS

CLOSURE: There being no further business, the chairperson declared the meeting closed at 06:30PM.

28.1) LOT 7 - MAJOR RENOVATION APPLICATION

- No evidence that Lot 7 paid application fee in amount of \$120.00 (plus GST) for the strata manager to review the application, search by-laws and obtain instructions from the strata committee.
- No evidence that Lot 7 paid bond in amount of:
\$1,000.00 if total cost of works was less than \$20,000.00
\$5,000.00 if total cost of works was less than \$20,000.00

- No evidence that Lot 7 paid strata manager's reasonable costs for holding a general meeting to approve the major renovation (including printing and postage of agendas and minutes) and the costs of preparation and attendance at that meeting.
- No evidence that Lot 7 provided a dilapidation report as to the condition of the common property and each Lot that is immediately adjacent to (above, below, or beside) the owner.
- Lot 7 extended their renovations in two periods: from 11 to 22 December 2023 and from 15 January 2024 without defined end-date.
- In official submission to NCAT in case 2024/00454780 on 20 March 2025, Bannermans Lawyers and Solicitor Adrian Mueller, with full support by Waratah Strata Management, submitted latest version of SP52948 By-Laws in Certificate of Title edition 16 dated 11 February 2021, which ended with latest updates AQ793279 (consolidation of Registered By-Laws), showed there were no updates to By-Laws since then, which means that this work was not listed in Annexure B of the by-law to create record of all approved major works.

28.2) LOT 39 - MAJOR RENOVATION

- No evidence that Lot 39 paid application fee in amount of \$120.00 (plus GST) for the strata manager to review the application, search by-laws and obtain instructions from the strata committee.
- No evidence that Lot 39 paid bond in amount of:

\$1,000.00 if total cost of works was less than \$20,000.00
\$5,000.00 if total cost of works was less than \$20,000.00
- No evidence that Lot 39 paid strata manager's reasonable costs for holding a general meeting to approve the major renovation (including printing and postage of agendas and minutes) and the costs of preparation and attendance at that meeting.
- No evidence that Lot 39 provided a dilapidation report as to the condition of the common property and each Lot that is immediately adjacent to (above, below, or beside) the owner.
- In official submission to NCAT in case 2024/00454780 on 20 March 2025, Bannermans Lawyers and Solicitor Adrian Mueller, with full support by Waratah Strata Management, submitted latest version of SP52948 By-Laws in Certificate of Title edition 16 dated 11 February 2021, which ended with latest updates AQ793279 (consolidation of Registered By-Laws), showed there were no updates to By-Laws since then, which means that this work was not listed in Annexure B of the by-law to create record of all approved major works.

29) Waratah Strata Management so strongly wanted to hide access to strata documents that the Applicant could not view or get copies of many files on 13 February 2024:

<https://www.nswstratasleuth.info/SP52948-Lot-158-outcome-of-access-to-strata-documents-13Feb2024.pdf>

30) Uniqueco Property Services contract RS/RH 081394 was signed on 7 December 2014 by two committee members of which one of them - Mr. Moses Levitt of Lot 147 was unfinancial to vote and be a committee member due to unpaid levies since 2001):

<https://www.nswstratasleuth.info/SP52948-Uniqueco-Property-Services-contract-Dec2014.pdf>


Executed as an agreement.

By the Proprietor

The common Seal of the Owners

Corporation was affixed in the presence of





Signature
MOSES LEVITT
Name of Authorised Person (print)


Signature
BRUCE COPLAND
Name of Authorised Person (print)

being the persons authorised to attest the affixing of the seal.

By the Contractor:

Executed by UniqueCo Pty Ltd:


Signature of Company
Secretary/Director
STEVEN CARBONE
Name of Company
Secretary/Director (print)

)
)

Signature of Director
STEVEN CARBONE
Name of Director (print)

The contract was awarded to a member of the staff of the Universal Strata Care (Mr. Steve Carbone), who had full knowledge of the expenses charged by his employer. In essence, it was insider-bidding. Since May 2014, by new caretaker's own admission, BCS Strata Management had been aware of the intent by him to tender against his employer and made no effort to run independent tendering that includes companies not involved in the management of the complex:

<https://www.nswstratasleuth.info/Uniqueco-Pty-Ltd-business-registration-7May2014.pdf>

Extract from AGM 2014, confirming that decrease of working hours for security guards was not approved by owners, as proposed by Chairperson Mr. Bruce Copland:

MOTION 6: That in accordance with Section 40A of the Act, Uniqueco Pty Ltd is appointed as a caretaker on terms and conditions to be converted to a legally binding contract for a minimum period of two years commencing 1st January 2015 ("Caretaker Agreement") that give effect to the tender submitted (with a cost for calendar 2015 of **\$289,000**) and such reasonable commercial arrangements determined by the Executive Committee regarding payment and delivery of these services. – **Carried.**

MOTION 7: That in accordance with Section 40A of the Act Universal Strata Services Pty Ltd is reappointed as a caretaker on terms and conditions to be converted to a legally binding contract for a minimum period of two years commencing 1st January 2015 ("Caretaker Agreement") that give effect to the tender submitted (with a cost for calendar 2015 of **\$322,560**) and such reasonable commercial arrangements determined by the Executive Committee regarding payment and delivery of these services. – **Defeated.**

MOTION 8: That the terms and conditions of the Caretaker Agreement be amended to not require personnel to be on-site during the hours of 3 am to 5 am nightly (with a consequent reduction in tender price in the case of Uniqueco Pty Ltd to **\$270,000** or in the case of Universal Strata Services Pty Ltd to **\$272,256**). – **Defeated.**

The contract difference to previous year (2014) increased by 8.78%.

Owners were misled about security working hours and never given a copy of the contract:

Schedule 3 Hours of Coverage

1. The Contractor will provide Caretaking Services to the Premises between the hours of 5.00 am – 5.00 pm, Monday to Friday and 9.00 am to 3.00 pm Saturdays and Sundays and will provide after-hours service at all times to respond to emergencies onsite within 1 hour of notification.
2. The Contractor will provide cleaning services to the Premises 7 days each week, which will include a minimum 6 hours on each Saturday and Sunday and any Public Holidays.
3. The Contractor will provide a minimum of one person on site from 5.00 pm to 5.00 am 7 nights a week including Public Holidays.
4. Gardening and Pool hours of coverage are to be sufficient to provide all the services listed at the frequency specified to standards determined by the Quality Assurance Standard document.

In reality, security guards working hours were cut down by two hours (by security guards' own admission to the Applicant multiple times), which meant that: 365 days x 2 hours = 730 hours

Dividing 730 hours by 8 hours (typical working day of an average person), one gets result of 91.25 days. In other words, THREE MONTHS per year of undelivered services for security guards.

31) Uniqueco Property Services contract renewed without tender at general meeting on 24 October 2017 and signed by two unfinancial owners - Mr. Moses Levitt and Mr. Stan Pogorelsky of Lot 147 and 181 due to unpaid levies since 2001 and 1999 respectively, increasing the contract value by 4% per year.

<https://www.nswstratasleuth.info/SP52948-Uniqueco-Property-Services-contract-part-1-Nov2017.pdf>

<https://www.nswstratasleuth.info/SP52948-Uniqueco-Property-Services-contract-part-2-Nov2017.pdf>

Uniqueco Property Services three-year contract signed by two unfinancial committee members (Mr. Stan Pogorelsky and Mr. Moses Levitt) without owners corporation approval for costs on 27 November 2017

GST is excluded from the prices shown below.

From 1 January 2018 to 31 January 2019

	Annual Price	Monthly Price
Day Caretaking	\$130,216.00	\$ 10,851.33
Pool Maintenance	\$ 11,849.00	\$,987.42
Gardening	\$ 55,980.00	\$ 4,665.00
Night Caretaking	\$112,955.00	\$ 9,412.91
Total	\$311,000.00	\$ 25,916.66

[Steven Carbone accepts that the initial monthly rates will run for 13 months in the first year to avoid termination on the 31st December, and the increased rate will commence on the 1st of February 2019, as listed on page 25 of the contract document].

From 1 February 2019 to 31 January 2020

	Annual Price	Monthly Price
Day Caretaking	\$135,424.00	\$ 11,285.33
Pool Maintenance	\$ 12,323.00	\$ 1,026.92
Gardening	\$ 58,220.00	\$ 4,851.66
Night Caretaking	\$117,473.00	\$ 9,789.41
Total	\$323,440.00	\$ 26,953.32

From 1 February 2020 to 31 January 2021

	Annual Price	Monthly Price
Day Caretaking	\$140,841.00	\$ 11,736.74
Pool Maintenance	\$ 12,818.00	\$ 1,068.00
Gardening	\$ 60,548.00	\$ 5,045.66
Night Caretaking	\$122,172.60	\$ 10,181.05
Total	\$336,377.60	\$ 28,031.45

Executed as an agreement.

By the Proprietor

The common Seal of the Owners

Corporation was affixed in the presence of



Signature

STANLEY POGORELSKY

Name of Authorised Person (print)

Signature

M. LEVITT

Name of Authorised Person (print)

being the persons authorised to attest the affixing of the seal.

By the Contractor:

Executed by UniqueCo Pty Ltd:

Signature of Company Secretary/Director

Name of Company Secretary/Director (print)

Signature of Director

Name of Director (print)

32) AGM 2020 did not have any legally-valid tender for building management contract:

<https://www.nswstratasleuth.info/SP52948-warning-to-Waratah-Strata-Management-about-misleading-and-misconstrued-strata-files-including-serious-problems-with-Auditor-reports-and-expired-contract-with-strata-agency-due-to-non-compliant-AGM-2019-19Mar2020.html>

<https://www.nswstratasleuth.info/SP52948-concerns-about-AGM-2019-sent-to-Waratah-Strata-Management-about-persistent-non-compliance-with-Interpretation-Act-1987-NSW-14Mar2020.html>

<https://www.nswstratasleuth.info/SP52948-premeditated-plan-by-Solicitor-Adrian-Mueller-to-prevent-Applicant-Motions-and-disallow-owners-to-vote-at-AGM-2020.pdf>

<https://www.nswstratasleuth.info/SP52948-statutory-declaration-for-NCAT-case-20-33352-which-Waratah-Strata-Management-refused-to-provide-to-owners-Aug2020.pdf>

<https://www.nswstratasleuth.info/SP52948-Uniqueco-Property-Services-tender-2020.pdf>

GST is excluded from the prices shown below.

From 1 February 2021 to 31 January 2024 [Three (3) years]

	Annual Price	Monthly Price
Day Caretaking	\$142,250.00	\$11,854.17
Pool Maintenance	\$ 12,944.00	\$ 1,078.67
Gardening	\$ 61,153.00	\$ 5,096.08
Night Caretaking	<u>\$123,394.00</u>	<u>\$ 10,282.83</u>
Total	<u>\$339,741.00</u>	<u>\$ 28,311.75</u>

Schedule 3 Hours of Coverage

- 1 The Contractor will provide Caretaking Services to the Premises between the hours of 4.00am to 7.00pm Mondays to Fridays and 9.00am to 3.00pm Saturdays and Sundays and will provide after-hours service at all times to respond to emergencies onsite within one [1] hour of notification.
- 2 The Contractor will provide a Caretaker to the Premises on Public Holidays for a 6 hour shift from 5.00am to 11.00am.
- 3 The Contractor will provide cleaning services to the Premises seven [7] days each week, which will include a minimum six [6] hours per day for Saturdays and Sundays and any Public Holidays.
- 4 The Contractor will provide a minimum of one security person on site from 7.00pm to 4.00am Mondays to Fridays, 6.30pm to 4.00am Saturdays and Sundays and 6.00pm to 4.00am Public Holidays.
- 5 Gardening and Pool hours of coverage are to be sufficient to provide all the services listed at the frequency specified to standards determined by the Quality Assurance Standard document

The following tenders were disallowed for competing for strata and building management contracts at AGM 2020 without valid reasons.

Three very competitive quotes for building management contract:

- Curtis Strata Cleaning
- Forte Asset Services
- Clean and Secure Building Management
- Very competitive quote from Jim's Mowing franchise for gardening.

All three of them offered two options for security services with licensed staff:

Patrols two times a night in around 30 minute duration each time,

Full 10-hour a night onsite security.

The reason for option with patrols:

- All fire doors in the basement in the complex now have alarms,
- New CCTV system.

Three very competitive quotes for the strata management contract:

- Strata Excellence
- Strata Title Management
- Netstrata

33) Contract with Uniqueco Property Services has been manipulated since 2014 whilst providing questionable services at high costs:

<https://www.nswstratasleuth.info/SP52948-pending-legal-case-to-terminate-contract-with-Uniqueco-Property-Services-detailed-summary.pdf>

<https://www.nswstratasleuth.info/SP52948-Uniqueco-Property-Services-significant-decreases-in-night-shift-operations.pdf>

<https://www.nswstratasleuth.info/SP52948-dubious-contract-with-Uniqueco-Property-Services.html>

SP52948 Building Management contract since 2008	Night shift hours of operation and staff requirements	Contract summary
Universal Strata Services	17:00 hours to 05:00 hours seven nights a week Licensed security guards with first-aid certificates	Strata Manager John Fry signed it on 11 July 2008 and valid until AGM 2014
Uniqueco Property Services	17:00 hours to 05:00 hours seven nights a week No guarantee of licensed security staff Agenda for AGM on 26 November 2014 did not have any details of the contract Alternative tender for building management was submitted by Mr. Steve Carbone's current employer Universal Strata Services	Increased contract value by 8.78% per year Signed on 7 December 2014 by two committee members of which one of them Mr. Moses Levitt of Lot 147 was unfinancial due to unpaid levies since 2001 and the other one Mr. Bruce Copland of Lot 202 had undeclared reimbursements for private water and gas usage

SP52948 Building Management contract since 2008	Night shift hours of operation and staff requirements	Contract summary
Uniqueco Property Services	17:00 hours to 05:00 hours seven nights a week No guarantee of licensed security staff Agenda for AGM on 24 October 2017 did not have any details of the contract Ryan Strata offered superior strata management services on 10 May and 27 June 2016 but they were discarded by committee members and BCS Strata Management	Increased contract value by 4.00% per year Contract renewed without tender at general meeting on 24 October 2017 and signed by two unfinancial committee members - Mr. Moses Levitt of Lot 147 and Mr. Stan Pogorelsky of Lot 181 due to unpaid levies since 2001 and 1999 respectively
Uniqueco Property Services	19:00 hours to 04:00 hours on weekdays 18:30 hours to 04:00 hours on weekends, 18:00 hours to 04:00 hours on public holidays No guarantee of licensed security staff Agenda for AGM on 22 October 2020 provided a copy of the contract for the first time Three very competitive quotes for building management contract were prevented: Curtis Strata Cleaning Forte Asset Services Clean and Secure Building Management All three of them offered two options for security services with licensed staff: Patrols two times a night in around 30 minute duration each time, Full 10-hour a night onsite security Very competitive quote from Jim's Mowing franchise for gardening was prevented Three very competitive quotes for the strata management contract were prevented: Strata Excellence Strata Title Management Netstrata	Contract signed by Strata Manager Robert Crosbie in December 2020 Increased contract value by 1.00% per year

SP52948 Building Management contract since 2008	Night shift hours of operation and staff requirements	Contract summary
Uniquenco Property Services	Contract kept secret since Applicant's document search at Waratah Strata Management on 13 February 2024 and not provided to any owner	Recommendation was to increase contract value by 26.68% over three years at EGM on 30 November 2023

Agenda for EGM on 30 November 2023 did not have any details of the contract

Dubious tender by Building Management Australia was submitted in the tender but not considered and discussed at the meeting

According to Mrs. Sandra Carbone oral statement at NCAT Hearing on 22 April 2024, the renewed contract was signed by Waratah Strata Management on 1 February 2024)

Uniquenco Property Services stopped providing number of activities their predecessor undertook as part of standard services:

- Touch-up painting of smaller areas within the complex,
- Cleaning exhaust vents in bathrooms and laundries,
- Decreased hours for security staff in night shift:

<https://www.nswstratasleuth.info/SP52948-Request-submitted-to-provide-details-of-staff-who-are-licensed-to-conduct-security-guard-duties-in-night-shift-3Mar2018.html>

- No guarantees or evidence of night shift staff having security licenses,
- Mowing Ryde Council unnamed park Lot 202 DP848752, 440 Lane Cove Road, classified as Public Recreation Space. This started happening in 2019 after Mr. Steve Carbone and Mr. Robert Crosbie Ryde were prevented by the Applicant to allow selective owners to park illegally (Ryde Council Reference 2158948).

34) Bannermans Lawyers and Waratah Strata Management deliberately hampered NCAT investigations whilst profiteering through unnecessary delays of presenting evidence.

In addition, they deliberately prevent Applicant's access to strata files to help with these events:

- Police Events 174560202 and E65804633 for five fraudulent insurance claims and forgery of statements in Statutory Declaration to CTTT in case SCS 12/32675 on 19 April 2013, forgery of signature on Mueller's Standard Costs Agreement, Affidavit to District Court in February 2014, forgery of statements and invoices to NCAT and Supreme Court in case SC 20/33352 in 2022) as orchestrated by Solicitor Adrian Mueller.
- NSW Fair Trading complaint 11317277 (escalation to NSW Fair Trading Commissioner Natasha Mann).
- NSW Fair Trading case C2025/7500 - Matters Involving Waratah Strata Management Pty. Ltd.
- Office of Legal Services Commissioner's case CAS016659 for Solicitor Adrian Mueller misconduct and criminal actions.
- Case PSD2024_58792 with The Law Society of NSW for Solicitor Adrian Mueller misconduct and criminal actions, as referred by the Office of Legal Services Commissioner.

- Office of Legal Services Commissioner's case CAS022167 for Solicitor Ms. Jennifer Pham misconduct (even they could not force Ms. Pham to provide evidence of her legal engagement).
- Case PSD2025_61759 with The Law Society of NSW for Solicitor Ms. Jennifer Pham misconduct, as referred by the Office of Legal Services Commissioner (even they could not force Ms. Pham to provide evidence of her legal engagement).
- Dubious ransomware attack against Waratah Strata Management with secret Bitcoin payment in amount of \$5,052.03 and refusal by the Respondents to co-operate in CIRS-20190810-40.
- Australian Taxation Office case 2410206414046.
- Australian Competition & Consumer Commission case 345200.
- City of Ryde issued yet another warning about fire safety non-compliance on 31 March 2025.
- Significantly underinsured complex by \$23,522,500.00 for buildings in March 2025 with secret insurance commissions in amount of \$13,750.00.
- Two fresh cases initiated with Office of Legal Services Commissioner and The Law Society of NSW for Solicitor Ms. Jennifer Pham misconduct in August 2025.

35) As of 18 September 2025, Bannermans Lawyers, Waratah Strata Management, and committee members failed to provide details of current contract with Uniqueco Property Services, in non-compliance with Tribunal orders on 22 April 2025 and 22 July 2025

<https://www.nswstratasleuth.info/SP52948-year-2025/NCAT-case-2024-00454780-Hearing-Orders-22Apr2025.webp>

<https://www.nswstratasleuth.info/SP52948-year-2025/NCAT-2024-00454780-Hearing-Orders-22Jul2025.webp>

On 22 April 2025 the following orders (and/or directions) were made:

- 1 The hearing is adjourned to a date and time to be confirmed by the registrar
- 2 The applicant's application to revoke the leave granted to the respondent on 20 February 2025 to be represented is dismissed.
3. Pursuant to s 188 of the SSM Act, the respondent is to produce for visual inspection at the Strata Manager's office the Building Manager's Contract dated 1 February 2024 on or before 6 May 2025.
4. The respondent is to advise the applicant whether there is any correspondence available for inspection between the Strata Manager and the OC's auditor for the period 2017 to 2024 on or before 6 May 2025.
5. The respondent is to make available for inspection to the applicant details of income and expenditure for the period 2017 to 2024 on or before 6 May 2025.

N Vrabac, Senior Member

Issued: 22 April 2025



On 22 July 2025 the following orders (and/or directions) were made:
By consent,

- 1 The hearing is adjourned to a date and time to be confirmed by the registrar.
2. The time is extended for the respondent to comply with direction 3 of the orders made by the Tribunal on 22-Apr-2025 to 12-Aug-2025.
3. The time is extended for the respondent to comply with direction 5 of the orders made by the Tribunal on 22-Apr-2025 to 12-Aug-2025.

N Vrabac, Senior Member

Issued: 22 July 2025

