

The details of the meeting listed herewith was submitted 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). 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). 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
Attachment 20 Notice of strata committee meeting held on 9 February 2023, in Mr. Pogorelsky's witness statement on 20 March 2025, as submitted by Bannermans Lawyers on page 827	6 February 2023, Day of Notice, postage date not included
	7 February 2023, First Working Day
	8 February 2023, Second Working Day
	Five Working Days missing!
	Three Notice Days missing!
	9 February 2023, Date of Meeting, not counted

1) 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:

2) 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)

2.1) This conflicted with decisions at alleged 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	

2.3) 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.

3) 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>

4) Notice of the meeting hid all details of the financial status in Admin Fund. On 6 February 2023, Admin Fund had negative balance (deficit) in amount of -\$6,374.28:

<https://www.nswstratasleuth.info/SP52948-Income-and-Expenditure-Report-1Sep2022-to-6Feb2023.pdf>

181100	Reimbursements - Gas Usage	311.73	747.24
181101	Reimbursements - Water Usage	2,178.04	5,014.28
190200	Utility--Electricity	22,804.49	57,939.98
190400	Utility--Gas	16,884.51	25,668.18
191200	Utility--Water & Sewerage	52,277.50	95,367.60
<i>Total expenses</i>		<u>487,595.04</u>	<u>802,734.45</u>
Surplus/Deficit		<u>(82,175.23)</u>	<u>(34,757.74)</u>
Opening balance		75,800.95	110,558.69

06/02/2023 19:05 Web generated report Waratah Strata Management Pty Ltd Page 2

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

Administrative Fund

	Current period 01/09/2022-06/02/2023	Previous year 01/09/2021-31/08/2022
Closing balance	<u><u>-\$6,374.28</u></u>	<u><u>\$75,800.95</u></u>

5) Agenda was not detailed and not sent to Applicant, whilst evidence if it was sent to all other owners who do not live in the complex was undisclosed by Waratah Strata Management.

<https://www.nswstratasleuth.info/SP52948-notice-EC-meeting-6Feb2023.pdf>

1 MINUTES

That the minutes of the previous strata committee meeting be confirmed as a true record of the proceedings of that meeting.

2 FINANCIAL REPORT

That the financial reports for the current financial year be tabled and discussed.

3 FIRE ORDER

That update as supplied by CORE Engineering and Austech Engineering in relation to the fire order be discussed.

4 UNIQUECO COST AGREEMENT

That the costs agreement submitted by Steve Carbone from Uniqueco Pty Ltd be tabled and discussed.

5 ELECTRICAL VEHICLES

That charging of electric vehicles in Strata is further discussed.

6 GENERAL BUSINESS

That any general business items be raised and discussed.

7 NEXT MEETING

That the date time and location of the next Strata Committee meeting be decided.

Agenda Page 1 of 2

Date of this notice: 02 February 2023

6) Waratah Strata Management website did not contain schedule for the meeting on 6 February 2023:

<https://www.nswstratasleuth.info/SP52948-waratahstrata.com.au-website-Meetings-folder-no-scheduled-meetings-6Feb2023.png>

<https://www.nswstratasleuth.info/SP52948-waratahstrata.com.au-website-Meetings-folder-2-no-scheduled-meetings-6Feb2023.png>

WARATAH


Strata  Management

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Property Details

Strata Plan 52948
Plan #: 52948

 Macquarie Gardens
1 -15 Fontenoy Road
Macquarie Park NSW 2113

Financial Details

Paid to:	31/01/2023	Last Receipt:	14/11/2022
		Amount:	\$1,415.35
		Receipt #:	6032

Maintenance

Open work orders	14
Open quotes	0

Scheduled Meetings

There are no scheduled meetings for this plan

7) Agenda for this meeting was created on Monday, 6 February 2023 at 11:48 hours but Waratah Strata Management falsely claimed date of 2 February 2023 (forged date of creation):



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 A STRATA COMMITTEE 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: A meeting of the Strata Committee of The Owners - Strata Plan 52948 will be held on 9/02/2023 via Zoom Video/Audio Conference. The meeting will commence at 06:00 PM.

Topic: SP 52948 - Strata Committee Meeting
Time: Feb 9, 2023 06:00 PM Canberra, Melbourne, Sydney

Join Zoom Meeting

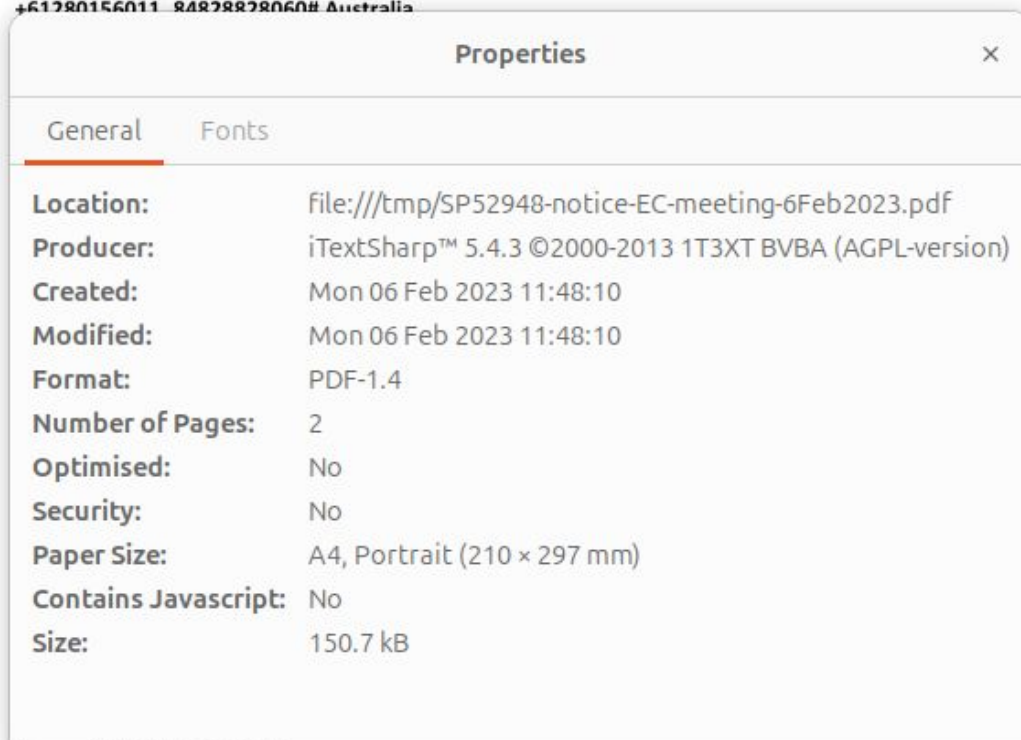
<https://us06web.zoom.us/j/84828828060?pwd=T1BWYnJqYWVqSTFncGJ2TWxaeHlCdz09>

Meeting ID: 848 2882 8060

Passcode: 977850

One tap mobile

+61280156011 84828828060# Australia



That any general business items be raised and discussed.

7 NEXT MEETING

That the date time and location of the next Strata Committee meeting be decided.

Agenda Page 1 of 2

Date of this notice: 02 February 2023

8) At committee meeting on 9 February 2023, Uniqueco Property Services monthly salary was increased without general meeting and any details of the costs, giving them an extra \$9,044.03 in period from March 2023 to January 2024, in spite of fixed three-year contract for period between 1 February 2021 to 31 January 2024:

<https://www.nswstratasleuth.info/SP52948-Uniqueco-Property-Services-contract-Dec2020.pdf>

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

Schedule 2 Prices

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>

Date	161300 Maint Bldg--Building Management (monthly salary)	Difference to previous month
28 February 2021	\$28,311.75	-\$289.72
31 March 2021	\$28,311.75	\$0.00
30 April 2021	\$28,311.75	\$0.00
31 May 2021	\$28,311.75	\$0.00
30 June 2021	\$28,311.75	\$0.00
31 July 2021	\$28,311.75	\$0.00
31 August 2021	\$28,311.75	\$0.00
30 September 2021	\$28,311.75	\$0.00
31 October 2021	\$28,311.75	\$0.00
30 November 2021	\$28,311.75	\$0.00
31 December 2021	\$28,311.75	\$0.00
31 January 2022	\$28,311.75	\$0.00
28 February 2022	\$28,311.75	\$0.00
31 March 2022	\$28,311.75	\$0.00
30 April 2022	\$28,311.75	\$0.00
31 May 2022	\$28,311.75	\$0.00
30 June 2022	\$28,311.75	\$0.00
31 July 2022	\$28,311.75	\$0.00
31 August 2022	\$28,311.75	\$0.00
30 September 2022	\$28,311.75	\$0.00
31 October 2022	\$28,311.75	\$0.00
30 November 2022	\$28,311.75	\$0.00
31 December 2022	\$28,311.75	\$0.00
31 January 2023	\$28,311.75	\$0.00
28 February 2023	\$28,311.75	\$0.00
31 March 2023	\$29,247.07	\$935.32 (negative balance (deficit) in Admin Fund was -\$96,937.00 without disclosure to owners SP52948-Income-and-Expenditure-Report-1Sep2022-to-31Mar2023)

Date	161300 Maint Bldg--Building Management (monthly salary)	Difference to previous month
30 April 2023	\$28,877.98	-\$369.09 (negative balance (deficit) in Admin Fund was -\$173,000.75 without disclosure to owners SP52948-Income-and-Expenditure-Report-1Sep2022-to-30Apr2023)
31 May 2023	\$28,877.98	\$0.00 (negative balance (deficit) in Admin Fund was -\$18,635.55 without disclosure to owners SP52948-Income-and-Expenditure-Report-1Sep2022-to-31May2023)
30 June 2023	\$28,877.98	\$0.00 (negative balance (deficit) in Admin Fund was -\$67,316.73 without disclosure to owners SP52948-Income-and-Expenditure-Report-1Sep2022-to-30Jun2023)
31 July 2023	\$28,877.98	\$0.00 (negative balance (deficit) in Admin Fund was -\$119,468.05 without disclosure to owners SP52948-Income-and-Expenditure-Report-1Sep2022-to-31Jul2023)
31 August 2023	\$28,877.98	\$0.00 (balance in Admin Fund was \$18,759.11 SP52948-Income-and-Expenditure-Report-1Sep2022-to-evening-31Aug2023 , \$14,903.11 when downloaded the same document on 6 September 2023 SP52948-Income-and-Expenditure-Report-1Sep2022-to-31Aug2023-downloaded-on-6Sep2023 , and \$10,652.86 when downloaded the same document on 16 September 2023 SP52948-Income-and-Expenditure-Report-1Sep2022-to-31Aug2023-downloaded-on-16Sep2023)
30 September 2023	\$31,764.07	\$2,886.09 (negative balance (deficit) in Admin Fund was -\$39,259.22 without disclosure to owners SP52948-Income-and-Expenditure-Report-1Sep2023-to-30Sep2023)
25 October 2023	\$28,877.98	-\$2,886.09 (salary reported two weeks after regular schedule, after Applicant sent warning about AGM 2023 SP52948-AGM-2023-misconducts-and-risks-24Oct2023 , negative balance (deficit) in Admin Fund was -\$312,113.03 without disclosure to owners on 31 October 2023 SP52948-Income-and-Expenditure-Report-1Sep2023-to-31Oct2023)
30 November 2023	\$29,866.24	\$988.26 (SP52948-accounting-differences-for-status-on-30Nov2023-found-on-Waratah-Strata-Management-website-27Feb2024 , this payment was hidden in accounting figures for two and half months, negative balance (deficit) in Admin Fund was -\$131,161.52 without disclosure to owners on 30 November 2023 SP52948-Income-and-Expenditure-Report-1Sep2023-to-30Nov2023)
20 December 2023	\$29,517.85	-\$348.39 (SP52948-accounting-differences-for-status-on-31Dec2023-found-on-Waratah-Strata-Management-website-27Feb2024 , negative balance (deficit) in Admin Fund was -\$182,567.88 without disclosure to owners on 31 December 2023 SP52948-Income-and-Expenditure-Report-1Sep2023-to-31Dec2023)
22 January 2024	\$28,877.98	-\$639.87 (SP52948-accounting-differences-for-status-on-31Jan2024-found-on-Waratah-Strata-Management-website-27Feb2024 , negative balance (deficit) in Admin Fund was -\$276,492.96 without disclosure to owners on 31 January 2024 SP52948-Income-and-Expenditure-Report-1Sep2023-to-31Jan2024 , -\$280,884.25 when downloaded the same document on 25 February 2024 SP52948-Income-and-Expenditure-Report-1Sep2023-to-31Jan2024-downloaded-on-25Feb2024 , and -\$309,762.23 when downloaded the same document on 25 February 2024 SP52948-Income-and-Expenditure-Report-1Sep2023-to-31Jan2024-downloaded-on-27Feb2024)

9) Waratah Strata Management failed to disclose to owners significant performance and non-compliance issues with Uniqueco Property Services:

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

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

9.1) Waratah Strata Management and committee members failed to notify owners of significantly decreased working hours for building management staff and duties they stopped performing. Uniqueco 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,
- 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 Lot 158 to allow selective owners to park illegally (Ryde Council Reference 2158948).

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

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	Mr. John Fry on 11 July 2008 and valid until AGM 2014
	Licensed security guards with first-aid certificates	
Uniqueco Property Services	17:00 hours to 05:00 hours seven nights a week	Increased contract value by 8.78% per year
	No guarantee of licensed security staff	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
	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	
Uniqueco Property Services	17:00 hours to 05:00 hours seven nights a week	Increased contract value by 4.00% per year
	No guarantee of licensed security staff	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 147 and 181 due to unpaid levies since 2001 and 1999 respectively
	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	
Uniqueco Property Services	19:00 hours to 04:00 hours on	Contract signed by strata manager Mr. Robert

**SP52948 Building
Management contract
since 2008**

**Night shift hours of operation and
staff requirements**

Contract summary

weekdays

Crosbie in December 2020

**18:30 hours to 04:00 hours on
weekends,**

Increased contract value by 1.00% per year

**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

**Uniqueco Property Services Contract kept secret since Lot 158
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**

**SP52948 Building
Management contract
since 2008**

**Night shift hours of operation and
staff requirements**

Contract summary

**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)

10) 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 of ever since:

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

11) In four-page submission by Solicitor Adrian Mueller in NCAT case SC 20/33352 on 25 January 2021, the following was said about making decisions concerning strata or building management contracts – they had to be made at general meetings as per SSMA 2015 Sections 49(2) and 67(2):

<https://www.nswstratasleuth.info/NCAT-2024-00454780-001/SP52948-NCAT-20-33352-Solicitor-Adrian-Mueller-Submission-18Jan2021.pdf>

10. Fourth, some of the orders sought in the Strata Schemes Application are not necessary. For example, there is no need for an order to be made restraining the strata committee from making decisions concerning strata management or building management contracts when those decisions can only be made by the Owners Corporation in general meeting: see ss 49(2) and 67(2) SSMA.

Solicitor forged the date of the document: in his signature he signed 18 January 2021, but the last edit of the document was 14 December 2020:

<https://www.nswstratasleuth.info/SP52948-hidden-metadata-in-PDF-file-with-alleged-bundle-of-invoices-prepared-by-Karen-Gillies-for-Solicitor-Adrian-Mueller-25Jan2021.png>

Dated 18 January 2021



Adrian Simon Mueller
Solicitor for the Owners Corporation

General	Fonts
Title:	None
Location:	file:///tmp/user/1000/Respondent's Outline of Submissions.pdf
Subject:	None
Author:	Karen Gillies
Keywords:	None
Producer:	Aspose.Words for .NET 18.4
Creator:	Microsoft Office Word
Created:	Mon 14 Dec 2020 11:55:00
Modified:	Thu 24 Dec 2020 11:43:00
Format:	PDF-1.5
Number of Pages:	4
Optimised:	No
Security:	No
Paper Size:	A4, Portrait (210 × 297 mm)
Size:	83.4 kB

12) 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 failed to comply with Tribunal orders for access to strata files.

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

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

13) On 17 September 2025 Applicant sent email to Waratah Strata Management, Uniqueco Property Services and committee members to refute or confirm the following statements with evidence. No reply was received.

13.1) 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>

13.2) 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>

13.3) 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 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 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.

14) 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.