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SP52948 – Waratah Strata Management withheld information about insurance excesses at Annual General Meeting 2017

Extract from agenda for AGM 2017 sent to owners on 10th of October 2017, claiming there were no excesses:

Policy No. QUSS042715			
AIG Australia Ltd			
Type : Building			
Broker : Body Corporate Brokers			
Premium : \$83,053.51	Paid on : 18/09/17	Start : 21/09/17	Next due : 21/09/18
Cover	Sum Insured	Excess	
Building	\$128,289,000.00	\$0.00	
Loss of Rent/Temp Accom	\$19,243,350.00	\$0.00	
Contents	\$1,282,890.00	\$0.00	
Lot Owners' Fixtures & Improvements	\$250,000.00	\$0.00	
Catastrophe	\$38,486,700.00	\$0.00	
Public Liability	\$50,000,000.00	\$0.00	
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Fidelity Guarantee	\$100,000.00	\$0.00	
Personal Accident	200000/2000	\$0.00	
Office Bearers Liability	\$10,000,000.00	\$0.00	
Machinery Breakdown	\$200,000.00	\$0.00	
Legal Expenses	\$100,000.00	\$0.00	
Govt. Audit Costs	\$25,000.00	\$0.00	
<p>Office bearers liability insurance provides cover for losses arising from alleged wrongful acts or omissions of the strata committee, committed or omitted in good faith in the course of carrying out their duties as a committee. It is not compulsory, however it is a requirement under clause 9(c) of Schedule 1 of the Strata Schemes Management Act 2015 for the owners corporation to decide whether to take this type of insurance out at each Annual General Meeting.</p> <p>Fidelity guarantee insurance provides cover for losses arising from misappropriation of money or other property of the owners corporation by a member of the owners corporation. It is not compulsory, however it is a requirement under clause 9(c) of Schedule 1 of the Strata Schemes Management Act 2015 for the owners corporation to decide whether to take this type of insurance out at each Annual General Meeting.</p>			

SP52948 – Extract from QUS insurance renewal policy with \$10,000 excess for every water damage or burst pipe effective from 21st of September 2017

QUS STRATA SELECT POLICY SUMMARY

INSURED: The owners of Strata Plan 52948 & 53855

SITUATION: 1-15 Fontenoy Road, Macquarie Park, NSW, 2113

SECTIONS:

SECTION 1 – PROPERTY INSURED

Building(s) \$ 128,289,000

Additional Benefits

Loss of Rent/Temporary Accommodation \$ 19,243,350

Common Contents including carpets \$ 1,282,890

Lot Owners Fixtures & Improvements Residential per Lots/Units \$ 250,000

Fusion Cover Included

Optional Additional Benefits

Lot Owners Fixtures & Improvements in Commercial Lots/ Units \$ 0

Catastrophe Cover \$ 38,486,700

SECTION 2 – PROPERTY OWNERS LEGAL LIABILITY

Indemnity limit \$ 50,000,000

SECTION 3 – FIDELITY GUARANTEE

Indemnity limit \$ 100,000

SECTION 4 – VOLUNTARY WORKERS PERSONAL ACCIDENT

Capital Benefit \$ 200,000

Weekly Benefit \$ 2,000

SECTION 5 – OFFICE BEARERS LIABILITY

Indemnity limit \$ 10,000,000

SECTION 6 – MACHINERY BREAKDOWN

Indemnity Limit \$ 200,000

SECTION 7- LEGAL EXPENSES

Indemnity Limit \$ 100,000

SECTION 8 – AUDIT EXPENSES

Government audit costs \$ 25,000

EXCESSES:

SECTION 1	Earthquake For each claim or series of claims during a period of 72 hours for loss or damage caused by Earthquake or Tsunami:	
	i. Where the Building(s) Sum Insured is up to \$5,000,000 and the Building is occupied solely for residential purposes; or	\$ 250
	ii. Where the Building Sum Insured is greater than \$5,000,000 and the Building is occupied solely for residential purposes; or	\$ 20,000 or 1% of the Building Sum Insured (whichever is the lesser)
	iii. Where the Building is occupied partly or solely for commercial purposes	\$ 20,000 or 1% of the Building Sum Insured (whichever is the lesser)
SECTION 1	Water Damage/ Burst Pipe/ Exploratory Cost on each and every claim	\$ 10,000
SECTION 1	Flood damage	\$ 5,000
SECTION 1	All other claims	\$ 1,000
SECTION 2	For each and every claim	\$ 250
SECTION 3	For each and every claim	\$ 250
SECTION 4	7 days	As per policy
SECTION 5	For each and every claim	\$ 250
SECTION 6	Chillers, Cooling Works, Central AC Units & Generators	\$ 5,000
SECTION 6	Lifts and Pump Motors	\$ 2,500
SECTION 6	All other claims	\$ 1,000
SECTION 7	For each and every claim	\$ 10% of all Legal Expenses or \$1,000 for each claim, whichever is the greater
SECTION 8	For each and every claim	\$ 250

SP52948 – insurance renewal increased by 9.9% effective from 21st of September 2017

WARATAH
Strata Management

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

**Proposed Budget
to apply from 01/09/2017**

Strata Plan 52948

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

Administrative Fund

	Proposed budget	Actual	Previous budget
	01/09/2016-31/08/2017		
Insurance--Premiums	72,000.00	65,480.98	70,000.00
Insurance--Valuation	0.00	3,450.00	2,500.00

SP52948 – Waratah Strata Management withheld information about insurance excesses at Annual General Meeting 2018

Extract from agenda for AGM 2018 sent to owners on 9th of October 2018, claiming there were no excesses:

Policy No. QUSS042715
AIG Australia Ltd
Type : Building
Broker : Body Corporate Brokers

Premium : \$89,520.33 Paid on : 28/08/2018 Start : 21/09/2018 Next due : 21/09/2019

Cover	Sum Insured	Excess
Building	\$134,703,450.00	\$0.00
Loss of Rent/Temp Accom	\$20,205,518.00	\$0.00
Contents	\$1,347,035.00	\$0.00
Lot Owners' Fixtures & Improvements	\$250,000.00	\$0.00
Catastrophe	\$40,411,035.00	\$0.00
Public Liability	\$50,000,000.00	\$0.00
Fidelity Guarantee	\$100,000.00	\$0.00
Personal Accident	200000/2000	\$0.00
Office Bearers Liability	\$10,000,000.00	\$0.00
Machinery Breakdown	\$200,000.00	\$0.00
Legal Expenses	\$100,000.00	\$0.00
Govt. Audit Costs	\$25,000.00	\$0.00

Office bearers liability insurance provides cover for losses arising from alleged wrongful acts or omissions of the strata committee, committed or omitted in good faith in the course of carrying out their duties as a committee. It is not compulsory, however it is a requirement under clause 9(c) of Schedule 1 of the Strata Schemes Management Act 2015 for the owners corporation to decide whether to take this type of insurance out at each Annual General Meeting.

Fidelity guarantee insurance provides cover for losses arising from misappropriation of money or other property of the owners corporation by a member of the owners corporation. It is not compulsory, however it is a requirement under clause 9(c) of Schedule 1 of the Strata Schemes Management Act 2015 for the owners corporation to decide whether to take this type of insurance out at each Annual General Meeting.

SP52948 – Extract from QUS insurance renewal policy with \$10,000 excess for every water damage or burst pipe effective from 21st of September 2018

QUS RESIDENTIAL STRATA SELECT POLICY SUMMARY

INSURED: The Owners Of Strata Plans 52948 And 53855

SITUATION: 1-15 Fontenoy Road, Macquarie Park, NSW, 2113

SECTIONS

SECTION 1 – PROPERTY INSURED

Building(s) \$ 134,703,450

ADDITIONAL BENEFITS

Loss of Rent/Temporary Accommodation (15%) \$ 20,205,518

Common Contents including Carpets \$ 1,347,035

Lot Owners Fixtures & Improvements in Residential Lots/Units \$ 250,000

Fusion Cover Included

Painting Cover Included

Floating Floors **Excluded**

ADDITIONAL OPTIONAL BENEFITS

Catastrophe Cover (30%) \$ 40,411,035

Lot Owners Fixtures & Improvements in Commercial Lots/Units \$ 0

Flood \$ 134,703,450

SECTION 2 – PROPERTY OWNERS LEGAL LIABILITY

Indemnity Limit \$ 50,000,000

SECTION 3 – FIDELITY GUARANTEE

Indemnity Limit \$ 100,000

SECTION 4 – VOLUNTARY WORKERS PERSONAL ACCIDENT

Capital Benefit \$ 200,000

Weekly Benefit \$ 2,000

SECTION 5 – OFFICE BEARERS LIABILITY

Indemnity Limit \$ 10,000,000

SECTION 6 – MACHINERY BREAKDOWN

Indemnity Limit \$ 200,000

SECTION 7- LEGAL EXPENSES

Indemnity Limit \$ 100,000

SECTION 8 – AUDIT EXPENSES

Government Audit Costs \$ 50,000

Excesses:

For each claim or series of claims during a period of 72 hours for loss or damage caused by Earthquake or Tsunami:			
SECTION 1	Earthquake	i. Where the Building(s) Sum Insured is up to \$5,000,000 and the Building is occupied solely for residential purposes; or	\$ 250
		ii. Where the Building Sum Insured is greater than \$5,000,000 and the Building is occupied solely for residential purposes; or	\$ 20,000 or 1% of the Building Sum Insured (whichever is the lesser)
		iii. Where the Building is occupied partly or solely for commercial purposes	\$ 20,000 or 1% of the Building Sum Insured (whichever is the lesser)
SECTION 1	Water Damage/Burst Pipe/Exploratory Cost on each & every claim	\$ 10,000	
SECTION 1	Flood Damage claims	\$ 5,000	
SECTION 1	All Other Claims as per Policy Wording and	\$ 1,000	
SECTION 2	For each and every claim	\$ 250	
SECTION 3	For each and every claim	\$ 250	
SECTION 4	7 days		
SECTION 5	For each and every claim	\$ 250	
SECTION 6	For each and every claim for loss of damage to machines	\$ 5,000 - Chillers, Cooling Works, Generators & Central Air Conditioners \$ 2,500 – Lifts and pump motors 1,000 – All Other Losses	
SECTION 7	For each and every claim	\$ 10% of all Legal Expenses or \$1,000 for each claim, whichever is the greater	
SECTION 8	For each and every claim	\$ 250	

SP52948 – insurance renewal increased by 7.8% effective from 21st of September 2018

WARATAH
Strata Management

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

**Proposed Budget
to apply from 01/09/2018**

Strata Plan 52948

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

Administrative Fund

	Proposed budget 01/09/2017-31/08/2018	Actual	Previous budget
Insurance--Premiums	81,385.00	75,503.19	72,000.00

BCB
Strata Insurance Brokers

Body Corporate Brokers Pty Ltd
PO BOX 20288
WORLD SQUARE
NSW 2022
Ph: 02 9024 3850
Email: nsw@bodycorporatebrokers.com.au
A.B.N. 95 002 809 298

RENEWAL TAX INVOICE

The Owners Of Strata Plans 52948 And 53855
C/- Waratah Strata
PO BOX 125
EASTWOOD NSW 2122

Date: 22/08/2018
Invoice Number: 276377
Key Contact: BCBNSWLAR

Thank you for using our services to arrange this insurance cover.

Brief details of the cover arranged on your behalf are given below. You should refer to the policy documents issued by the insurer for complete policy terms and conditions.

Please read carefully the important notices attached regarding your duty of disclosure. Do not hesitate to contact us with any questions you may have.

Type of Policy	QUS Residential						
Insured	The Owners Of Strata Plans 52948 And 53855						
Description	Residential Strata						
Insurer	QUS Pty Ltd						
Policy Number	QUSS042715						
Period of Insurance	21/09/2018 to 21/09/2019						

Premium	FSL	Insurer Agency Policy Fee	Insurer Total GST	Stamp Duty	Admin Fee	Admin Fee GST	Invoice Total
\$59,728.67	\$11,106.29	\$ 900.00	\$7,133.50	\$7,012.67	\$3,672.00	\$ 367.20	\$89,520.33

Payment Options



DEFT Reference Number
40507622763775

Pay by credit card or registered bank account at www.deft.com.au or phone **1300 30 10 90**. Payments by credit card may attract a surcharge.



Name: The Owners Of Strata Plans 52948
And 53855
Invoice No: 00276377
Total: **\$89,520.33**

SP52948 – Insurance premiums increased due to constant water ingress on 29th of August 2012

This information has been kept secret from owners by BCS Strata Management and the Executive Committee since August 2012.

From: Ron Sinclair [mailto:_____@bcms.com.au]
Sent: Thursday, 20 September 2012 12:25 PM
To: _____
Cc: Peter Bone
Subject: FW: SP52948 insurance due 21/09
Importance: High

Hello _____

As per email below from Gallaghers, Strata Unit Underwriters declined to quote. This information only just received after a number of enquiries.

Gallaghers had not provided the CHU quotes with the 5% increase you requested. I chased them up again this morning and I am now advised that CHU computers are down and may not be able to assist until later today. CHU have advised that because of all the burst pipes and water damage claims they will be increasing the excess for those type of claims to \$5000. If you agree to place a \$10000 excess on the pipes and water damages claims there would be a significant decrease of the premium of around \$9000.

As soon as I receive the CHU quotes I will forward to you.

Substandard water leak repairs without any warranties continue to plague this complex.

From: Cathy Page [mailto:_____@ajg.com]
Sent: Wednesday, 29 August 2012 4:01 PM
To: Ron Sinclair
Subject: RE: SP52948
Importance: High

Strata Plan 52948
Policy Number: NNR836665

Dear Ron,

Please find attached renewal terms with current sums insured, issued by Corporate Home Unit Underwriting Agencies Pty Ltd, for the forthcoming period 21st September 2012 to 21st September 2013. The two options have a **water damage deductible applicable**:- Option 1 \$10,000, and Option 2 - \$5,000.

CHU have advised they do have reservations over the constant water ingress issues which have been prevalent since 2007, and have not seen a great improvement.

Await your instructions in due course.

SP52948 – Insurance claim for water damages denied due to excess of \$10,000.00 on 14th of July 2016

From: Claims NSW [mailto:claimsnsw@bodycorporatebrokers.com.au]

Sent: Thursday, 14 July 2016 10:32 AM

To: Linda Leong

Subject: FW: New claim - broken water pipes SP 52948

Good morning Linda,

Hope you are doing good.

Thanks for the claim notification. Please be advised that excess for burst pipes on the police is \$ 10,000.

This claim cost falls far below excess.

Kindly check and advise if you want us to lodge the claim and obtain formal decline from the insurer.

Await your response to proceed any further.

Thanks & Regards,
Claims Team

Claims Team

BCB Sydney
P. PO Box 781, Milsons Point NSW 1565
A. Level 2/ 30 Alfred Street, Milsons Point NSW 2061
T. 02 8045 8500 F. 02 8045 8588



NCB Plumbing Pty Ltd
ABN 34 079 095 257
Lic No 118009C

PO Box 971 Epping NSW 1710
P: (02) 9807 3544 F: (02) 9807 3944
M: 0411 746 974
E: ncbplumbing@bigpond.com

PLUMBER – DRAINER – GASFITTER – ROOFER – LPG

TAX INVOICE

BILLING ADDRESS:

Body Corporate Services - 52948 (1-15 Fontenoy)
Attention: To The Owner C/- BCMS Sydney
Locked Bag 22
HAYMARKET NSW 1240

STRATA PLAN NO: 52948 (1-15 Fontenoy)
STRATA PLAN ADDRESS

1-15 FONTENOY ROAD
MACQUARIE PARK NSW 2113

Invoice Date:	Invoice Number:	Job Number:
05 July 2016	INV-35758	NA

Detail of Services **Amount AUD**

Job Address: Block C+B/1-15 Fontenoy Road North Ryde

Job Commenced: 15/06/16

Job Completed: 28/06/16

Called out by caretaker to a report of a broken water pipe in the block C plant room. We found and clamped a broken 32mm hot water line. We returned again and carried out a boiler shut down of the building and cut out and replaced a section of the 32mm copper return line into the two circulating pumps in block C.

Whilst onsite there was another report of a broken pipe in the block B boiler room. We installed a clamp as a temporary repair and booked in to return on the 28/6/16. We returned once more and shut down the boilers to the building and replaced the section of return line broken in the roof area of block B. Turned water back on and tested to complete the jobs.

Labour	1,590.00
Materials	246.00
PAYMENT VIA EFT:	Subtotal \$1,836.00

SP52948 - Warning by NCS Plumbing about major work required in Lots 189, 190, 191, and 192 on 24th of February 2016

BCS Strata Management, Waratah Strata Management, and Uniqueco Property Services actively prevented owners from having knowledge of this report:



NCB Plumbing Pty Ltd
ABN: 34 079 095 257 Lic No. 118009C
Plumber.Drainer.Gasfitter.Roofer.LPG
PO Box 971 Epping NSW 1710
P: (02) 9807 3544 F: (02) 9807 3944
M: 0411 746 974
E: ncbplumbing@bigpond.com

OWNERS CORPORATION: 52948
C/- BCMS
Locked Bag 22
Haymarket NSW 1238

TAX INVOICE

INVOICE No: 35299

DATE: 24/02/16

INVOICE TO STRATA PLAN No: 52948

ADDRESS OF JOB: 192+191/1-15 Fontenoy Road North Ryde

AMOUNT

Commenced: 01/02/16
Completed: 04/02/16

Job No: NA

Called out by caretaker to a report of a water leak in unit 192. On arrival we found water leaking through the kitchen ceiling. After gaining access to unit 191 next door, we then had to cut open the bathroom ceiling in a few locations, for better access to the water piping. We cut open the hot water lagging to eventually locate a small burst pipe. We were able to temporarily clamp the leak.

We returned again to shut down the hot water to the building, so we could cut out and replace the affected section of piping as needed. Tested new piping and cleaned up mess to complete our part of the job.

Please note: to fix all these ongoing water leaks throughout units 189, 190, 191 and 192 would be a very big job, as all the ceilings would need to be pulled down throughout all these units kitchens, bathrooms and possibly hallways and bedrooms to access all the piping.

Lot 158 – Motion “Undisclosed pending major water leak repairs in Block A” for Annual General Meeting 2018

Without legal grounds or valid reasons, the Motion was excluded by Waratah Strata Management:

The Owners Corporation SP52948 by ORDINARY RESOLUTION confirms and approves the following:

- BCS Strata Management and EC members failed to include this Motion in the agenda for AGM 2016 without due notice to the requestor of the Motion, and owners corporation denied a vote on the Motion.
- Secretary of the EC Mrs. Lorna Zelenzuk and acting Chairperson Mr. Robert Crosbie failed to include this Motion at AGM 2017, in non-compliance with Strata Schemes Management Act 2015, Schedule 1, c(4).
- Repeated repairs, without any warranties continue to plague the complex. 24 documented water-related repairs in one unit alone (Lot 191) since late 2011 at cost above \$20,000.00 that generated almost two days of cumulative water supply shutdown to all owners in Block A. Since Waratah Strata Management took office on 1st February 2017, six repairs were done in Lot 191.
- BCS Strata Management, Waratah Strata Management, and EC members hide information about seriousness of the water leak problems in Block A, which was listed in NCB Plumbing warning dated 24th February 2016, in which they state to fix all these ongoing water leaks throughout units 189, 190, 191, and 192 would be a very big job, as all the ceilings would need to be pulled down throughout all the kitchens, bathrooms and possibly hallways and bedrooms to access all the piping.

To avoid repetitive repairs without long-term benefits, owners corporation requests that Secretary of the EC seeks three quotes for proper repairs on top floor of Block A, and information provided to all owners at the first EC meeting for planning the approval at extraordinary general meeting in early 2019.

SP52948 - Lot 191 water leak repairs above \$20,000.00 since 2011

Cred. Code	Creditor Name	Doc. Ref.	Doc. Total (GST inc.)	Chq. Date	Date Presented	Comments
33568	NCB PLUMBING PTY LTD	28733	\$693.00	15/09/2011	15/09/2011	Lot 191: water leak
68671	HOWARD WEST - BUILDER	973	\$968.00	15/04/2013	15/04/2013	Lot 191: repair ceiling and cornices to kitchen after water leak, remove damaged ceiling and cornice sections, supply and install new trimmers to ceiling, supply and install new plaster board, treat and seal stains, sand repairs
33568	NCB PLUMBING PTY LTD	31213	\$832.70	19/04/2013	19/04/2013	Lot 191: urgent water leak in kitchen ceiling on Saturday
33568	NCB PLUMBING PTY LTD	31749	\$121.00	15/08/2013	15/08/2013	Lot 191: leak coming through light fitting in laundry
33568	NCB PLUMBING PTY LTD	31853	\$653.40	2/09/2013	2/09/2013	Lot 191: leak in ceiling area
68671	HOWARD WEST - BUILDER	1041	\$803.00	3/09/2013	03/09/2013	Lot 191: repair laundry ceiling after water leak from roof, cut out damaged plasterboard, trim ceiling and install new plasterboard, set joints and repair cornice, sand and seal repairs ready for painting
33568	NCB PLUMBING PTY LTD	32019	\$779.90	16/10/2013	16/10/2013	Lot 191: leak in laundry ceiling
68671	HOWARD WEST - BUILDER	1045	\$781.00	24/10/2013	24/10/2013	Lot 191: repair laundry ceiling after water leak from roof, remove damaged plasterboard, trim ceiling and install new plasterboard, set joints and repair cornices, sand repair and prepare ready for painting, refix ceiling light
68671	HOWARD WEST - BUILDER	52948814	\$1,078.00	14/08/2014	14/08/2014	Lot 191: ceiling water leak
68671	HOWARD WEST - BUILDER	1144	\$572.00	23/10/2014	23/10/2014	Lot 191: water damage to ceiling
68671	HOWARD WEST - BUILDER	1154	\$781.00	24/03/2015	24/03/2015	Lot 191: water damage ceiling
33568	NCB PLUMBING PTY LTD	34032	\$887.70	7/04/2015	07/04/2015	Lot 191: water leak through kitchen ceiling bulkhead
33568	NCB PLUMBING PTY LTD	34352	\$867.90	23/06/2015	23/06/2015	Lot 191: Urgent Saturday water leak bathroom ceiling
68671	HOWARD WEST - BUILDER	1188	\$1,078.00	23/06/2015	23/06/2015	Lot 191: Repair ceiling to bathroom after plumbers repaired hot water leak, cut out damaged ceiling section, trim ceiling and install new plasterboard, set joints and repair damaged cornice, sand repairs and treat water stains ready for painting, Lot 192: Repair ceiling to kitchen after plumbers investigated leak to hot water lines from adjoining unit, patch ceiling and prepare ready for painting
33568	NCB PLUMBING PTY LTD	34977	\$878.90	14/12/2015	14/12/2015	Lot 191: water leak through ceiling
33568	NCB PLUMBING PTY LTD	35299	\$658.90	24/02/2016	03/03/2016	Lot 191 and 192: water leaks
69661	W & M GORDON	151216	\$790.00	13/12/2016		Lot 191: repairs to bathroom ceiling after water leak
33568	NCB PLUMBING PTY LTD	INV36279	\$1,305.70	1/12/2016	13/12/2016	Lot 191: called out by caretaker, to a report of a water leak coming through the bathroom ceiling. Had to cut open a section of the ceiling to gain access to the pipes. We removed the section of the lagging and located the broken pipe. We found there were two separate leaks within a short distance and we managed to get a clamp over both leaks. We returned again, but received a call from the caretaker that one of the leaks had started up again. Upon checking we found that the leak was substantially worse and could not be re-clamped. As a result we had to notify residents and shut the water down to the building, so we could then cut out and replaced a 2-3 meter section of piping in the ceiling space, which required us to cut another hole. Tested all new piping and cleaned up mess to complete our part of the job. Caretaker now organising the ceiling repairs
33568	NCB PLUMBING PTY LTD		Undisclosed	3/03/2017		A Block. Lot 191 water leak in laundry ceiling
	Warrick - Handyman		Undisclosed	8/03/2017		Lot 191 repaired gyprock ceiling in laundry area after water damage
33568	NCB PLUMBING PTY LTD		\$1,185.80	3/03/2017		A Block. Lot 191 water leak through bathroom ceiling
??	Unknown	??	Undisclosed	10/01/2018		A Block: Lot 191 water leak in ceiling cavity wall
??	Unknown	??	Undisclosed	4/04/2018		A Block: Lot 191 water leak laundry ceiling
??	Unknown	??	Undisclosed	8/05/2018		A Block: Lot 191 water leak
		Total	\$15,715.90			

SP542948 - Over \$180,000.00 spent on building roof membranes without tenders or proper warranties in period from April 2012 to December 2015

Cred. Code	Creditor Name	Doc. Ref. No.	Doc. Date	Doc. Total (GST incl.)	Chq. Date	Date Presented	Comments
21266	KINTYRE BUILDING SERVICES P/L	26576	27/03/2012	\$28,892.00	05/04/2012	05/04/2012	Block A, B, C, D and all townhouses: re-bed and re-point all ridge cappings, new sadning mix, new tiles replacing chipped ones
21266	KINTYRE BUILDING SERVICES P/L	38330	19/01/2015	\$23,742.40	09/02/2015	09/02/2015	Block B: roof membrane - first part
21266	KINTYRE BUILDING SERVICES P/L	36682	27/02/2015	\$35,613.60	10/03/2015	10/03/2015	Block B: roof membrane - second part
21266	KINTYRE BUILDING SERVICES P/L	42081	7/09/2015	\$43,714.00	16/10/2015	16/10/2015	Block D: roof membrane - first part
21266	KINTYRE BUILDING SERVICES P/L	42215	2/11/2015	\$32,786.00	23/11/2015	23/11/2015	Block D: roof membrane - second part
21266	KINTYRE BUILDING SERVICES P/L	42493	11/12/2015	\$25,000.00	21/12/2015	21/12/2015	Block D: roof membrane - third part
			Total	\$189,748.00			

Lot 158 – Motion “Roof membranes on Block A and C overdue for repairs and undisclosed second tender in 2014 with savings of around \$30,000.00 per single building” for Annual General Meeting 2018

Without legal grounds or valid reasons, the Motion was excluded by Waratah Strata Management:

The Owners Corporation SP52948 by ORDINARY RESOLUTION confirms the following:

- Secretary of the EC Mrs. Lorna Zelenzuk and acting Chairperson Mr. Robert Crosbie failed to include this Motion at AGM 2017, in non-compliance with Strata Schemes Management Act 2015, Schedule 1, c(4).
- Without tender, Kintyre Building Services was paid \$28,892.00 for basic roof repairs in Block A, B, C, D and all townhouses (re-bed and re-point all ridge cappings, new sanding mix, new tiles replacing chipped ones) as per invoice dated 27th March 2012.
- Napier & Blakeley’s professional report in July 2012, costing owners corporation \$12,500.00 without disclosure to owners, documented poor maintenance of the roofs and risks due to negligence.
- On 9th June 2014, Dural Building Services (DBS) submitted the quote DBS Q14-048 for SP52948 roof repairs on Block B to BCS Strata Management. That information was known to building manager staff, including Mr. Steve Carbone, as employee of Universal Strata Services.
- BCS Strata Management paid their invoice in amount of \$385.00 six months after it was submitted.
- DBS quote reported that complete roof of Block B (above unit 47) would be properly waterproofed and repaired at cost of \$74,800.00 (GST inclusive).

That quote was never presented to owners and was not even included at General Meeting on 26th November 2014.

The only competitor was Kintyre Building Services, which won the contract through misleading Motion at the General Meeting, without stating that their quote for HALF ROOF repairs on block B would cost \$53,960.00 plus GST, which would make that quote MUCH MORE EXPENSIVE THAN DBS.

- Kintyre's quote dated 27th February 2015 provided only five year material warranty for the work due to excessive cracking, and water ponding on the existing concrete substrate.
- BCS Strata Management and EC members withheld crucial information that the work order was secretly signed off with Kintyre on 17th September 2014, two months before the approval happened at the General Meeting on 26th of November 2014.

After work was completed in Block B, there was a complaint about the quality and urgent additional repairs had to be done in March 2015.

- Without any further bids or requests for quotes, Kintyre Building Services won project for one other building. Paid roof repairs without tender to them since 2014 (prices include GST):

\$7,785.00 Block D: roof membrane - fourth part
\$25,000.00 Block D: roof membrane - third part
\$32,786.00 Block D: roof membrane - second part
\$43,714.00 Block D: roof membrane - first part
\$35,613.60 Block B: roof membrane - second part
\$23,742.40 Block B: roof membrane - first part

- Waterproofing one whole roof in a building cost SP52948 around \$107,000.00 (GST inclusive). The same work, by DBS would cost around \$74,800.00 (GST inclusive).
- Waratah Strata Management and Uniqueco Building Manager were contacted to submit this information to owners in February 2018, which they declined.
- Half of Blocks B and whole Block D costs amounted to 171,006.00 (GST inclusive).
- BCS Strata Management and EC members failed to notify owners corporation of audit in 1999 that stated membranes would last around 10 years.
- BCS Strata Management and EC members failed to provide Napier & Blakely building report commissioned in 2012 which listed roof membranes as one of the items with serious priority: "The surfaces require preparing and recovering with a liquid applied waterproof membrane within the short to medium term (1-5 years)".
- Roof membranes on Blocks A and C are overdue for full repairs.
- Owners corporation orders Secretary of the EC to seek three quotes for roof membranes on half of Block B and whole roof areas in Block A and C within one month after the decision is made, and present them in full detail for vote at extraordinary general meeting in early 2019.

Uniqueco Property Services secret report for EC members documenting unsatisfactory work by Kintyre in March 2015

Caretaker Uniqueco Property Services reported the following to EC members in March 2015 (undisclosed to owners corporation). In it, it was clear that work by Kintyre was not satisfactory as leakage in Lot 47 had to be attended to straight after their allegedly finished the work on the roof of Block B:

8. Kintyre Building completed B Block rooftop waterproofing in February 2015. Unit 47 called after a heavy downpour in early March to report that their ceiling was still leaking. Kintyre, [REDACTED] and myself re-inspected the area. Kintyre resealed inside the exhaust fan area. Caretaker also unblocked all weep holes around exhaust fan area. The weep holes were also checked, unblocked and cleaned in the other 3 towers. Note: This will be inspected every 6 months.

Lot 158 – Motion “Undisclosed reports and lack of maintenance as recommended by Professional Assessors” for Annual General Meeting 2018

Without legal grounds or valid reasons, the Motion was excluded by Waratah Strata Management:

The Owners Corporation SP52948 by ORDINARY RESOLUTION confirms the following:

- BCS Strata Management and EC members failed to include this Motion in the agenda for AGM 2016 without due notice to the requestor of the Motion, and owners corporation denied a vote on the Motion.
- Secretary of the EC Mrs. Lorna Zelenzuk and acting Chairperson Mr. Robert Crosbie failed to include this Motion at AGM 2017, in non-compliance with Strata Schemes Management Act 2015, Schedule 1, c(4).
- BCS Strata Management, Waratah Strata Management, and EC members failed to disclose full details of the following professional building and plant reports, and failed to maintain common property as recommended:
 - Leary and Partners Sinking Fund forecast (EC meeting 17th November 1999),
 - McMillan, Britton and Kell report dated 21st March 2000 in regards to wall cracks. Cost undisclosed to owners.
 - Napier & Blakeley in July 2012. Total cost of the report (GST inclusive) was \$12,144.00. They warned about roof status and many other problems in the complex. This report was hidden from CTTT and Department of Fair Trading,
 - Murdocca & Associates report on Block D internal cracking in April 2010. Total cost of the report (GST inclusive) was \$792.00,
 - ThyssenKrupp Elevators report on elevators in December 2013,
 - Vertical Transport Management Services report on elevators in February 2014. Total cost of the report (GST inclusive) was \$1,430.00,
 - Building roof water penetration testing in mid-2014,
 - Integrated Consultancy Group on 4th November 2014. Total cost of the report (GST inclusive) was \$1,815.00. The report includes warnings about concrete cancer.
 - Elevator assessments in 2017.

Lot 158 – Motion “Lack of proper 10-Year Sinking Fund - now Capital Works Fund” for Annual General Meeting 2018

Without legal grounds or valid reasons, the Motion was excluded by Waratah Strata Management:

The Owners Corporation SP52948 by ORDINARY RESOLUTION confirms and approves the following:

- Secretary of the EC Mrs. Lorna Zelenzuk and acting Chairperson Mr. Robert Crosbie failed to include this Motion at AGM 2017, in non-compliance with Strata Schemes Management Act 2015, Schedule 1, c(4).
- BCS Strata Management and EC members failed to maintain and update 10-Year Sinking Fund that matches real capital works in the complex since 1999.
- BCS Strata Management and EC members provided a copy of alleged 10-Year Sinking Fund, dated 31st of August 2010 in agenda for AGM 2016 for the first time to owners.
- BCS Strata Management and EC members had obligation to plan how they would repair and maintain common property and raise sufficient funds to cover the costs, and submit the 10-year Sinking Fund Plan for approval by owners at an annual general meeting (AGM) and be reviewed and adjusted, if required, in the first five years, which did not happen in SP52948.
- BCS Strata Management staff admitted they did not have copy of 10-Year Sinking Fund Plan in email to EC member on 11th April 2014.
- Agenda for AGM 2014 contained misconstrued and misleading statement that 10-Year Sinking Fund was reviewed in 2014 and every five-years beforehand.
- BCS Strata Management and EC members failed to provide even relatively accurate predictions for major repairs and failed to attend to most of the alleged planned activities.
- BCS Strata Management and EC members failed to disclose major professional building reports that highlighted needs for repairs since year 2000.
- Without evidence of tender, or its disclosure to owners, Biv Reports Pty Ltd was commissioned to prepare new 10-Year Capital Works Fund assessment in late March 2017. It failed to address major works in proper manner:

Comprehensive risk and hazard assessment in line with Australian Elevator Association guidelines.

Comprehensive lifecycle report, so its findings can be factored in to the fund forecast.


- In spite of major elevator repairs and upgrades not being listed for another six years in current 10-Year Capital Works Fund, owners corporation recognizes the need to do them in 2019, proving that the capital works plan and levy schedules are flawed, with high risk of special levies in the future.

Another major work requiring immediate action are roof membranes. 10-Year Capital Works Fund Forecast, commissioned in 2017 without consultation with

owners corporation, does not even list roof repairs until 2023, against all professional reports and Kintyre's own invoices for roof in Block B and D, stating that only five-year warranty was applicable due to long-term neglect.

- Owners corporation issues order to the Secretary of the EC to revisit the 10-Year Capital Works Fund within 60 days after the general meeting in 2018 and present to all owners at the first EC meeting that follows.

SP5948 - Example of insurance claim in amount of \$1,294.55 due to water damage - Lot 188 on 25th of July 2011

	PO Box 507, Milsons Pt 1565 Phone: 1300 361 263 Fax: 1300 361 269 info_nsw@chu.com.au	Phone: 03 8695 4000 Fax: 03 9682 6563 info_vic@chu.com.au	PO Box 255, Spring Hill 4004 Phone: 07 3832 4880 Fax: 07 3832 0367 info_qld@chu.com.au	PO Box 686, West Perth 6872 Phone: 08 9322 1722 Fax: 08 9481 6017 info_wa@chu.com.au	Phone: 08 8232 2922 Fax: 08 8232 2924 info_sa@chu.com.au	IN STRAITS COMMUNIT TITLE INSURANCE
	CHU Underwriting Agencies Pty Ltd ABN 18 001 580 070 AFS Licence No: 243261 www.chu.com.au					

Advice to payee

625918

GALLAGHER BROKING SERVICES
 PO BOX 6007
 NORTH SYDNEY, NSW 2060

11 NOV 2011

Any claims settlements payable to insureds have been made in accordance with the GST information provided at lodgement stage.

Description of Claim:	WAT DAM U188 ; Pol No.NNR836665 THE OWNERS -SP 52948	10/11/11
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Claim Number	Incident Date	Excess	Total Amount of Cheque
NH201119894 - 1	25/07/2011	\$ 2,000.00	\$ 1,294.55

SP5948 - Example of insurance claim in amount of \$948.55 due to water damage - Lot 190 on 16th of April 2012

CHU	info_nsw@chu.com.au	info_vic@chu.com.au	info_qld@chu.com.au	info_wa@chu.com.au	info_sa@chu.com.au	INSURANCE
CHU Underwriting Agencies Pty Ltd ABN 18 001 580 070 AFS Licence No: 243261 www.chu.com.au						
						Advice to payee 699462
GALLAGHER BROKING SERVICES PO BOX 6007 NORTH SYDNEY, NSW 2060			26 NOV 2012			
Any claims settlements payable to insureds have been made in accordance with the GST information provided at lodgement stage.						
Description of Claim:	BP U190 WD ; Pol No.NNR836665 THE OWNERS -SP 52948					23/11/12
Claim Number	Incident Date	Excess	Total Amount of Cheque			
NH201212336 - 1	16/04/2012	\$ 2,000.00	\$	948.55		

Napier & Blakely assessment including roofs for SP52948 at undisclosed cost of \$12,144.00 in July 2012

This report was never presented to owners.

2.3.1 Principal Roof

Description

The principal roofs are accessed via the fire stairs and through the rooftop plant room. The roof comprises a flat concrete slab with a liquid applied waterproof membrane. Grated outlets collect rainwater connecting to down pipes and an underground stormwater system.

The roofs are bounded by an unlined, low rise perimeter masonry parapet wall. A steel balustrade is provided perimeters as edge protection.

Townhouse roof construction comprises concrete tiled pitched roofs draining to perimeter rainwater goods



Block A roof coverings



Block C roof coverings

Condition, Observations and Comments

The flat concrete deck roof areas to Blocks A, B, C and D contain large areas of standing water. A number of previous patch repairs have been carried out. The surfaces require preparing and recovering with a liquid applied waterproof membrane within the short to medium term (1-5

years). Block C was observed to be in good overall condition with Block D suffering the most standing water.

The falls to the drainage are insufficient and improving the existing falls should also be considered. The internal units were not inspected for any water penetration via the roof slab.

The townhouses roofs appear to be in good condition with no defects of note.



Standing water to flat roof deck, Block A



Standing water to flat roof deck, Block B



Previous patch works evident



Roof areas to townhouses



Photo 1. Block A, roof, box covers – non-asbestos containing compressed fibre cement panels



Photo 2. Block A, roof, floor – non-asbestos textured coating

EC Meeting Minutes falsely claimed that roof membrane repairs were carried over from previous meeting on 14th of May 2003

<u>ITEM 3</u>	Matters arising from the last minutes:
(a)	Painting of the pergolas. This work has now been completed.
(b)	Outstanding maintenance matters :. 1. Roof top areas to be cleaned. 2. Roof membrane to be repaired. These matters are currently outstanding.

The previous meeting was held on 11th of March 2003 and attended by only two-out-of-nine EC members, Caretaker, and the Strata Manager Mr. John Fry. That meeting did not discuss the roof membranes.

EC Meeting Minutes on 4th of September 2003 - alleged approval for roof membrane repairs to be done by Universal Property Services without tender

ITEM 3

Matters arising from the last minutes:

- (a) Roof membrane to be repaired.

It was agreed that work should proceed on repairing the damaged sections of roof membrane to prolong the life of the waterproofing coating on the apartment buildings.

The Caretaking Staff are to undertake this work as part of their duties with it being indicated that approximately 20 litres of membrane will be required for each roof at an approximate cost of \$130.00 per litre.

It was agreed that one roof area initially be repaired and the result checked before moving onto the balance of the buildings.

Universal Property Services patchy roof membrane repairs without tender or warranties at cost of \$2,310.00 in November 2003

03/11/03	UNIVERSAL STRATA CARE	1895	24862.77	INV 930	19	8678.25	G11	867.82	9546.07	
				INV 930	30	3463.69	G11	346.37	3810.06	
				INV 930	75	545.56	G11	54.56	600.12	
				INV 930	95	5751.65	G11	575.16	6326.81	
				INV 930	71	885.00	G11	58.50	643.50	
				INV 930	74	293.80	G11	29.38	323.18	
				INV 930	16	74.90	G11	7.49	82.39	
				INV 930	LITE COVERS	61	51.50	G11	5.15	56.65
				INV 930	VARS TAPS	55	155.84	G11	15.58	171.42
				INV 930	WEED KISLER	65	142.00	G11	14.20	156.20
				INV 930	ROOF MEMBRANE	116	2310.00	G11	231.00	2541.00

EC Meeting Minutes confirmed roof membrane repairs completed on 18th of February 2004

ITEM 3

Matters arising from the last minutes:

(a) Roof membranes to be replaced.

The roof of two buildings have now been completed with work continuing on the balance of the roof areas.

EC Meeting Minutes confirmed roof membrane repairs completed on 21st of April 2004

ITEM 3

Matters arising from the last minutes:

- (a) Roof membranes to be replaced.

It was noted that the three of the rooves have now been completed with work next to be undertaken on Building D.

EC Meeting Minutes confirmed roof membrane repairs on 23rd of June 2004

ITEM 3:

Matters arising from the last minutes:

- (a) Roof membranes to be replaced.
Three (3) membranes are complete, with the final roof to be completed by the end of July.

EC Meeting Minutes confirmed roof membrane repairs completed on 18th of August 2004

- | | |
|-----------------------|--|
| <p>Item 3.</p> | <p>Matters arising from the last minutes</p> |
| | <p>(a) Roof membranes to be replaced
This work has now been completed.</p> |

Danrae Building Services patchy roof membrane repairs in Block A without tender, warranties, and without approval by owners corporation at any meeting

15/02/2011	EFT: 000294	Danrae Building Services: Bldg A - Waterproof roof	473.00
15/02/2011	EFT: 000294	Danrae Building Services: Bldg A - Waterproof roof	395.07

in 2011

Kintyre patchy roof membrane repairs without tender, warranties, and without approval by owners corporation at any meeting at cost of \$28,892.00 in March 2012

Kintyre Building Services Pty

A.B.N 65 062 739 039

Licence No: 79326C

Level 1, 15 Mobbs Lane

Tax Invoice

Phone: 9868 7919
Fax: 9868 6903

Invoice #: 00026576
Date: 27/03/2012

INVOICE TO:

The Owners-STRATA PLAN 52948
C/- Gary Webb
BCMS Pty Ltd
Locked Bag 22
Haymarket NSW 1238

JOB ADDRESS:

The Owners-STRATA PLAN 52948
1-15 Fontenoy Road
North Ryde NSW 2113

Description

Amount

BLOCKS A, B, C & D: (TOWNHOUSES 194 - 219):

Re bed and re pointed all ridge capping on these buildings, using new sand and cement mixture and flexible pointing mix (coloured Terracotta)

Re pointed all gable ends using flexible pointing mix (coloured Grey)

Supplied and installed (240) new tiles replacing the existing broken and damaged tiles, balance has be left on site for future use.

Re-fitted timber trim that has fallen off under the gable on centre of the roof of Block B.

\$28,892.00

Work carried out as per our quotations No's: 26473, 26435, 26436 & 26437

Secret cheaper quote by Dural Building Services (DBS) for roof membranes in 2014 kept undisclosed to owners by since 2014

On 10th of June 2014, Dural Building Services (DBS) submitted the quote DBS Q14-048 for SP52948 roof repairs on Block B to BCS Strata Management. That informaton was known to building manager staff, including Mr. Steve Carbone, as employee of Universal Property Services at the time.

BCS Strata Management paid their invoice in amount of \$385.00 six months after it was submitted:

Dural Building Services Pty

A.B.N. 26 120 656 288

P O Box 180
Round Corner, NSW 2158
Phone: 02 9679 2681
Fax:
email: accounts@duralbuildingservices.net.au

TAX INVOICE

Terms: Net 7
Payment Due: 17/06/2014 *
Date: 10/06/2014
Invoice #: 00003178
Page #: 1

INVOICE TO:
The Owners SP:52948
C/- BCMS - (Raine & Horne Strata)
LOCKED BAG 22
HAYMARKET NSW 1238

Cust P/O: 453677/52948

DESCRIPTION	AMOUNT	CODE
JOB ADDRESS: 1-15 FONTENOY ROAD, MACQUARIE PARK SP:52948 Site inspection, report and quote to follow	\$350.00	GST

Your Plan(s)/Lot(s): NSW 52948 - LOT 158 - Ref 496594

Creditor Name: (Partial or full name) **Search** **Reset**

Cheque Date From: Jan 16 2013 To: Jan 16 2015

Cred. Code	Creditor Name	Doc. Ref. No.	Doc. Date	Doc. Total	Chq. Date	Mtd.	Cnl. Chq.	Date Presented	Invoice
12231	OPTUS BILLING SERVICES PTY LTD	61793164	07/12/2014	52.20	19/12/2014	Mailhouse	N	23/12/2014	
90705	DURAL BUILDING SERVICES	00003178	10/06/2014	385.00	17/12/2014	BankDirectCredit	N	17/12/2014	

DBS quote reported that complete roof of Block B (above unit 47) would be properly waterproofed and repaired at cost of \$74,800.00 (GST inclusive). That quote was never presented to owners and was not even included at General Meeting on 26th of November 2014.

The only "competitor" was Kintyre Building Services, which "won" the contract through deliberately misleading Motion at the General Meeting, without stating that their quote for HALF ROOF repairs on lock B would cost \$53,960.00 plus GST, which would make that quote MUCH MORE EXPENSIVE THAN DBS.

Motions allegedly approved at Annual General Meeting on 26th of November 2014:

MOTION 14: That the removal of the restriction in respect of any Administration Fund expenditure, imposed on large strata schemes under Section 80A of the Act (the restriction prohibits expenditure in excess of ten percent of the budget for that item without holding a General Meeting) be confirmed. – **Carried.**

MOTION 15: That the Owners Corporation accept the quotation (copy attached) for a torch-on membrane from Kintyre Roofing in the amount of \$53,960 plus GST and ratify the EC decision recorded in the EC minutes of 11 Sept 2014 to apply this approach to other tower roofs as required. – **Carried.**

MOTION 16: That the Executive Committee, in addition to its existing authority, be authorised to proceed with expenditure from the Sinking Fund in excess of \$30,000 per contract in any one year without reference to a General Meeting where that expenditure is on building or roof repairs, external or internal painting and any services or plant and equipment replacements provided that, at least two quotes have been obtained and the lower quote accepted and that the expenditure will not give rise to the need for an increase in the sinking fund levy in excess of a 5% increase on the prior year or give rise to a special levy in the current or following year.

An amendment to the motion was received from the floor regarding accepting quotes other than the lowest other factors considered. The motion was amended to read:

That the Executive Committee, in addition to its existing authority, be authorised to proceed with expenditure from the Sinking Fund in excess of \$30,000 per contract in any one year without reference to a General Meeting where that expenditure is on building or roof repairs, external or internal painting and any services or plant and equipment replacements provided that, at least two quotes have been obtained and the quote, which in the opinion of the Executive Committee offers the best result considering all relevant factors is accepted, and that the expenditure will not give rise to the need for an increase in the sinking fund levy in excess of a 5% increase on the prior year or give rise to a special levy in the current or following year. – **Carried.**

In addition, owners were not told in clear terms that:

a) Kintyre's quote provided ONLY FIVE YEAR warranty for the work due to long-term neglect of roofs in the complex and their quote dated 12th of September 2014 expired on 12th of November 2014, two weeks BEFORE the Annual General Meeting:

Kintyre Building Services Pty Ltd
A.B.N.65 062 739 039 Licence No: 79328D
Level 1, 15 Mobbs Lane
Carlingford, NSW 2118
Phone: 9868 7919 Fax: 9868 6903
Email: admin@kintyre.net.au

QUOTATION
Quotation No: 00036643
Quotation Date: 12/09/2014
Valid Until: 12/11/2014



INVOICE TO:
The Owners-STRATA PLAN 52948
C/- Russell Young
BCMS Pty Ltd
Locked Bag 22
Haymarket NSW 1238

JOB ADDRESS:
The Owners-STRATA PLAN 52948
1-15 Fontenoy Road
North Ryde NSW 2113

Description	Amount
As requested, we provide the following supplementary quotation to repair the membrane roof on one half of one tower roof to allow the owners to complete smaller repairs than initially quoted on our Quote #35753 dated 7/7/14.	
Supply and install permanent anchor points to allow for static line harness access to roof perimeter	
Hi-pressure clean the dirt and grime build-up from the concrete substrate	
Supply and install one coat of primer to the concrete substrate	
Supply and install a new 40mm hob around the perimeter of the concrete substrate	
Supply and install a 2 x layer torch on membrane to entire concrete substrate consisting of roll base and mineral top	
Supply and install new Colorbond perimeter capping to provide external finish	
This quotation includes an allowance to hoist all materials to the roof externally and removal of all job spoils from site on completion	
THE ATTACHED QUOTATION PRICE IS PER HALF OF TOWER BUILDING	\$59,356.00
PLEASE NOTE - The torch on membrane comes with a 15 year material warranty. In discussions with the manufacturers they have advised that a liquid membrane applied to this roof would come with a 5 year material warranty due to excessive cracking and water ponding on the existing concrete substrate	

ORDER NO: 119016	Customer ABN:					
Shipping Date:		Terms: C.O.D.		GST:		\$5,396.00
COMMENT	CODE	RATE	GST	SALE AMOUNT	Total Inc GST:	\$59,356.00
	GST	10%	\$5,396.00	\$53,960.00	Amount Applied:	\$0.00

b) Owners were not told that the work order was signed off with Kintyre on 1st of September 2014, more than two months before the alleged approval without this disclosure happened at the General Meeting on 26th of November 2014:

		<small>Record of the Exercise of a delegated Power, Authority, Duty or Function (Function) by BCS Strata Management Pty Limited Pursuant to Section 31 of the Strata Schemes Management Act 1998</small>		Work Order No. 557920	
<h2>WORK ORDER</h2>					
				Function Exercised Date: 01/09/2015	
Function Exercised on behalf of the Owner Strata Plan No. 52948					
Building Name Building Address 1-15 FONTENAY ROAD, MACQUARIE PARK NSW					
Portfolio Manager: GARY MILLS Phone: Gary.Mills@bcssm.com.au Email: Gary.Mills@bcssm.com.au			Site Contact: Contact Phone: Contact Mobile: Contact Email:		
Issuing Manager: Gary Mills Phone: (02) 9868 2999 Email: Gary.Mills@bcssm.com.au			Signature: 		
Office of Issue: EPPING Office Address: Locked Bag 22 HAYMARKET NSW 1238					
PERSON/CONTRACTOR INSTRUCTED: Name: Kintyre Building Services Pty Ltd Address: Level 1/15 Mobbs Lane Carlingford NSW 2118 Tel - 1: (02) 9868 7919 Mob: 0418 463 108 Tel - 2: 0419 631 633 Fax: (02) 9868 6903 Email: admin@kintyre.net.au					
<p style="font-size: small;">Please refer to the instructions below, undertake a risk assessment of the site and if safe proceed with the required works. By proceeding with the job instructions specified you are deemed to have accepted the terms and requirements of this work order.</p>					
JOB INSTRUCTIONS Quotation #: 41715 Following our on-site inspection of the membrane roof to Block D we recommend the works listed below. Supply and install permanent anchor points to allow for static line harness access to roof perimeter. Temporarily remove steel perimeter fencing. Hi-pressure clean the dirt and grime build-up from the concrete substrate. Apply a self leveller to 2 x sections of concrete substrate currently holding excessive water. Supply and install one coat of primer to the concrete substrate. Supply and install a 2 x layer torch on membrane to entire concrete substrate consisting of roll base and mineral top. Supply and install new Colorbond perimeter capping to provide external finish, 2 x sections of high parapet walls excluded, membrane will be Emerald and bandage finish to high parapet walls. Re-install steel perimeter fencing. Supply and install new Colorbond capping to 7 x carpark exhaust lower hob and Emerald to carpark exhaust fan upper hob. Supply and install Emerald to 3 x vent duct hobs. This quotation includes an allowance to hoist all materials to the roof externally and removal of all job spoils from site on completion. For Prompt Payment of all Invoices you must quote Work Order No, Billing Name and Billing Address: Billing Name: The owners of Strata Plan No. 52948 Billing Address: C/- BCS, Locked Bag 22 HAYMARKET NSW 1238					

BCS Strata Management and EC members manipulated the "bidding" process and excluded this company without any legal or business justification.

After work was completed in Block B, there was a complaint about the quality and urgent additional repairs had to be done in March 2015:

To make things worse, without any further bids or requests for quotes, Kintyre Building Services "won" project for one other building. Paid roof repairs without tender to them since 2014 (prices include GST):

\$7,785.00 Block D: roof membrane - fourth part
\$25,000.00 Block D: roof membrane - third part
\$32,786.00 Block D: roof membrane - second part
\$43,714.00 Block D: roof membrane - first part
\$35,613.60 Block B: roof membrane - second part
\$23,742.40 Block B: roof membrane - first part

Waterproofing one whole roof in a building cost SP52948 around \$107,000.00 (GST inclusive). The same work, by DBS would cost around \$74,800.00 (GST inclusive).

Waratah Strata Management and Uniqueco Property Services were contacted to submit this information to owners in February 2018 and July 2018, which they declined.

Kintyre decreasing warranties for roof membranes on Block B and D due to long-term neglect of maintenance in 2015 and 2016

As evidence shows, there was no 15-guarantee and it will never be provided due to long-term neglect of the roof area not only in Block B, but quite possibly in other buildings as well:

Kintyre Building Services Pty Ltd

A.B.N. 65 062 739 039 Licence No: 79326C

Level 1, 15 Mobbs Lane
Carlingford, NSW 2118

Ph: 9868 7919 Fax: 9868 6903 Email: admin@kintyre.net.au

Tax Invoice

Invoice #: 00036682
Date: 27/02/2015

INVOICE TO:

The Owners-STRATA PLAN
C/- Russell Young
BCS Epping
Locked Bag 22
Haymarket NSW 1238

JOB ADDRESS:

The Owners-STRATA PLAN
North Ryde NSW 2113

Amount

Supplied and installed permanent anchor points to allow for static line harness access to roof perimeter

Hi-pressure cleaned the dirt and grime build-up from the concrete substrate

Supplied and installed one coat of primer to the concrete substrate

Supplied and installed a new 40mm hob around the perimeter of the concrete substrate

Supplied and installed a 2 x layer torch on membrane to entire concrete substrate consisting of roll base and mineral top

Supplied and installed new Colorbond perimeter capping to provide external finish

This quotation includes an allowance to hoist all materials to the roof externally and removal of all job spoils from site on completion

PLEASE NOTE - The torch on membrane comes with a 15 year material warranty. In discussions with the manufacturers they have advised that a liquid membrane applied to this roof would come with a 5 year material warranty due

\$59,356.00

to excessive cracking and water ponding on the existing concrete substrate.

Roof membranes still not repaired on 2 ½ roofs in the complex as of January 2019

Membrane repairs on remaining two and a half-roofs are still outstanding, in spite of several professional assessments.

Photos taken on 1 March 2017 show ongoing problems:











Alleged 10-Year Capital Works Fund Forecast, commissioned in 2017 without consultation with owners corporation, does not even list roof repairs until 2023, against all professional reports and Kintyre's own invoices for roof in Block B and D, stating that only five-year warranty was applicable due to long-term neglect:

As evidence shows, there was no 15-guarantee and it will never be provided due to long-term neglect of the roof area not only in Block B, but quite possibly in other buildings as well:

Kintyre Building Services Pty Ltd		
A.B.N. 65 062 739 039 Licence No: 79326C		
Level 1, 15 Mobbs Lane Carlingford, NSW 2118		Tax Invoice
Ph: 9868 7919 Fax: 9868 6903 Email: admin@kintyre.net.au		Invoice #: 00036682 Date: 27/02/2015
INVOICE TO:	JOB ADDRESS:	
The Owners-STRATA PLAN C/- Russell Young BCS Epping Locked Bag 22 Haymarket NSW 1238	The Owners-STRATA PLAN North Ryde NSW 2113	
		Amount
Supplied and installed permanent anchor points to allow for static line harness access to roof perimeter		
Hi-pressure cleaned the dirt and grime build-up from the concrete substrate		
Supplied and installed one coat of primer to the concrete substrate		
Supplied and installed a new 40mm hob around the perimeter of the concrete substrate		
Supplied and installed a 2 x layer torch on membrane to entire concrete substrate consisting of roll base and mineral top		
Supplied and installed new Colorbond perimeter capping to provide external finish		
This quotation includes an allowance to hoist all materials to the roof externally and removal of all job spoils from site on completion		
PLEASE NOTE - The torch on membrane comes with a 15 year material warranty. In discussions with the manufacturers they have advised that a liquid membrane applied to this roof would come with a 5 year material warranty due to excessive cracking and water ponding on the existing concrete substrate.		\$59,356.00

Leary and Partners Sinking Fund forecast (EC meeting 17 November 1999) highlighted the need for membrane replacements every 10 years.

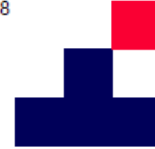
One and a half roofs were repaired at cost above \$170,000.00 in 2015/2016 without any tender or competitive quotes, whilst Blocks A and C did not have proper roof repairs for 20 years now (there was minor patchwork in 2012).

Napier & Blakeley's report in July 2012 lists roof membranes as one of the items with serious priority

The flat concrete deck roof areas to Blocks A, B, C and D contain large areas of standing water. A number of previous patch repairs have been carried out. The surfaces require preparing and recovering with a liquid applied waterproof membrane within the short to medium term (1-5

1-15 Fontenoy Road
Macquarie Park NSW
File Ref 2113061511 / J13290
July 2012

Page 8



years). Block C was observed to be in good overall condition with Block D suffering the most standing water.

Strata Schemes Management Act 2015 Section 106 - Duty of owners corporation to maintain and repair property

(1) An owners corporation for a strata scheme must properly maintain and keep in a state of good and serviceable repair the common property and any personal property vested in the owners corporation.

(2) An owners corporation must renew or replace any fixtures or fittings comprised in the common property and any personal property vested in the owners corporation.

(3) This section does not apply to a particular item of property if the owners corporation determines by special resolution that:

(a) it is inappropriate to maintain, renew, replace or repair the property, and

(b) its decision will not affect the safety of any building, structure or common property in the strata scheme or detract from the appearance of any property in the strata scheme.

Strata Schemes Management Act 2015 Section 238 - Orders relating to strata committee and officers

(1) The Tribunal may, on its own motion or on application by an interested person, make any of the following orders:

(a) an order removing a person from a strata committee,

(b) an order prohibiting a strata committee from determining a specified matter and requiring the matter to be determined by resolution of the owners corporation,

(c) an order removing one or more of the officers of an owners corporation from office and from the strata committee.

(2) Without limiting the grounds on which the Tribunal may order the removal from office of a person, the Tribunal may remove a person if it is satisfied that the person has:

(a) failed to comply with this Act or the regulations or the by-laws of the strata scheme, or

(b) failed to exercise due care and diligence, or engaged in serious misconduct, while holding the office.

Strata Schemes Management Act 2015 Section 260 – Personal liability

(1) A matter or thing done or omitted to be done by any of the following persons, or a person acting under the direction of any of those persons, does not, if the matter or thing was done or omitted to be done in good faith for the purpose of executing functions as such a person under this or any other Act, subject any of the following persons or person so acting personally to any action, liability, claim or demand:

- (a) an officer of an owners corporation,
- (b) a member of a strata committee.

(2) Any such liability of an officer of an owners corporation or a member of a strata committee attaches instead to the owners corporation.

The noted exceptions to personal liability, as listed in Strata Community Australia (NSW) publications:

Personal liability

- Office bearers' liability typically excludes:
 - *Dishonest, fraudulent or criminal acts*
 - *Acts in conflict of interest*
 - *Acts outside the scope of the EC's authority*
 - *Acts causing death, personal injury or damage or loss to property*

The footer of the slide contains three logos. On the left is the logo for Strata Community Australia (NSW), featuring a stylized 'S' and 'A' in blue and orange. In the center is the NSW Government logo, a black circle with a white dot. On the right is the CHU logo, which includes a green leaf and the text 'CHU' and 'COMMUNITY HOUSING UNIT'.

SP52948 Planning for maintenance of roofs delayed until year 2023 in 10-Year Capital Works Fund Plan in March 2017 without consultation with owners corporation

In spite of documented evidence to maintain roofs, Waratah Strata Management and EC members, without consultation with owners corporation allegedly approved the 10-Year Capital Works Fund plan in March 2017, which, among the other concerns, delayed maintenance of roofs until year 2023.

The additional problem with these delays is that the current projected expenses for this work in amount of \$360,000.00 will increase to \$571,275.00 in year 2023:

10 Year Capital Works Fund Forecast – Costs Estimates (includes GST)														Page 3
Capital Works Fund Forecast for:		1-15 Fontenoy Road, North Ryde			Date commencing:		31 August 2017			Strata Plan:		SP52948		
										Today's date:		31 March 2017		
Serial	Item	Current Cost Estimate	Approx year required	Escalated amount	End of Year 1 Aug-18	End of Year 2 Aug-19	End of Year 3 Aug-20	End of Year 4 Aug-21	End of Year 5 Aug-22	End of Year 6 Aug-23	End of Year 7 Aug-24	End of Year 8 Aug-25	End of Year 9 Aug-26	End of Year 10 Aug-27
1	Structure													
2	Roof	\$360,000	6	\$571,275						\$571,275				

Lot 158 – Motion “Roof membranes on Block A and C overdue for repairs” for Annual General Meeting 2017

Without legal grounds or valid reasons, the Motion was excluded by Waratah Strata Management:

The Owners Corporation SP52948 by ORDINARY RESOLUTION, confirms the following:

- BCS Strata Management and EC members incorrectly stated that roofing issues in the complex were completed in FY 2016, as Block A and C did not have roof membranes fully redone, unlike Blocks B and D that were completed at cost of 171,006.00 (GST inclusive),
- BCS Strata Management and EC members failed to notify owners corporation of audit in 1999 that stated membranes would last around 10 years,
- BCS Strata Management and EC members failed to provide Napier & Blakely building report commissioned in 2012 which listed roof membranes as one of the items with serious priority: “The surfaces require preparing and recovering with a liquid applied waterproof membrane within the short to medium term (1-5 years)”.
- Roof membranes on Blocks A and C are overdue for full repairs and need to be planned and approved through multiple quotes at the next general meeting.

Explanatory Notes:

- Agenda for AGM 2016:

A number of roofing issues on the towers were finally solved. This has allowed time and money to be committed to catching up with other building defects within units (not visible to the public eye) that were deferred last year. These are not all complete and will be attended to on a needs basis going forward. The complex retains the appearance of being well maintained and better than would be normally expected for over twenty years of age. You will be asked to approve the major painting contract at the AGM.

- Minutes of EC meeting on 17th of November 1999:

MINUTES OF EXECUTIVE COMMITTEE MEETING OF STRATA SCHEME NO. 52948, 1-15 FONTENOY ROAD, NORTH RYDE HELD IN THE COMMUNITY CENTRE ON 17 NOVEMBER 1999 AT 7.00PM.

(d) Ponding on roof

A report has been received from a waterproofing consultant which has specifically stated that :

- (A) Ponding is clearly not detrimental to the membrane
- (B) The expected life span of the membrane is at least 10 years from now possibly longer.

It was proposed that information be sought on the possibility of creating a groove in the ponding areas to direct water to a nearby drain.

- Minutes of EC meeting on 23rd of June 2004 show that roof membranes did not last 10 years:

ITEM 3: Matters arising from the last minutes:

(a) Roof membranes to be replaced.
Three (3) membranes are complete, with the final roof to be completed by the end of July.

- Undisclosed repairs on building roofs without tender in March 2012:

Kintyre Building Services Pty
 A.B.N 65 062 739 039 Licence No: 79326C
Level 1, 15 Mobbs Lane

Tax Invoice

Phone: 9868 7919 Invoice #: 00026576
 Fax: 9868 6903 Date: 27/03/2012

INVOICE TO: The Owners-STRATA PLAN 52948
 C/- Gary Webb
 BCMS Pty Ltd
 Locked Bag 22
 Haymarket NSW 1238

JOB ADDRESS: The Owners-STRATA PLAN 52948
 1-15 Fontenoy Road
 North Ryde NSW 2113

Description	Amount
BLOCKS A, B, C & D: (TOWNHOUSES 194 - 219): Re bed and re pointed all ridge capping on these buildings, using new sand and cement mixture and flexible pointing mix (coloured Terracotta) Re pointed all gable ends using flexible pointing mix (coloured Grey) Supplied and installed (240) new tiles replacing the existing broken and damaged tiles, balance has be left on site for future use. Re-fitted timber trim that has fallen off under the gable on centre of the roof of Block B.	\$28,892.00
Work carried out as per our quotations No's: 26473, 26435, 26436 & 26437	

- Undisclosed Napier & Blakeley building report:

<http://www.nswstratasleuth.id.au/BCS-Strata-Management-hid-professional-building-report-from-SP52948-owners-and-CTTT-Napier-and-Blakeley-July-2012.pdf>

Lot 158 – Motion “Lack of Proper 10-Year Sinking Fund – Now Called Capital Works Fund” for Annual General Meeting 2017

Without legal grounds or valid reasons, the Motion was excluded by Waratah Strata Management:

The Owners Corporation SP52948 by ORDINARY RESOLUTION, confirms the following:

- BCS Strata Management and EC members failed to maintain and update 10-Year Sinking Fund that matches real capital works in the complex since 1999,
- BCS Strata Management and EC members provided a copy of alleged 10-Year Sinking Fund, dated 31st of August 2010 in agenda for AGM 2016 for the first time to owners,
- BCS Strata Management and EC members had obligation to plan how they would repair and maintain common property and raise sufficient funds to cover the costs, and submit the 10-year Sinking Fund Plan for approval by owners at an annual general meeting (AGM) and be reviewed and adjusted, if required, in the first five years, which did not happen in SP52948,
- BCS Strata Management staff admitted they did not have copy of 10-Year Sinking Fund Plan in email to EC member on 11th of April 2014,
- Agenda for AGM 2014 contained misconstrued and misleading statement that 10-Year Sinking Fund was reviewed in 2014 and every five-years beforehand,
- BCS Strata Management and EC members failed to provide even relatively accurate predictions for major repairs and failed to attend to most of the alleged planned activities,
- BCS Strata Management and EC members failed to disclose major professional building reports that highlighted needs for repairs since year 2000,
- Without evidence of tender, or its disclosure to owners, Biv Reports Pty Ltd was commissioned to prepare new 10-Year Capital Works Fund assessment in late March 2017. It failed to address major works in proper manner:
 - Elevators and equipment.

Elevator maintenance and contracts are one of many sore points in the complex:

<http://www.nswstratasleuth.id.au/SP52948-BCS-Strata-Management-Poor-Elevator-Maintenance-and-Mismanaged-Contract-and-Tenders.pdf>

How did they come to figure of \$339,831.00 for work planned in August 2026?

Here is the reasons why the figure and assessment look improbable:

It did not show any details of:

a) Comprehensive risk and hazard assessment in line with Australian Elevator Association guidelines.

This assessment outlines the risks in terms of high, medium and low levels across your elevators, and indicates what solutions should be put in place to reduce the potential for harm to owners, tenants, visitors and workers, and reduce exposure to

potential claims.

b) Comprehensive lifecycle report, so its findings can be factored in to the fund forecast.

c) Four other professional reports paint very different picture about the need for repairs and upgrades for elevators in my complex. All four are still hidden from owners by previous strata agency, BCS Strata Management, current strata agency, Waratah Strata Management, and EC members:

Napier & Blakeley, July 2012

<http://www.nswstratasleuth.id.au/BCS-Strata-Management-hid-professional-building-report-from-SP52948-owners-and-CTTT-Napier-and-Blakeley-July-2012.pdf>

ThyssenKrupp Hazard and risk assessment, December 2013

<http://www.nswstratasleuth.id.au/BCS-Strata-Management-hid-professional-building-report-from-SP52948-owners-ThyssenKrupp-Elevator-HR-Assesment-11Dec2013.pdf>

ThyssenKrupp Quotation and lifecycle budget, December 2013

<http://www.nswstratasleuth.id.au/BCS-Strata-Management-hid-professional-building-report-from-SP52948-owners-ThyssenKrupp-Elevator-HR-Issues-and-Pricing-11Dec2013.pdf>

Vertical Transport Management, February 2014

<http://www.nswstratasleuth.id.au/BCS-Strata-Management-hid-professional-building-report-from-SP52948-owners-Vertical-Transport-management-Services-Report-Feb2014.doc>

d) Our elevators are now in their 20th year of operation. That is typically decent age for considering some major replacements, especially since our elevators do not meet current standards and have higher failure rates. Just in my building (Block A), the elevator was offline for two days in April 2017.

e) Elevator traveling cable is a specialized multi-conductor cable continually in motion and must last for many years. A generally accepted lifespan is 20 years - or 3,000,000 flex cycles.

Some vendors agree that 25 years is more than average lifespan of elevators, which, even if we accept that ruling, puts major works in year 2022, not 2026 as Biv report claims.

o Roof repairs.

How did they come to figure of \$571,275.00 for work planned in August 2023?

Here is how the roofs looked in March 2017:

<http://www.nswstratasleuth.id.au/Macquarie-Gardens-photos/gallery/index.php?/category/60>

Other professional reports and assessment listed roof membranes with life span of around 10 years.

Example:

Leary and Partners Sinking Fund forecast (EC meeting 17 November 1999).

One and a half roofs were repaired at cost above \$170,000.00 in 2015/2016, whilst Blocks A and C did not have proper roof repairs for 20 years now (there was minor patchwork in 2012).

Napier & Blakeley's report in 2012 list roof membranes as one of the items with serious priority:

QUOTE

A number of previous patch repairs have been carried out. The surfaces require preparing and recovering with a liquid applied waterproof membrane within the short to medium term (1-5 years).

END QUOTE

- Major water leaks.

Repetitive and frequent water-leak repairs in the complex, usually without any warranties.

Here is an example of 20 repairs in one unit alone in period 2011 to 2017 and how strata agency and EC members hide it from owners:

<http://www.nswstratasleuth.id.au/Macquarie-Gardens-photos/gallery/index.php?/category/41>

Kintyre provided only five year warranty to membranes on Block B and D in 20152016:

<http://www.nswstratasleuth.id.au/Macquarie-Gardens-photos/gallery/index.php?/category/36>

4. MSA Sinking Fund plan 2010

<http://www.nswstratasleuth.id.au/SP52948-MSA-Sinking-Fund-Plan-Aug2010-undisclosed-to-owners-until-October-2016.pdf>

- New Strata Schemes Management Act 2015 enforces stringent regulations for Capital Works Funds.

Explanatory Notes:

- Agenda for AGM 2014 with misleading and inaccurate statements about how the Sinking Fund Plan was prepared and that it was not based on real maintenance program:

The EC recommends that total levies increase for the year to October 2016 by only 2.1%.

These levies are subject to approval by owners at the AGM. These modest increases in the AF levies reap the benefit of fixed costs in the new caretaking contract to December 2016, reduced electricity costs and utilise a portion the surplus generated in the last financial year while providing for increases in other costs. SF levies have been increased in accordance with the long term financial plan (last reviewed in F2014). Lot owners should be aware that in the 17 years since the existing budgeting process was put in place total levies have increased at less than 3.5% per annum compound (see Appendix C for pattern). This is a remarkable achievement and well below the increases in levies at other similar complexes.

The current long term plan is to raise future SF levies annually at a rate of 5% per annum for the foreseeable future. The current sinking fund plan (which has existed from the date the developer, Meriton, relinquished control of the complex around 1999) was initially prepared by independent experts. This plan was updated in 2000, 2005, 2009 and 2014 by the EC. It must be updated by law every five years.

It is important to understand this long term SF plan is not a planned maintenance program. It is a reasonable estimate of the total sum of money likely to be required in the next ten years to meet major irregular and non-recurrent costs or for major replacements of long life items. The plan is the basis for the calculation of the forward level of annual SF levies likely to be required to meet estimated future needs. The nature and timing of many costs is not ever known exactly and many minor items originally listed as SF items are now so recurrent that they are regularly funded from the AF maintenance budgets. A summary of this plan is shown in Table 6 on the following page.

- Extract from 10-Year Sinking Fund Plan, as provided to owners before AGM 2016:

MSA Sinking Fund Planning model v2 - Program updated 29 Jul 2001

Strata Plan No 52948 - 1-15 Fontenoy Road Macquarie Park NSW 2113

Sinking Fund and Annual Levies planned as at 31 August 2010

Year ending date	Opening balance	Annual Levies	Special Levies	Estimated total expenditure	Sub-total before interest & tax	Interest earned	Income tax paid	Closing Balance
31 Aug 2011	662,000	172,000	-	404,400	429,600	27,300	8,190	448,710
31 Aug 2012	448,710	177,200	-	82,800	543,110	24,800	7,440	560,470
31 Aug 2013	560,470	182,600	-	74,700	668,370	30,700	9,210	689,860
31 Aug 2014	689,860	188,100	-	115,000	762,960	36,300	10,890	788,370
31 Aug 2015	788,370	193,800	-	73,100	909,070	42,400	12,720	938,750
31 Aug 2016	938,750	199,700	-	79,700	1,058,750	49,900	14,970	1,093,680
31 Aug 2017	1,093,680	205,700	-	784,000	515,380	40,200	12,060	543,520
31 Aug 2018	543,520	211,900	-	162,900	592,520	28,400	8,520	612,400
31 Aug 2019	612,400	218,300	-	178,000	652,700	31,600	9,480	674,820
31 Aug 2020	674,820	224,900	-	234,400	665,320	33,500	10,050	688,770
31 Aug 2021	688,770	231,700	-	94,200	826,270	37,900	11,370	852,800
31 Aug 2022	852,800	236,700	-	74,200	1,017,300	46,800	14,040	1,050,060
31 Aug 2023	1,050,060	245,900	-	210,500	1,085,460	53,400	16,020	1,122,840
31 Aug 2024	1,122,840	253,300	-	149,700	1,226,440	58,700	17,610	1,267,530
31 Aug 2025	1,267,530	260,900	-	1,130,800	397,630	41,600	12,480	426,750
31 Aug 2026	426,750	268,800	-	161,700	533,850	24,000	7,200	550,650
31 Aug 2027	550,650	276,900	-	500,500	327,050	21,900	6,570	342,380
31 Aug 2028	342,380	285,300	-	116,700	510,980	21,300	6,390	525,890
31 Aug 2029	525,890	293,900	-	164,100	655,690	29,500	8,850	676,340
31 Aug 2030	676,340	302,800	-	314,600	664,540	33,500	10,050	687,990
Total	662,000	4,632,400	-	5,106,000	188,400	713,700	214,110	687,990

Assumptions:

Last actual CPI available (auto)	30/06/2010	Interest rate percentage per annum	5.00
Inflation forecast percentage per annum	3.00	Percentage tax rate on interest earned	30.00
Contingency pricing error percentage	5.00	Annual percentage increase in levy	3.00

- Extract from email sent by Strata Managing Agent Mr. Peter Bone:

From: Peter Bone [mailto:PeterB@bcms.com.au]
 Sent: Friday, April 11, 2014 10:44 AM
 To:
 Subject: SP 529148 - Sinking Fund Plan

Hi

I have been looking for a current Sinking Fund Plan (Forecast), but cannot locate one.

If you have one in your possession, could you please forward me a copy.

Thank you.

Ps. Just left a message on your mobile phone re this matter.

Peter Bone

- Biv Reports Capital Works Funds plan in March 2017 fails to meet proper planning

standards:

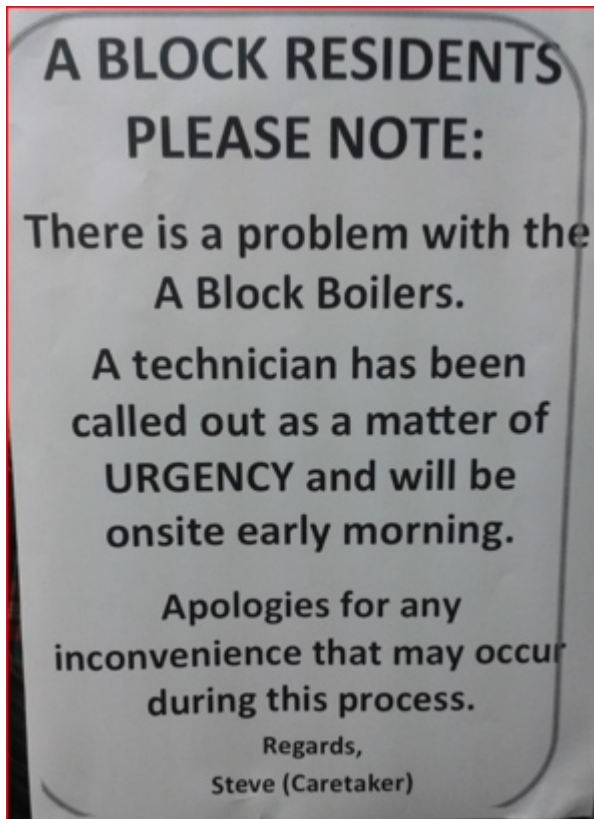
<http://www.nswstratasleuth.id.au/Waratah-Strata-Management/INQUIRY-Unanswered-by-Biv-Reports-on-10-Year-Capital-Works-Fund-Plan-for-Strata-Plan-SP52948-15Apr2017.html>

- Kintyre invoices for roof repairs without tender or additional quotes from other service providers:

Cred. Code	Creditor Name	Doc. Ref. No.	Doc. Date	Doc. Total (GST inclusive)	Chq. Date	Date Presented	Comments
21266	KINTYRE BUILDING SERVICES P/L	42493A	11/12/2015	\$7,785.00	11/02/2016	11/02/2016	Block D: roof membrane - fourth part
21266	KINTYRE BUILDING SERVICES P/L	42493	11/12/2015	\$25,000.00	21/12/2015	21/12/2015	Block D: roof membrane - third part
21266	KINTYRE BUILDING SERVICES P/L	42215	2/11/2015	\$32,786.00	23/11/2015	23/11/2015	Block D: roof membrane - second part
21266	KINTYRE BUILDING SERVICES P/L	42081	7/09/2015	\$43,714.00	16/10/2015	16/10/2015	Block D: roof membrane - first part
21266	KINTYRE BUILDING SERVICES P/L	36682	27/02/2015	\$35,613.60	10/03/2015	10/03/2015	Block B: roof membrane - second part
21266	KINTYRE BUILDING SERVICES P/L	38330	19/01/2015	\$23,742.40	09/02/2015	09/02/2015	Block B: roof membrane - first part
21266	KINTYRE BUILDING SERVICES P/L	26576	27/03/2012	\$28,892.00	05/04/2012	05/04/2012	Block A, B, C, D and all townhouses: re-bed and re-point all ridge cappings, new sadning mix, new tiles replacing chipped ones
			Total	\$197,533.00			

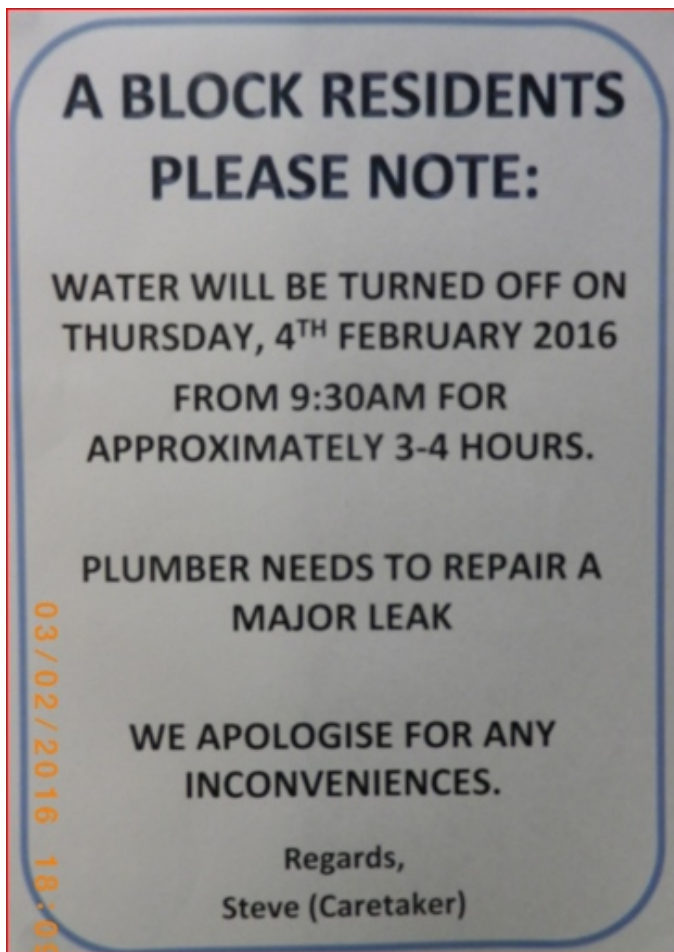
- Professional building reports undisclosed to owners:
 - Napier & Blakeley in July 2012. Total cost of the report (GST inclusive) was \$12,144.00. They warned about roof status and many other problems in the complex. This report was hidden from CTTT and Department of Fair Trading,
 - Murdocca & Associates report on Block D internal cracking in April 2010. Total cost of the report (GST inclusive) was \$792.00,
 - ThyssenKrupp Elevators report on elevators in December 2013,
 - Vertical Transport Management Services report on elevators in February 2014. Total cost of the report (GST inclusive) was \$1,430.00,
 - Building roof water penetration testing in mid-2014,
 - Integrated Consultancy Group on 4th of November 2014. Total cost of the report (GST inclusive) was \$1,815.00. The report includes warnings about concrete cancer.

SP52948 - Example of repetitive repairs - boilers in Block A on 12th of November 2015



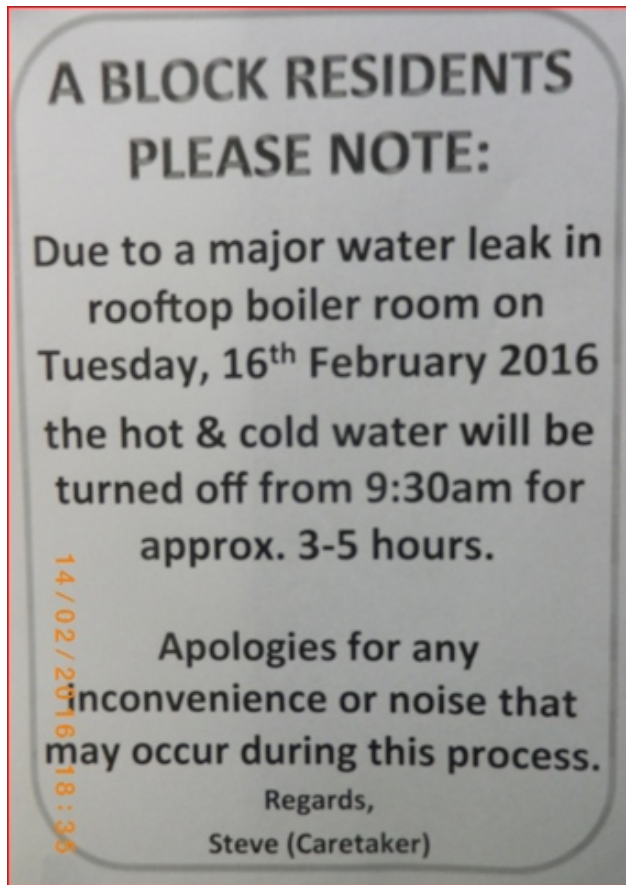
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SP52948 - Example of repetitive repairs - major leak in Block A on 4th of February 2016



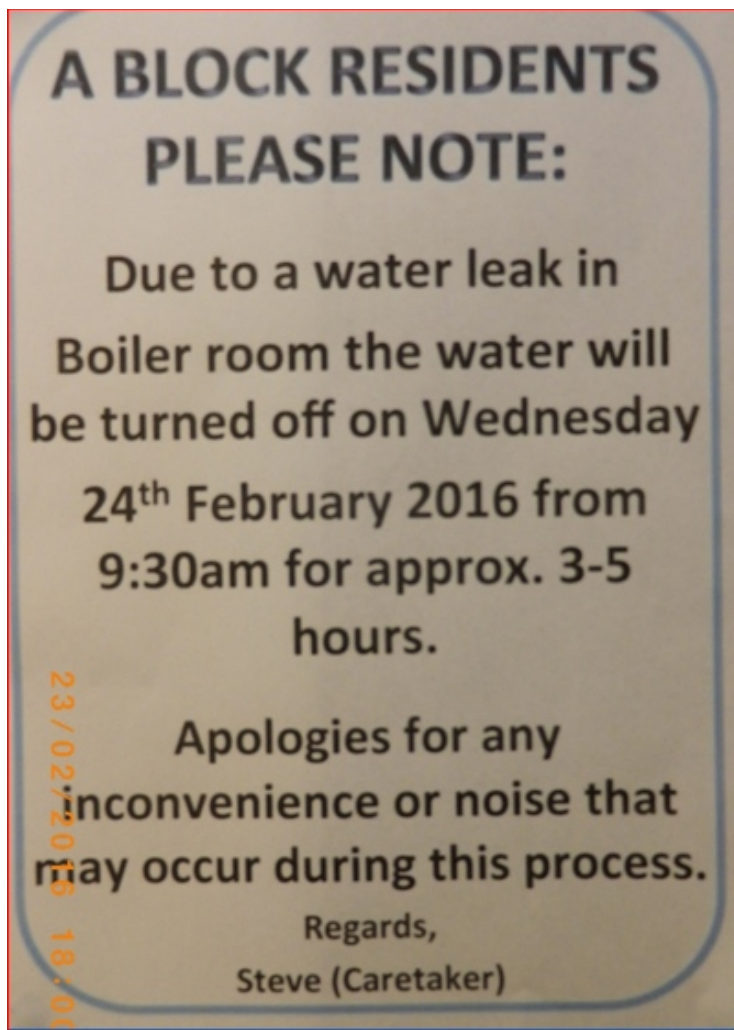
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SP52948 – Example of repetitive repairs – boiler room major leak in Block A on 16th of February 2016



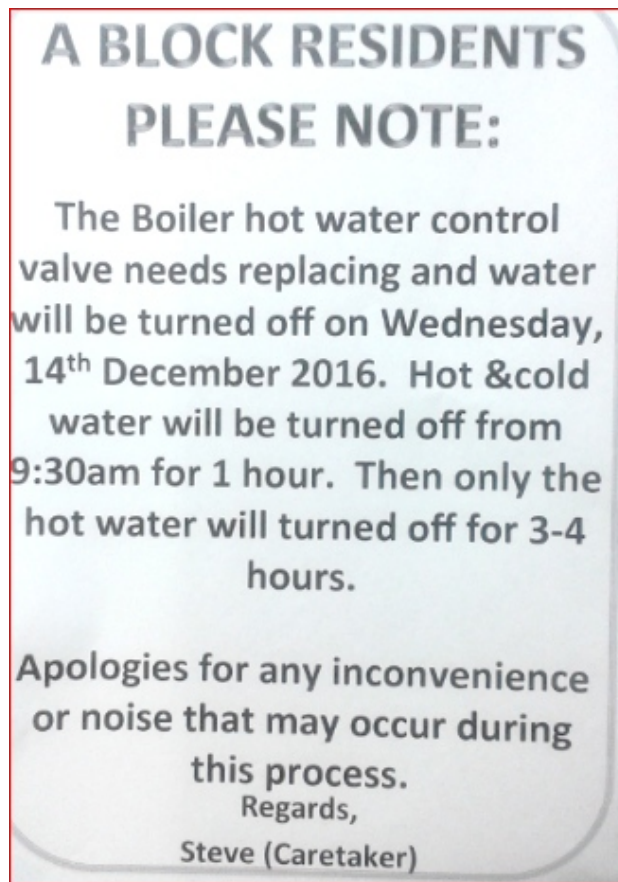
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SP52948 - Example of repetitive repairs - major leak in Block A on 24th of February 2016



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SP52948 - Example of repetitive repairs - hot water valve in Block A on 14th of December 2016



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SP52948 - Example of repetitive repairs - boiler room valve in Block A on 6th of July 2017



SP52948 - Example of repetitive repairs - under pressure from Lot 158, and due to embarrassingly high number repetitive repairs, Block A finally got an upgrade of hot water system, without disclosure of any tender and competitive quotes, or any details of the warranties on 14th of August 2017



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SP52948 - Example of repetitive repairs - roof top leaks in Block A on 27th of September 2017



**A BLOCK RESIDENTS
PLEASE NOTE:**

Within the next few
days there will be work
carried out on the
rooftop due to heavy
rain.

Apologies for any
inconvenience or noise that
may occur during this process.

Regards,
Steve (Caretaker)

09/06/2016 09:50

SP52948 – Example of typical expenses for water leaks – \$1,339.80 for Lot 190 in Block A on 24th of February 2016



NCB Plumbing Pty Ltd
 ABN: 34 079 095 257 Lic No. 118009C P: (02) 9807 3544 F: (02) 9807 3944
 Plumber, Drainer, Gasfitter, Roofer, LPG M: 0411 746 974
 E: ncbplumbing@bigpond.com

PO Box 971 Epping NSW 1710

OWNER'S CORPORATION: 52948
 C/- BCMS
 Locked Bag 22
 Haymarket NSW 1238

TAX INVOICE

INVOICE No: 35297

DATE: 24/02/16

INVOICE TO STRATA PLAN No: 52948

ADDRESS OF JOB: 190/1-15 Fontenoy Road North Ryde

AMOUNT

Commenced: 11/02/16
 Completed: 16/02/16

Job No: NA

Called out urgently, out of hours by caretaker to a report of water badly leaking down the kitchen wall next to the fridge in unit 190. We removed the fridge and cut out a section of the ceiling to locate water coming out of a return line lagging on a bend coming out of the slab. Due to the time of night and the position of the leak, we didn't want to pull apart the lagging and make the leak worse, incase it was in a position that we couldn't clamp. We then set up a large bin behind the fridge to catch the leakage overnight. We returned again the following morning and set up ladder and removed lagging in the ceiling space behind cupboards and fridge. We found the water was leaking down out of the slab. We organised access upstairs in plant room with caretaker and worked out the location. We removed lagging and found a broken hot water pipe under the ratio valve. We managed to clamp as a temporary repair.

We returned to site once more for the boiler shut down of this building, for the broken water pipe repair. We cut out and replaced the section as needed. We then turned the water back on and another two leaks started up. One was on a 50mm bend which we put a 50mm clamp on and the other was on a 32mm tee piece, just below the return line pumps. We shut down water again and drained the line again and welded a patch over the tee to fix this leak. Turned water back on slowly and everything was now working fine.
 Caretaker is organising the ceiling repairs in unit 190.

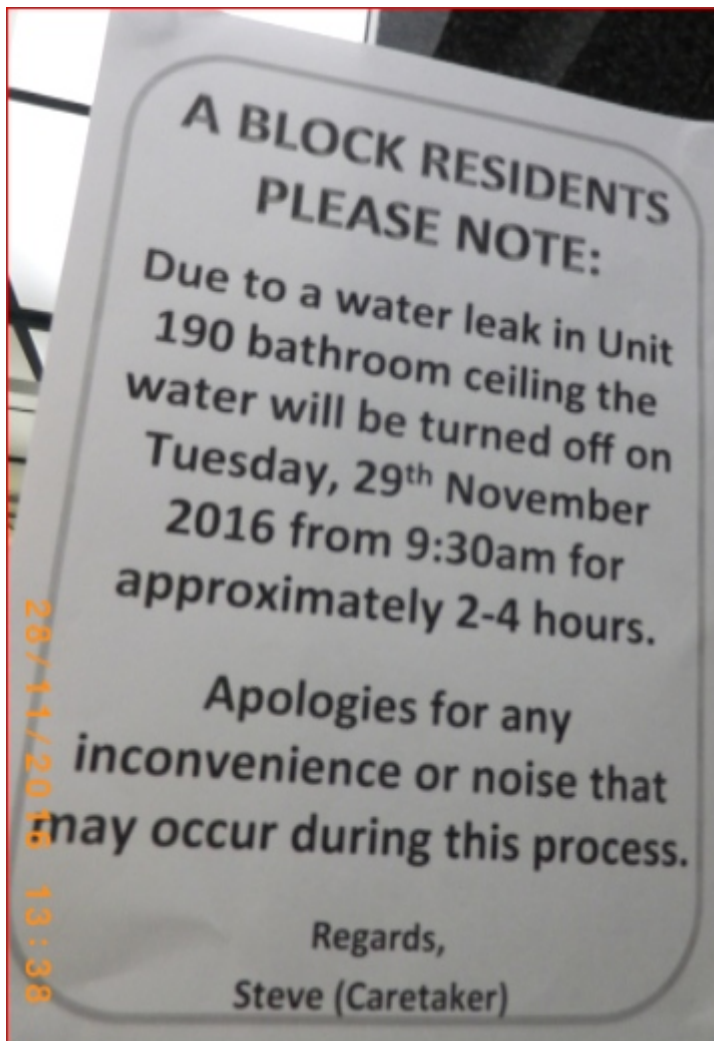
Labour	\$1170
Materials	\$48

PAYMENT VIA EFT:
 Bank: NAB (National Australia Bank)
 Account Name: NCB Plumbing Pty Ltd
 BSB: 082 -240 Account No: 88885-0340
 Description: Payment + Invoice No.

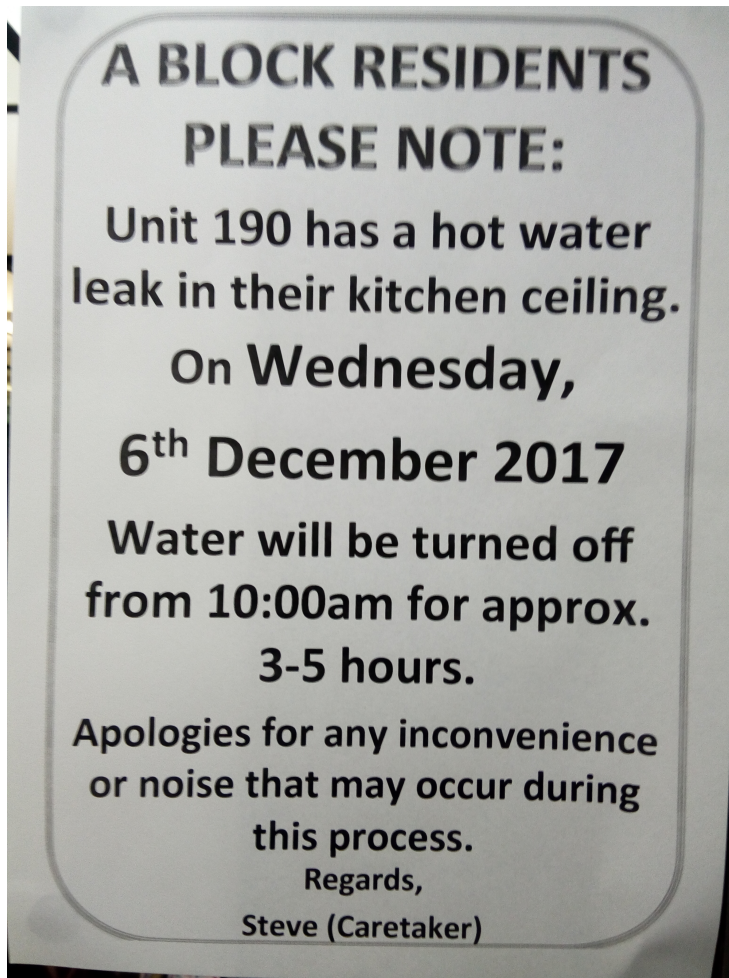
Payment: 14 days from invoice date.
 This payment claim is made under the Building and Construction Security of Payment Act 1999.

GST:	\$121.80
Total Inc. GST:	\$1339.80
Balance Due:	\$1339.80

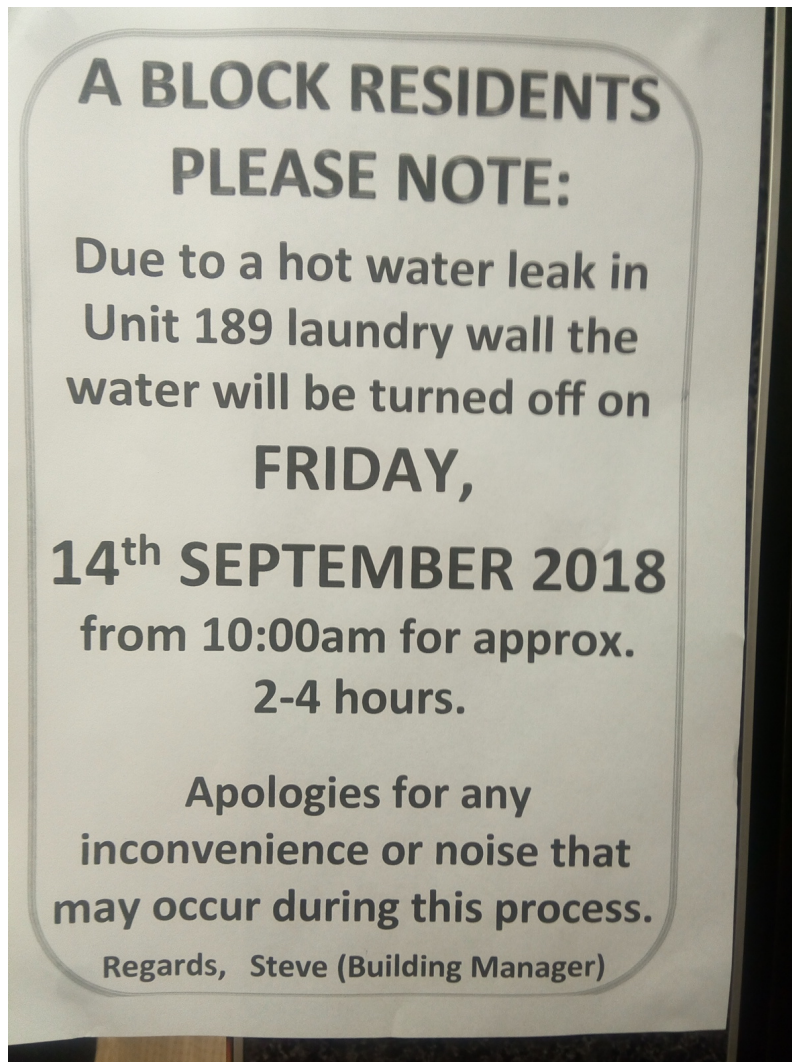
SP52948 - Example of repetitive repairs - Lot 190 leak in Block A on 29th of November 2016



SP52948 - Example of repetitive repairs - Lot 190 leak in Block A on 6th of December 2017



SP52948 - Example of repetitive repairs - Lot 189 leak in Block A on 14th of September 2018



**A BLOCK RESIDENTS
PLEASE NOTE:**

Due to a hot water leak in
Unit 189 laundry wall the
water will be turned off on

FRIDAY,

14th SEPTEMBER 2018

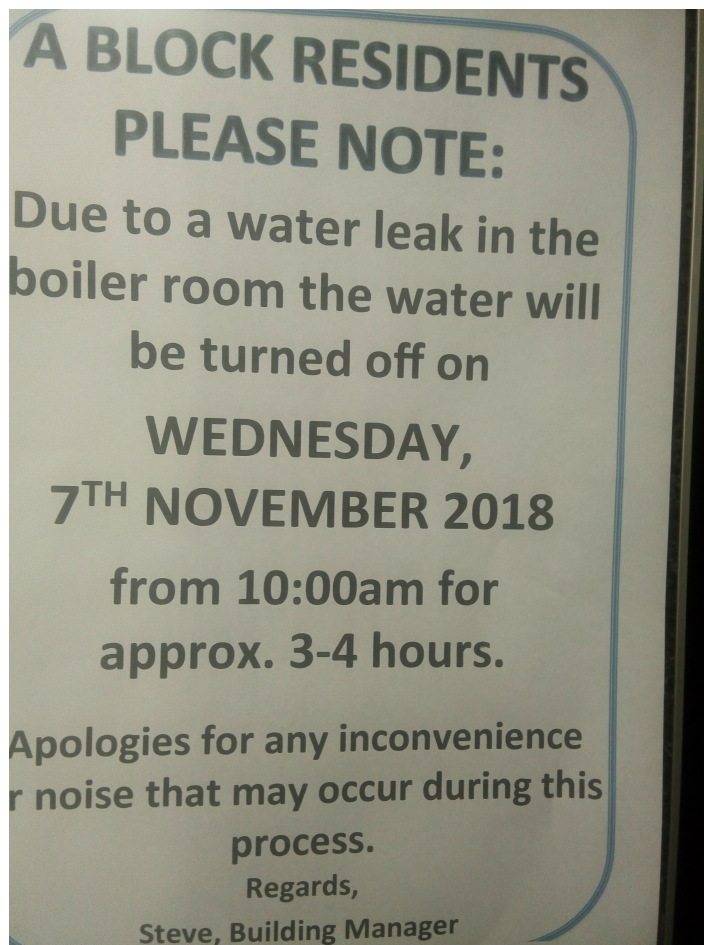
from 10:00am for approx.

2-4 hours.

Apologies for any
inconvenience or noise that
may occur during this process.

Regards, Steve (Building Manager)

SP52948 - Example of repetitive repairs - boiler room leak in Block A on 7th of November 2018



SP52948 - Example of repetitive repairs - Lot 190 leak in Block A on 18th of December 2018

