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Misleading and plainly false statements by Mr. Steve Carbone in agenda for Extraordinary General Meeting on 30 November 2023

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

Dear Mr Gore & Committee Members,

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

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

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

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

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

The increase costing price is to cover:

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

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

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

NEW CONTRACT PRICE FOR 2024, 2025 & 2026:

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

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

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

Evidence to refute Mr. Steve Carbone's statements

<https://www.nswstratasleuth.info/SP52948-experiences-with-Waratah-Strata-Management-from-customer-perspective.html>

Financial Year	Building Manager (old name Caretaker)	Total Contract Value	Official annual inflation rate
2020	Uniquenco Property Services	\$330,986.89 (difference to previous year: 12.95% , contract renewed without tender at general meeting on 22 October 2020)	0.85%
2021	Uniquenco Property Services	\$339,249.60 (difference to previous year: 2.49%)	2.86%
2022	Uniquenco Property Services	\$339,741.00 (difference to previous year: 0.14%)	6.59%
2023	Uniquenco Property Services	\$343,507.47 (difference to previous year: 1.10% , undisclosed increase of 2.0% since February 2023)	4.9% as published by ABS on 29 November 2023
2024	Uniquenco Property Services	Not applicable yet (undisclosed increase of 10.0% since September 2023)	not applicable yet

Full summary for SP52948 since 1999:

Financial Year	Building Manager (old name Caretaker)	Total Contract Value	Official annual inflation rate
1999	Strata Sphere	\$186,611.00	1.48%
2000	Universal Strata Services	\$220,168.00	4.46%
2001	Universal Strata Services	\$220,624.00	4.41%
2002	Universal Strata Services	\$218,938.00	2.98%
2003	Universal Strata Services	\$218,167.00	2.73%
2004	Universal Strata Services	\$222,376.00	2.34%
2005	Universal Strata Services	\$227,995.00	2.69%
2006	Universal Strata Services	\$228,438.00	3.56%
2007	Universal Strata Services	\$232,844.00	2.33%
2008	Universal Strata Services	\$235,560.00	4.35%
2009	Universal Strata Services	\$244,287.00	1.77%
2010	Universal Strata Services	\$264,080.00	2.92%
2011	Universal Strata Services	\$245,094.00	3.30%
2012	Universal Strata Services	\$255,673.00	1.76%
2013	Universal Strata Services	\$256,605.00	2.45%
2014	Universal Strata Services	\$252,618.00	2.49%
2015	Uniquenco Property Services	\$275,838.09 (charges split into four invoices: garden maintenance, security, caretaker fees, maintenance garden items, difference to previous year: 8.78% , contract RS/RH 081394 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)	1.51%
2016	Uniquenco Property Services	\$295,250.60 (charges split into four invoices: garden maintenance, security, caretaker fees, maintenance garden items, difference to previous year: 7.03% , Unfinancial Chairperson Mr. Stan Pogorelsky of Lot 181 approved false statements about building management costs in evidence part 1 and evidence part 2 , minutes of committee meeting held on 21 March 2016 renewed contract for another year without any tender, although its expiration date was nine months later on 7 December 2016, contract	1.28%

		value increased by 2% without owners corporation decision at general meeting on 22 April 2016)	
2017	Uniqueco Property Services	<u>\$291,507.13</u> (difference to previous year: -1.27%, contract renewed without tender at general meeting on 24 October 2017 and signed by two unfinancial owners - Mr. Moses Levitt and Mr. Stan Pogorelsky of Lot 147 and 181 due to unpaid levies since 2001 and 1999 respectively, increasing the contract value by 4% per year))	1.95%
2018	Uniqueco Property Services	<u>\$306,837.99</u> (Auditor signed incomplete version of financials at AGM 2018, agenda for AGM 2019 confirmed it , difference to previous year: 5.25%)	1.91%
2019	Uniqueco Property Services	<u>\$293,031.44</u> (difference to previous year: -4.50%)	1.61%
2020	Uniqueco Property Services	<u>\$330,986.89</u> (difference to previous year: 12.95%, contract renewed without tender at general meeting on 22 October 2020))	0.85%
2021	Uniqueco Property Services	<u>\$339,249.60</u> (difference to previous year: 2.49%)	2.86%
2022	Uniqueco Property Services	<u>\$339,741.00</u> (difference to previous year: 0.14%)	6.59%
2023	Uniqueco Property Services	<u>\$343,507.47</u> (difference to previous year: 1.10%, undisclosed increase of 2.0% since February 2023))	4.9% as published by ABS on 29 November 2023
2024	Uniqueco Property Services	Not applicable yet (undisclosed increase of 10.0% since September 2023))	not applicable yet

Misleading and plainly false statements by Mr. John Gore in agenda for Extraordinary General Meeting on 30 November 2023

UNIQUECO PTY LTD QUOTE FOR CARETAKING SERVICES 2024-2026

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

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

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

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

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

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

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

For your consideration and decision at the next strata meeting.

John Gore

Evidence to refute Lot 200 - Mr. John Gore's statements

1) In agenda for AGM 2023, Mr. Gore published figure of 18% inflation for the last three years but had figure of 18.3% in agenda for EGM 2023 (both of them heavily incorrect):

[SP52948-Chairperson-John-Gore-misleading-and-false-statements-agenda-AGM-2023.png](#)

He failed to justify that figure at AGM 2023.

Waratah Strata Management failed to publish information that committee Chairperson (SP52948 Lot 200, Mr. John Gore) put their property for sale on 26 October 2023 - on day of general meeting, had six proxy votes for the meeting, got elected on the committee, voted to increase levies by 7.91% for other owners whilst he did not intend to pay for them. Domain website claimed that Lot 200 sale was known to them since 24 October 2023 (two days before the AGM).

Even layman can easily confirm that figure for official inflation rates of 18% for three years prior to 2023 were grossly inflated, false, and deliberately designed to coerce owners:

Historical inflation rates in comparison

Year	Australia	Ø EU	Ø USA	Ø World
2022	6.59 %	8.83 %	8.00 %	8.27 %
2021	2.86 %	2.55 %	4.70 %	3.48 %
2020	0.85 %	0.48 %	1.23 %	1.93 %

[Australian historical inflation rates at WorldData](#)

[Australian historical inflation rates at MacroTrends](#)

2) Six proxy votes were given for Lot 200 at AGM 2023 without disclosure to owners that Mr. John Gore was leaving the complex as a matter of secret urgency.

Lot 200 is a townhouse and it was sold prior to auction at price of \$1,670,000.00 on 4 November 2023.

Waratah Strata Management declined to respond to inquiries why this false candidacy for committee membership was allowed.

3) Building Management Australia submitted their quote for building management tender to Mr. John Gore on 3 November 2023, whilst Mr. Gore was already not legal to represent SP52948 due to property sale. Lot 158 approached Director of Building Management Australia as their is serious suspicion that their quote was deliberately made look bad.

On 10 November 2023, Lot 158 sent email to eight committee members and Waratah Strata Management. The subject line of the email was "SUMMARY Incomplete agenda for EGM 2023 on 30Nov2023 with extreme risk of bankruptcy":

[SP52948-Waratah-Strata-Management-failed-to-respond-to-concerns-about-incomplete-agenda-for-EGM-2023-10Nov2023.html](#)

There is no evidence that Building Management Australia had same requirements for tender, making their quote void and useless:

[SP52948-Uniqueco-Property-Services-tender-2020.pdf](#)

4) On 29 November 2023, committee members, including ex-owner Mr. Gore, received these concerns, which they did not respond to or address at EGM 2023:

[SP52948-committee-members-failed-to-respond-to-Lot-158-complaints-about-EGM-2023-29Nov2023.html](#)

5) Waratah Strata Management, with support of Mr. John Gore, failed to include Lot 158 Motions for EGM 2023 on 30 November 2023, practically disallowing owners to make informed decisions:

[SP52948-Motions-by-Lot-158-EGM-public-30Oct2023.pdf](#)

6) Waratah Strata Management, with support of Mr. John Gore, failed to enforce Uniqueco Property Services to respond to serious allegations of mismanagement, including misappropriation of funds (accessory to crime):

[SP52948-Uniqueco-Property-Services-ignored-Lot-158-request-for-overdue-repairs-27Oct2023.html](#)

7) Since 2017, Waratah Strata Management with support of Mr. John Gore, makes every effort to protect Uniqueco Property Services, in spite of their below-average services and high costs:

[SP52948-Motions-by-Lot-158-prevented-from-voting-by-Waratah-Strata-Management-without-legal-grounds-AGM-2017.pdf](#)

[SP52948-Motions-by-Lot-158-prevented-from-voting-by-Waratah-Strata-Management-without-legal-grounds-AGM-2018.pdf](#)

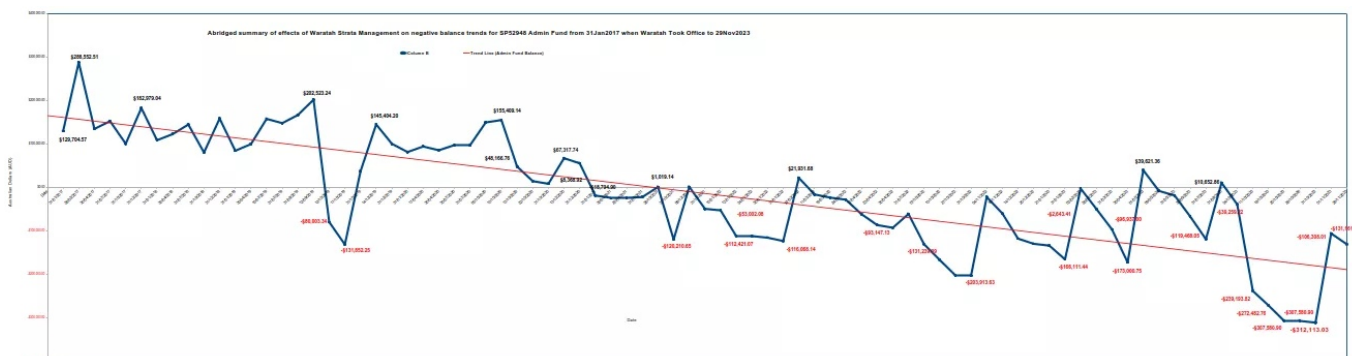
8) Waratah Strata Management, with support of Mr. John Gore, failed to inform owners about extreme negative balances in Admin Fund, which on 31 October 2023 reached worst record of \$312,113.03:

190200	Utility--Electricity	17,860.16	53,704.10
190400	Utility--Gas	0.00	27,768.79
191200	Utility--Water & Sewerage	28,082.24	100,993.06

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

Administrative Fund

	Current period 01/09/2023-31/10/2023	Previous year 01/09/2022-31/08/2023
Total expenses	318,600.40	903,398.93
Surplus/Deficit	(318,233.76)	(69,680.22)
Opening balance	6,120.73	75,800.95
Closing balance	-\$312,113.03	\$6,120.73



[SP52948-negative-trends-with-Admin-Fund-under-Waratah-Strata-Management.html](#)

[SP52948-request-to-Waratah-Strata-Management-to-provide-financial-documents-for-EGM-2023-13Nov2023.html](#)

[SP52948-Waratah-Strata-Management-ignored-request-to-justify-expenses-six-days-before-AGM-20Oct2023.html](#)

9) Agenda for EGM 2023 contained these Motions:

Topic: SP 52948 - General Meeting
Time: Nov 30, 2023 06:00 PM Canberra, Melbourne, Sydney

Join Zoom Meeting
<https://us06web.zoom.us/j/87661877354?pwd=NrrMB5QqxABBZt9fN80bavi84MMMIY.1>

Meeting ID: 876 6187 7354
Passcode: 362624

One tap mobile
+61280156011,,87661877354# Australia

Dial by your location
• +61 2 8015 6011 Australia

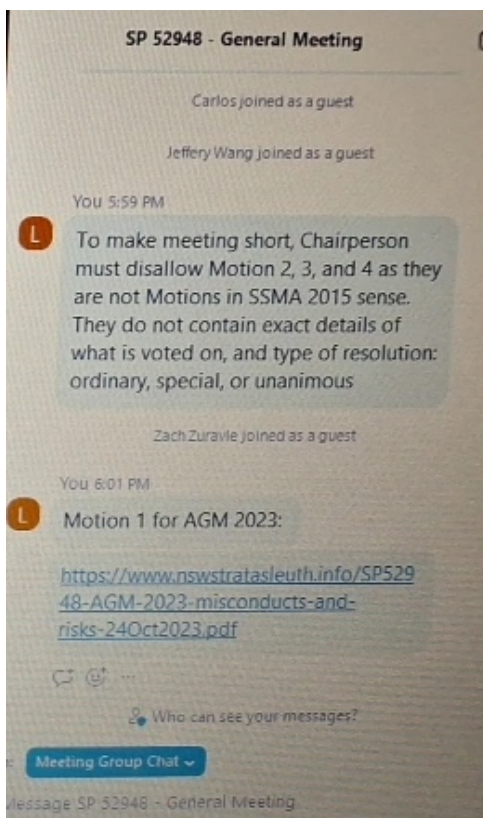
The Agenda for the meeting is:

- 1 **MINUTES**
That the minutes of the previous general meeting of the owners corporation be confirmed as a true record of the proceedings of that meeting.
- 2 **BUILDING & FACILITIES MANAGEMENT AGREEMENT**
That in accordance with section 67 of the Strata Schemes Management Act 2015, fee proposals supplied by Uniqueco Pty Ltd and Building Management Australia for building management be tabled and discussed.
- 3 **LOT 7 RENOVATION**
That the application submitted by Lot 7 for Major Renovation be tabled and discussed.
[Explanatory Note: The application attached pages 22 to 35 of the agenda.]

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- 4 **LOT 39 RENOVATION**
That the application submitted by Lot 39 for Major Renovation be tabled and discussed.

On the day of EGM on 30 November 2023, Lot 158 submitted the following request, which was ignored by committee members and Waratah Strata Management:



Motions must be ruled as "out of order" as they conflicted with the Act, were unlawful, and unenforceable. According to Strata Community Association (NSW), definition of a Motion:

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

A motion must clearly state the proposal to be considered at the meeting.

Motion must clearly state if an ordinary, special, or unanimous resolution is required.

The notice must also:

- State the intention to propose the resolution as a <type> resolution; and
- Set out the proposed resolution in full.

Since 1999, SP52948 never had a proper tender for strata and building management contracts, which Solicitor Adrian Mueller coerced NCAT to ignore through falsified statements:

[NCAT-case-20-33352-SP52948-brief-log-of-events-related-to-contracts-for-strata-and-building-managers-in-period-1999-to-Oct2020.pdf](#)

[SP52948-BCS-Strata-Management-negotiating-secret-strata-manager-contract-and-never-delivered-benefits-to-owners.pdf](#)

Same applies to other major expenses, which Solicitor Adrian Mueller coerced NCAT to ignore through falsified statements:

[NCAT-case-20-33352-SP52948-brief-log-of-events-related-to-electricity-supply-contract-in-2011-2015-and-2018.pdf](#)

[NCAT-case-20-33352-SP52948-brief-log-of-events-related-to-elevator-maintenance-and-replacement-contract-in-three-periods-2005-2017-and-2018.pdf](#)

[NCAT-case-20-33352-SP52948-brief-log-of-events-related-to-BigAir-illegal-ISP-operation-for-four-years-huge-losses-to-owners-corporation-final-eviction-and-deed-of-settlement-without-owners-corporation-approval-Jun2018.pdf](#)

10) Waratah Strata Management, with support of Mr. John Gore, failed to provide evidence that amendments to Consolidated By-Laws had been registered with NSW Land Registry Services before renovation works started for Lot 27, 72, and 103 in FY 2023.

11) Waratah Strata Management, with support of Mr. John Gore, failed to provide evidence why was Lot 87 allowed to complete major renovations in FY 2023, without approval at any general meeting:

[SP52948-Block-C-notice-Lot-87-replacing-timber-floor-and-kitchen-renovation-photo-1-21May2023.webp](#)

12) Waratah Strata Management, with support of Mr. John Gore, failed to provide evidence that amendments to Consolidated By-Laws were registered with NSW Land Registry Services before renovation works started for Lot 27, 72, and 103 in FY 2023.

13) Waratah Strata Management, with support of Mr. John Gore, failed to provide evidence if owners of other units which allegedly got approval for major renovations (Lot 27 and 103 at non-compliant EGM on 27 April 2023, and Lot 72 at non-compliant EGM on 17 August 2023):

- Provided dilapidation report (Consolidated By-Laws, Special By-Law 13, Paragraph 1)
- Deposited bond in amount of \$1,000.00 (for total cost of works less than \$20,000.00) or \$5,000.00 (for total cost of works greater that or equal to \$20,000.00) (Consolidated By-Laws, Special By-Law 13, Paragraph 16 (i))
- Paid fees in amount of \$500.00 for registration of the addendum to the Major Renovations work (Consolidated By-Laws, Special By-Law 13, Paragraphs 11 and 19)
- Paid application fee in amount of \$120.00 (excl GST) to strata manager for application review
- Paid due fees for strata managing agent's reasonable costs for holding a general meeting to approve the Major Renovation, including printing and postage of agendas and minutes (Consolidated By-Laws, Special By-Law 13, Paragraph 19)

14) Waratah Strata Management, Mr. John Gore, and Uniqueco Property Services allowed extensive noise, dust, and prolonged renovations, as example for Lot 27 shows:

- First notice for Lot 27, with major renovations from 1 May 2023 to 16 June 2023
[SP52948-Block-B-notice-Lot-27-major-renovations-photo-2-21May2023.webp](#)
- Second notice for Lot 27, extending major renovations (and more jack hammering noise) to 7 July 2023
[SP52948-Block-B-notice-Lot-27-major-renovations-extended-photo-1-28Jun2023.webp](#)
- Third notice for Lot 127, extending major renovations to 14 July 2023
[SP52948-Block-B-notice-Lot-27-major-renovations-extended-second-time-photo-1-9Jul2023.webp](#)

15) Waratah Strata Management, with support of Mr. John Gore, failed to provide evidence if Lot 7 and 39 complied with costs in paragraph 12) above before EGM on 30 November 2023.

16) On the day of EGM on 30 November 2023, Auditor's report was still not available for FY 2023, 35 days after due date.

Clause 21 of the Strata Schemes Management Regulations 2016 requires that the accounts and financial statements of the owners corporation with budget above \$250,000.00 must be audited before presentation at Annual General Meeting (AGM) in accordance with Section 95 of the Strata Schemes Management Act 2015. That is what the law prescribes.

Waratah Strata Management, since 2017, failed to comply with SSMA 2015 and SSMR 2016 six times, whilst in other two years the Auditor's Report in our complex was highly dubious and questionable:

[Waratah-Strata-Management-non-compliance-of-SP52948-Auditor-reports.html](#)

Date of Signed Auditor's Report	SP52948 Annual General Meeting Date	Owners received Auditor's Report?	Auditor's Name/Company	Auditor's Document
<p>20 October 2017 (published two and half years after due date without any financial details in late April 2020 but backdated on Waratah Strata Management website to 31 August 2017, Solicitor Adrian Mueller rejected strata files access to O'Brien Criminal & Civil Solicitors, including auditor's reports for 2017 and 2018, on 14 November 2019, claiming that they were "likely not available" and asking "what was the purpose pressing for the records to be produced")</p>	<p>24 October 2017 (general meeting did not satisfy requirements for quorum and allowed unfinancial owners to vote and be elected as committee members; Waratah Strata Management complied with secret plan by Solicitor Adrian Mueller to prevent Lot 158 Motions at the general meeting; Waratah Strata Management contract renewed without tender or disclosure of contract details, and signed by two unfinancial committee members Mr. Stan Pogorelsky and Mr. Moses Levitt on same day as the general meeting - the same two illegal committee members voted and signed Waratah Strata Management contract at general meeting in 2016 and secretly increased base value from \$21,800.00, as approved at the general meeting, to \$23,110.00 without owners knowledge on 14 December 2016; Waratah Strata Management even carried seven proxy votes approving their own contract and undeclared base salary increase of 11.5% at AGM 2017)</p>	No	Robert Bates (he retired in 2018 and passed away on 16 May 2022)	SP52948-Audit-FY-ending-31Aug2017-appeared-after-two-and-half-years
<p>18 October 2018 (1 day after due date - but not published even as late as 29 May 2019, and Solicitor Adrian Mueller rejected strata files access to O'Brien Criminal & Civil Solicitors, including auditor's reports for 2017 and 2018, on 14 November 2019, claiming that they were "likely not available" and asking "what was the purpose pressing for the records to be produced")</p>	<p>18 October 2018 (general meeting did not satisfy requirements for quorum and allowed unfinancial owners to vote and be elected as committee members; Waratah Strata Management complied with plan by Solicitor Adrian Mueller to prevent Lot 158 Motions at the general meeting; Waratah Strata Management and Police failed to inform owners about massive data losses due to lost USB key for investigations in Police Event E65804633; while Waratah Strata Management and Economos Auditor failed to respond to inquiries about dubious utility expenses and financial accounting data for FY 2018 with unexplained differences for income and expenditure FY 2018 audited figures provided for AGM 2018 and AGM 2019)</p>	No	George Venardos, Economos	SP52948-Audit-FY-ending-31Aug2018
20 September 2019	<p>17 October 2019 (general meeting did not satisfy requirements for quorum and allowed unfinancial owners to vote and be elected as committee members - the fraud was so big that Waratah Strata Management even allowed Motion 14 to be voted before Motion 4, allowing unfinancial owners Lot 147 Mr. Moses Levitt and Lot 181 Mr. Stan Pogorelsky yet again to be elected on the committee and declined to report it in the minutes of the meeting; Waratah Strata Management complied with plan by Solicitor Adrian Mueller to prevent Lot 158 Motions at the general meeting; Admin Fund had negative balance of \$131,852.25 without disclosure to owners; whilst Balance Sheet reported negative balance in Admin Fund of \$131,852.25 and Income and Expenditure Report listed positive balance in Admin Fund of \$49,386.78;</p>	Yes	George Venardos, Economos	SP52948-Audit-FY-ending-31Aug2019

3 November 2020 (13 days after due date)	<p>Waratah Strata Management failed to provide full details of second massive data loss in two years, which happened in February 2019 due to alleged ransomware attack, where Bitcoin ransom was paid by a third-party known to Waratah Strata Management to the threat actor in the equivalent amount of \$5,052.03; Waratah Strata Management contract renewed without tender or disclosure of contract details, and signed by two unfinancial committee members Mr. Stan Pogorelsky and Mr. Moses Levitt on same day as the general meeting)</p> <p>22 October 2020 (general meeting did not satisfy requirements for quorum and allowed unfinancial owners to vote and be elected as committee members; Waratah Strata Management complied with plan by Solicitor Adrian Mueller to prevent Lot 158 Motions at the general meeting, coercing owners to vote against ratification of past events; Admin Fund had positive balance of only \$14,411.82, but three days later on 31 October 2020 it showed balance of only \$8,368.92 without disclosure to owners; Waratah Strata Management prevented the following competitive quotes from tenders for strata and building management: Strata Excellence, Strata Title Management, Netstrata, Curtis Strata Cleaning, Forte Asset Services, Clean and Secure Building Management, Jim's Mowing)</p>	No	George Venardos, Economos	SP52948-Audit-FY-ending-31Aug2020
29 September 2021	<p>28 October 2021 (Admin Fund had positive balance of only \$1,019.14, but three days later on 31 October 2021 it showed negative balance of \$120,210.65 without disclosure to owners; non-compliant committee meeting on 23 September 2021 documented shortage of \$1,515,541.00 in Capital Works Fund against the forecast in April 2017 but failed to include it at the general meeting;</p> <p>Waratah Strata Management failed to notify owners about flaws in 10-Year Capital Works Fund plans, further delaying overdue upgrades and repairs due to lack of funds)</p>	Yes	George Venardos, Economos	SP52948-Audit-FY-ending-31Aug2021
7 December 2022 (43 days after due date)	<p>27 October 2022 (Waratah Strata Management complied with plan by Solicitor Adrian Mueller prevent Lot 158 Motions at the general meeting, coercing owners to vote against ratification of past events; Admin Fund had negative balance of \$169,157.11 in Balance Sheet, but in Income & Expenditure Report on the same day Admin Fund had negative balance of \$203,914.85 without disclosure to owners; Waratah Strata Management allowed \$146 million dollar SP52948 complex to have expired insurance policy for five days, creating high risks for uninsured common property; Waratah Strata Management coerced Economos Auditor to sign financial status by hiding \$10,000.00 in accounting figures for legal costs of Solicitor Adrian Mueller; payment from Misc income to AIG insurance company</p>	No	George Venardos, Economos	SP52948-Audit-FY-ending-31Aug2022

dated 8 August 2022 in amount of \$4,545.45 (GST excl) proves that SP52948 received payments for the SAME alleged legal costs for Solicitor Adrian Mueller from insurance company in amount of \$19,758.14 (GST excl) on 25 March 2022 (undeclared to owners and Supreme Court by Waratah Strata Management, committee members, and Solicitor Adrian Mueller himself) and Lot 158 first instalment payment in amount of \$4,545.45 (GST excl) on 2 July 2022. SP52948 was paid twice for the same legal costs in period from 2 July 2022 to 8 August 2022; Waratah Strata Management contract was renewed without tender or disclosure of contract details, and allegedly signed by committee member Mrs. Marianna Paltikian who [did not disclose her gas heating connection and unpaid levies which she inherited from previous Lot 88 owner](#), and even voted against paying for overdue levies for gas heating at AGM 2019))

[Not available as of 30 November 2023 \(35 days after due date\)](#)

26 October 2023

Not published by Waratah Strata Management in agenda for AGM 2023, not published on Waratah website, not sent via email or post

Not published by Waratah Strata Management in agenda for AGM 2023, not published on Waratah website, not sent via email or post

[Not available as of 30 November 2023 \(day of EGM 2023\)](#)

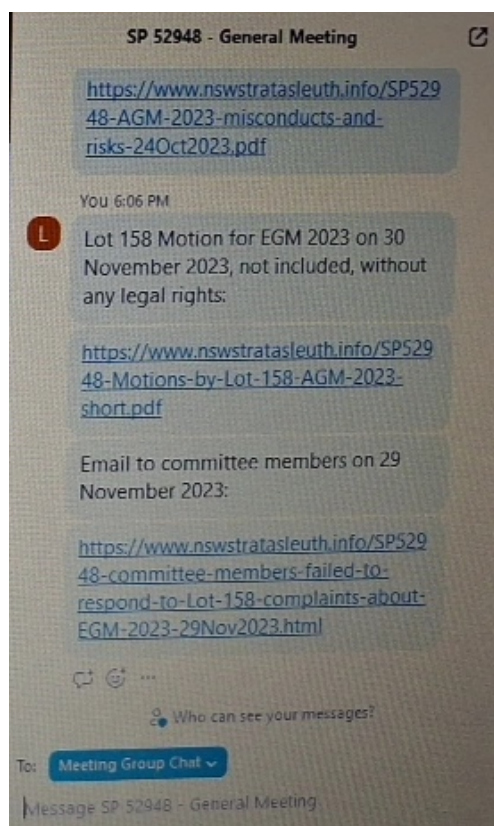
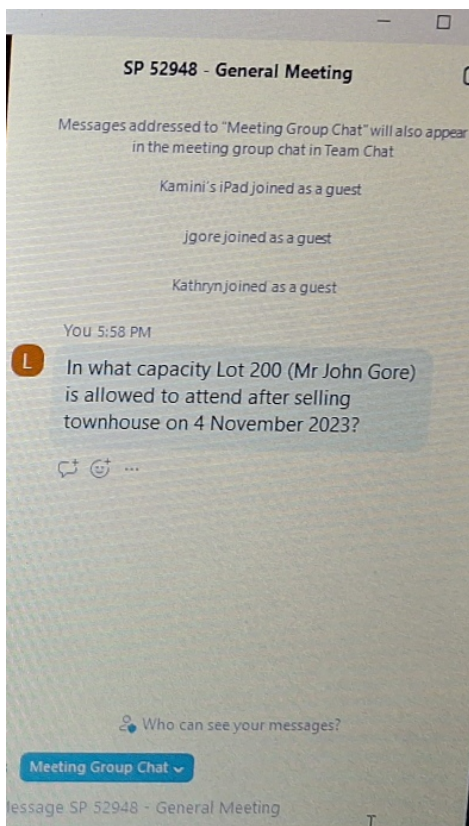
30 November 2023

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17) On the day of EGM on 30 November 2023, Waratah Strata Management, with support of Mr. John Gore (who attended without legal rights due to not being an owner since 4 November 2023, and failed to respond to questions about it at the meeting), hid information from owners that Admin Fund had negative balance of \$131,161.52, and no new income was possible until 1 February 2024:

[SP52948-Income-and-Expenditure-Report-1Sep2023-to-30Nov2023.pdf](#)



18) Owners “approved” Uniqueco Property Management contract at AGM 2020 without tender, with flat fees for three-year period, which ends on 31 January 2024, so new contract cannot start at beginning of 2024:

GST is excluded from the prices shown below.

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

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

Schedule 3 Hours of Coverage

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

AGM 2020 failed to comply with strata laws, like most of meetings since Waratah Strata Management took office on 1 February 2017:

[SP52948-Waratah-Strata-Management-organised-non-compliant-ordinary-committee-meetings-in-period-2017-to-2022.html](#)

[SP52948-Solicitor-Adrian-Mueller-provided-advice-how-to-ensure-Motions-by-Lot-158-be-ignored-effectively-coercing-owners-to-vote-against-ratification-of-past-events-AGM-2020.pdf](#)

19) Waratah Strata Management, with support of Mr. John Gore, failed to inform owners about quality of services that Uniqueco Property Services offered:

[SP52948-continuous-delays-with-fire-and-OHS-problems.html](#)

[SP52948-ongoing-maintenance-problems-mostly-ignored-by-Waratah-Strata-Management.html](#)

[SP52948-discrimination-of-dog-owners-and-lack-of-compliance-with-by-laws.html](#)

20) Waratah Strata Management (and Mr. Gore) failed to present tender from Complete Building Management Group at AGM 2017 and allowed Uniqueco Property Services to renew contract without tender.

21) Waratah Strata Management (and Mr. Gore) disallowed the following tenders for strata and building management contracts at AGM 2020 without valid reasons:

Three very competitive quotes for building management contract:

- Curtis Strata Cleaning
- Forte Asset Services
- Clean and Secure Building Management

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

- Patrols two times a night in around 30 minute duration each time,
- Full 10-hour a night onsite security.

The reason for option with patrols:

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

Very competitive quote from Jim's Mowing franchise for gardening.

Three very competitive quotes for the strata management contract:

- Strata Excellence
- Strata Title Management
- Netstrata

22) Waratah Strata Management, with support of Mr. John Gore, failed to inform owners about discrimination by with Uniqueco Property Services in regards to maintaining common property for Lot 158:

[SP52948-Lot-158-unresolved-common-property-issues-Oct2023.pdf](#)

23) Nine requests to obtain access to CCTV recordings for stalking, harassment, intimidation, and threats against Lot 158 were silently ignored by Waratah Strata Management, committee members, and Uniqueco Property Services. Examples:

[SP52948-Example-of-preventing-access-to-CCTV-recording-as-evidence-in-Police-event-dated-11Aug2019](#)

[SP52948-Waratah-Strata-Management-allowed-CCTV-evidence-to-be-overwritten-23Jul2020](#)

[Waratah Strata Management ignored Lot 158 request for CCTV evidence in Police Event E95762188 on 13 April 2023](#)

Document search on 8 June 2022 found secret email from Uniqueco Property Services to Waratah Strata Management, showing determination to prevent Lot 158 from accessing common property (CCTV recording) that is owned by owners corporation, not by a temporary building manager:

[SP52948-secret-email-with-refusal-by-Uniqueco-Property-Services-to-provide-access-to-CCTV-for-security-related-incident-22Oct2020](#)

The screenshot shows a TeamViewer window titled 'WSMWS05 - TeamViewer'. The main content is an email from Uniqueco Pty Ltd to Robert Corble, dated 22/10/2020 at 4:40:32 PM. The subject is 'Re: REQUEST TO PROVIDE COPIES OF TWO CCTV RECORDINGS: SP52948 events on 17 and 18Oct2020'. The email body contains the following text:

Our contract: DOES NOT mention giving access to CCTV footage or downloading copies for owners. This may need to be teased and discussed at a later date with the EC.

OUR CONTRACT:

5.6 states that - Covert video surveillance by way of CCTV cameras ... such legal action or legal proceedings as a consequence of any alleged unlawful activity.

The Contractor will maintain CCTV footage for a reasonable periods of time (14 days) ... NO COPY ON USB AND GIVE TO OWNERS IS MENTIONED ANYWHERE!

25. Caretaking Services - is in reference to ensuring all occupants observe the by-laws ...

26. Monitor the use of common property facilities ...

NO MENTION OF CCTV FOOTAGE ETC.

We will contact security and inform them that Lot 158 is not allowed into the office to view footage etc. Lot 158 must contact Steve - which he won't be doing!

Good luck with the AGM tonight.

Kind regards,

Sandra Carbone
Adrian
Uniqueco Pty Ltd

Below the email is a 'List Tool' table with columns: Date, Doc. Type, Plan Number, Address, Manager, Notes, Show on Portals, and Portal ID. The table contains 13 rows of document records, with the most recent one (dated 22/10/2020) highlighted in blue.

Date	Doc. Type	Plan Number	Address	Manager	Notes	Show on Portals	Portal ID
11/11/2020	CORRESPONDENCE	52948	Macquarie Gardens, 1-15 Forteney Road, Macquarie Park, NSW 2113	Stuart Greene	Caveatempt Report		
30/10/2020	CORRESPONDENCE	52948	Macquarie Gardens, 1-15 Forteney Road, Macquarie Park, NSW 2113	Stuart Greene	Animals By-Law		
29/10/2020	CORRESPONDENCE	52948	Macquarie Gardens, 1-15 Forteney Road, Macquarie Park, NSW 2113	Stuart Greene	Lot 175 Dog		
29/10/2020	CORRESPONDENCE	52948	Macquarie Gardens, 1-15 Forteney Road, Macquarie Park, NSW 2113	Stuart Greene	Lot 193 air conditioner		
29/10/2020	CORRESPONDENCE	52948	Macquarie Gardens, 1-15 Forteney Road, Macquarie Park, NSW 2113	Stuart Greene	Lot 177 levy query		
28/10/2020	CORRESPONDENCE	52948	Macquarie Gardens, 1-15 Forteney Road, Macquarie Park, NSW 2113	Stuart Greene	Lot 175 Dog		
28/10/2020	CORRESPONDENCE	52948	Macquarie Gardens, 1-15 Forteney Road, Macquarie Park, NSW 2113	Stuart Greene	Lot 175 Dog		
27/10/2020	CORRESPONDENCE	52948	Macquarie Gardens, 1-15 Forteney Road, Macquarie Park, NSW 2113	Stuart Greene	UNIT 115 AIR CONDITIONER	Executive	
22/10/2020	CORRESPONDENCE	52948	Macquarie Gardens, 1-15 Forteney Road, Macquarie Park, NSW 2113	Stuart Greene	Lot 158 Defamation Letter		
22/10/2020	CORRESPONDENCE	52948	Macquarie Gardens, 1-15 Forteney Road, Macquarie Park, NSW 2113	Stuart Greene	Lot 158 CCTV		
22/10/2020	CORRESPONDENCE	52948	Macquarie Gardens, 1-15 Forteney Road, Macquarie Park, NSW 2113	Stuart Greene	Lot 158 CCTV		

One example of lack of actions by Waratah Strata Management and committee members: would any reasonable and law-abiding person ignore pleas of a female owner to stop her stalking and harassment:

Sent: Sunday, February 18, 2018 10:21 PM
To: robert@waratahstrata.com.au
Subject: EC Meeting 7th of February [Clarification + Action Sought]

To Waratah Strata Management Team,

I am writing this letter as a plea from one human being to another, and only ask that you and your contractors manage to perform the maintenance work with quality and with respect to all of the residents.

My husband and I are owners of Lot 158 in Strata Plan 52948.

My husband has tried on numerous occasions in the past few years to inform the staff on the state of the gardens, walls and public property in relation to their disrepair.

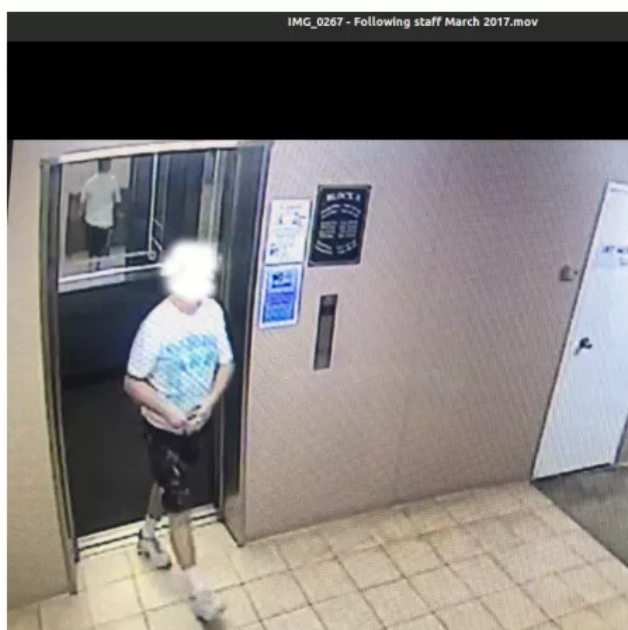
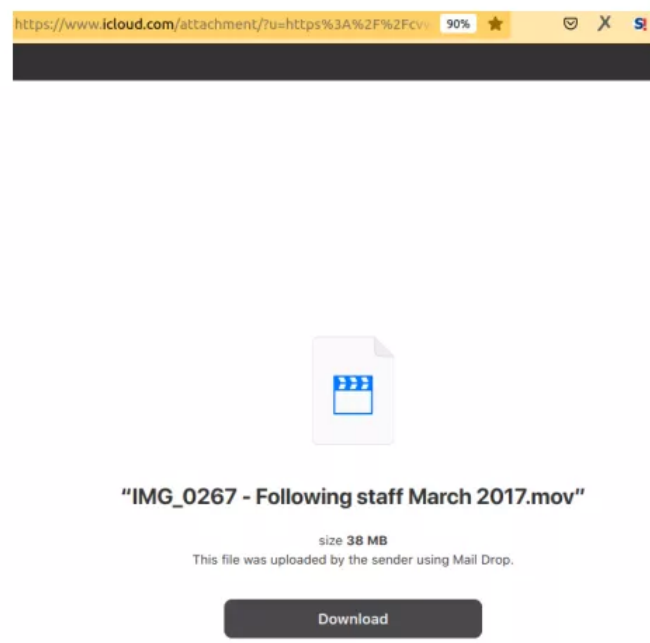
In these attempts I have felt harassed and intimidated in the complex I live in by staff (four in particular) of the Uniqueco group.

This has become such a heightened situation that I am required (upon advice from the police) to record my movements when I am alone in the complex and feel insecure. The agenda issued on the 7th of February incorrectly indicates I video staff while they work, which is not the case.

I ask for the following:
A written confirmation that this behavior from Uniqueco group will cease
This matter will be clarified and noted at the next EC Meeting

[SP52948-Waratah-Strata-Management-ignored-desperate-plea-by-Lot-158-female-to-prevent-her-stalking-and-harassment-18Feb2018](#)

Additionally, owners have no information about official rules for: who has access to footage, where the footage is kept, how it is kept (is it securely held?) and the process for obtaining access to the footage and then to ensure this is encapsulated in a by-law in addition to authorising any necessary services agreements required to install, maintain and operate the CCTV system. As an extreme example, maintenance staff uploaded video titled "IMG_0267 - Following staff March 2017.mov" into public cloud on internet on 11 August 2019 (and made it available ever since), without owners corporation approval, or approval of owners in question (the event happened in 2017 and maintenance staff failed to produce it to Police and Lot 158 when requested in 2017). The video confirmed that staff member was not on duty on that day in 2017 as she was not wearing uniform:



24) Waratah Strata Management, with support of Mr. John Gore, failed to inform owners about other issues with Uniqueco Property Services:

- Uniqueco Property Services failure to comply with mandatory Code of Conduct for the Short-term Rental Accommodation Industry (Code).
- Uniqueco Property Services failure to comply with mandatory City of Ryde fire orders since 2020.
- There are seven Police Events for staff of Uniqueco Property Services committing stalking, harassment, and threats in SP52948. Even Police was declined access to CCTV and some of the video evidence was deliberately deleted:

<https://www.nswstratasleuth.info/SP52948-endangering-life-and-safety-of-owner-to-prevent-their-investigations-about-mismanagement-of-strata-complex.html>

- Uniqueco Property Services stopped doing number of activities that their predecessor undertook as part of standard services:

Touch-up painting of smaller areas within the complex

Cleaning exhaust vents in bathrooms and laundries

Mowing Ryde Council unnamed park Lot 202 DP848752, 440 Lane Cove Road, classified as Public Recreation Space. This started happening in 2019 after Uniqueco property Services and Waratah Strata management were prevented by Lot 158 to allow selective owners to park illegally (Ryde Council Reference 2158948).

- On most work days, there is nobody on site between hours of 14:00 to 14:30 and 18:30 to 19:00.
- Cleaning of foyers in Block A is only done two-three times a week.
- Other problems:

Uniqueco Property Services staff (especially Mr. Steve Carbone who uses four different garages of owners in the complex) abusing parking regulations in the complex (parking in private garages or non-parking areas of common property whilst designated parking slot near tennis courts was empty, which owners corporation pays for). Evidence in these photos:



SP52948-maintenance-staff-regularly-parking-in-private-garages-whilst-designated-parking-spot-left-vacant-29Nov2023.webp

SP52948-maintenance-staff-regularly-parking-in-private-garages-whilst-designated-parking-spot-left-vacant-27Nov2023.webp

SP52948-maintenance-staff-regularly-parking-in-private-garages-whilest-designated-parking-spot-left-vacant-31Oct2023.webp

SP52948-maintenance-staff-regularly-parking-in-private-garages-whilest-designated-parking-spot-left-vacant-26Oct2023.webp

SP52948-maintenance-staff-regularly-parking-in-private-garages-whilest-designated-parking-spot-left-vacant-21Oct2023.webp

SP52948-maintenance-staff-regularly-parking-in-private-garages-whilest-designated-parking-spot-left-vacant-18Oct2023.webp

SP52948-maintenance-staff-regularly-parking-in-private-garages-whilest-designated-parking-spot-left-vacant-17Oct2023.webp

SP52948-maintenance-staff-regularly-parking-in-private-garages-whilest-designated-parking-spot-left-vacant-10Oct2023.webp

SP52948-maintenance-staff-regularly-parking-in-private-garages-whilest-designated-parking-spot-left-vacant-20Sep2023.webp

SP52948-maintenance-staff-regularly-parking-in-private-garages-whilest-designated-parking-spot-left-vacant-9Oct2023.webp

SP52948-maintenance-staff-regularly-parking-in-private-garages-whilest-designated-parking-spot-left-vacant-4Oct2023.webp

SP52948-maintenance-staff-regularly-parking-in-private-garages-whilest-designated-parking-spot-left-vacant-23Mar2023.webp

SP52948-maintenance-staff-regularly-parking-in-private-garages-whilest-designated-parking-spot-left-vacant-26Apr2023.webp

SP52948-maintenance-staff-regularly-parking-in-private-garages-whilest-designated-parking-spot-left-vacant-20Apr2023.webp

SP52948-maintenance-staff-regularly-parking-in-private-garages-whilest-designated-parking-spot-left-vacant-Mar2023.webp

SP52948-maintenance-staff-illegally-parked-in-clear-no-parking-zone-basement-near-Block-C-16Mar2020.webp

SP52948-maintenance-staff-regularly-parking-in-private-garages-whilest-designated-parking-spot-left-vacant-8Feb2022.webp

SP52948-maintenance-staff-regularly-parking-in-private-garages-whilest-designated-parking-spot-left-vacant-7Dec2021.webp

SP52948-maintenance-staff-regularly-parking-in-private-garages-whilest-designated-parking-spot-left-vacant-2Feb2022.webp

SP52948-maintenance-staff-regularly-parking-in-private-garages-whilest-designated-parking-spot-left-vacant-23Feb2022.webp

SP52948-maintenance-staff-regularly-parking-in-private-garages-whilest-designated-parking-spot-left-vacant-22Feb2022.webp

SP52948-maintenance-staff-regularly-parking-in-private-garages-whilest-designated-parking-spot-left-vacant-21Mar2022.webp

SP52948-maintenance-staff-regularly-parking-in-private-garages-whilest-designated-parking-spot-left-vacant-1Mar2022.webp

SP52948-maintenance-staff-regularly-parking-in-private-garages-whilest-designated-parking-spot-left-vacant-1Dec2021.webp

SP52948-maintenance-staff-regularly-parking-in-private-garages-whilest-designated-parking-spot-left-vacant-19Jan2022.webp

SP52948-maintenance-staff-regularly-parking-in-private-garages-whilst-designated-parking-spot-left-vacant-16Dec2021.webp

No evidence of Police checks for building manager's staff, and licenses for security guards working for Uniqueco Property Services.

- Unaccounted \$92,950.00 for major upgrades for 26 townhouses without any evidence of work being done since 2017.
- Since October 2023, Uniqueco Property Services failed to justify FY 2023 invoices and expenses for maintenance in amount of \$122,843.87 (GST excl).
- Unaccounted common property that disappeared or was stolen (one example: timber for half of fence behind townhouses).
- Uniqueco Property Services failed to respond to question if they were claiming benefits for employing staff with disabilities: Employment Assistance Fund, Disabled Australian Apprentice Wage Support (DNAWS), Payroll Tax Exemptions (NSW only), Wage Subsidies, whilst building manager's income grew well above the inflation rates.
- Ongoing long-term problems with lack of maintenance.
- Ongoing long-term lack of warranties for repairs of common property in the complex.
- And much more.

25) On the day of EGM on 30 November 2023, Uniqueco Property Services was still not paid for monthly services, either directly helping strata manager to hide full deficit in Admin Fund, or being forced to delay receiving salary with promise to get his contract extended without real tender (that will be assessed in court):

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

Lot 158 asked the question at the meeting, and nobody could provide an answer.

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

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

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

Reasonable estimate is that real negative balance in Admin Fund ib 30 November 2023 was at least \$165,000.00.