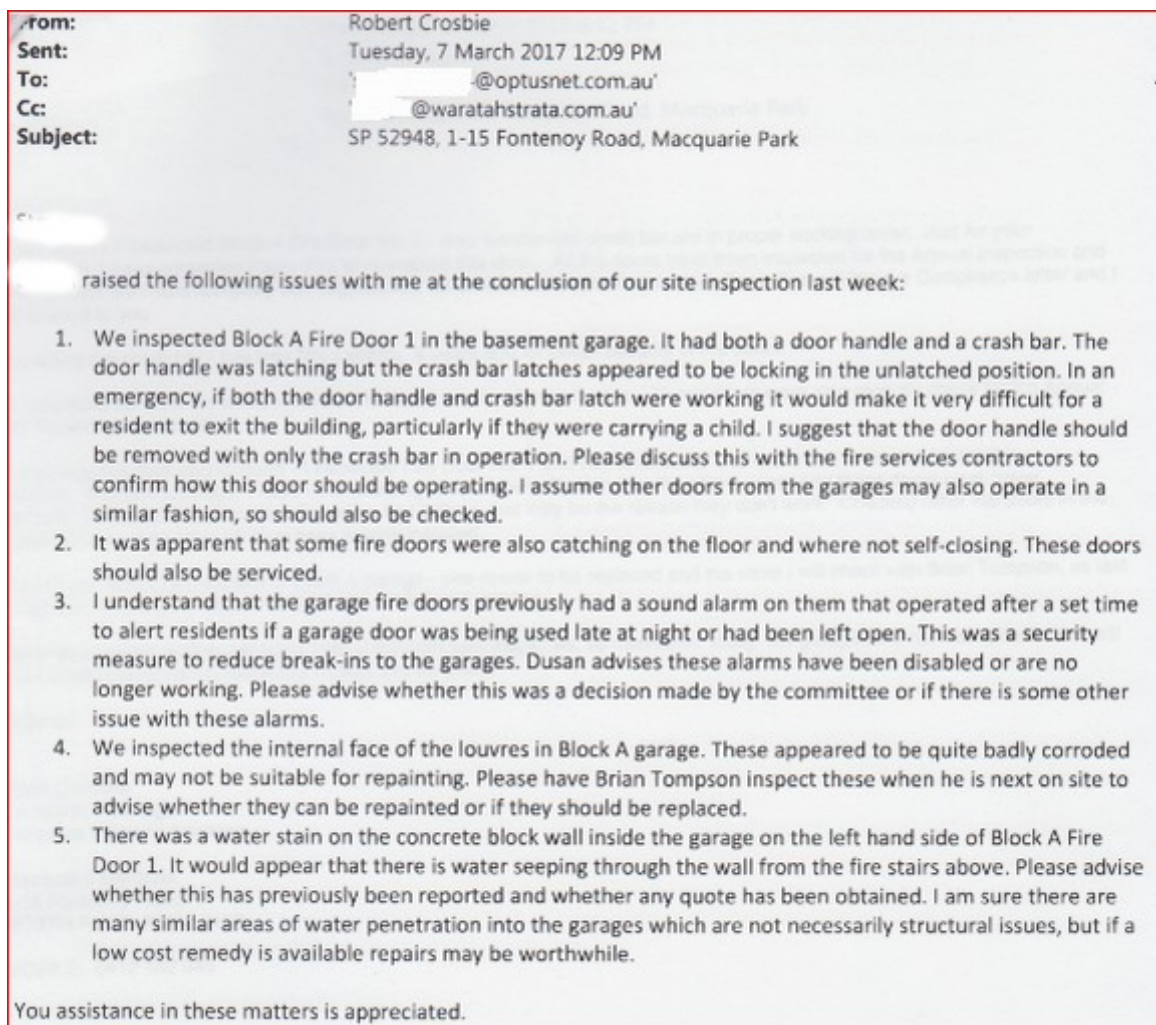


Firedoor problems in basement in SP52948

Email sent from Waratah Strata Management. The request for repairs was created after Lot 158 forced joint review of the complex maintenance on 1st of March 2017:



Instead of proper and prompt repairs, over the next eight months, owners corporation was literally pushed by Lot 158 to repair each fire door and item one at a time. Check of doors on 30th of September 2017 confirmed that Fire door 3 is still having problems:

<http://www.nswstratasleuth.id.au/SP52948-Firedoor-3-still-jamming-30Sep2017.mp4>

Louvres were either not repainted from the internal face, or done very poorly (photo evidence are enclosed in the next part of this report). Alleged "approval" by professional painting consultant Mr. Brian Thompson was not found.

Sound alarms on the fire doors are still not operational. This is compounded by the fact that for prolonged time (several months) security lights were switched off in the complex whilst still complete darkness. Lot 158 was closely monitoring the status and wondering owners corporation would take action. The action was in fact forced by Lot 158 complaint:

<http://www.nswstratasleuth.id.au/SP52948-complete-darkness-due-to-lights-repeatedly-turned-off-before-daylight-in-front-of-townhouses-before-6am-1Jun2017.mp4>

Even after the official complaint, it happened again:

[SP52948-repeated-problem-complete-darkness-due-to-early-lights-off-pathway-to-bus-stop-10Jun2017.mp4](http://www.nswstratasleuth.id.au/SP52948-repeated-problem-complete-darkness-due-to-early-lights-off-pathway-to-bus-stop-10Jun2017.mp4)

Block A wall cracks on level 2

Wall between lots 160 and 161 has been cracked for along time now. So much so, that one investor from highly-respite financial organisation (I know him personally), after a review of the complex and checks of the outstanding major works, pulled out of the purchase of the property in Block A.





Ongoing saga and lack of action for shopping centre trolleys in SP52948

Owners corporation stayed silent and never denied or took action against the report since 2015:

<http://www.nswstratasleuth.id.au/SP52948-undisclosed-theft-of-supermarket-trolley-and-no-action-by-EC-and-BCS-Strata-Management-Aug2015.pdf>

Owners corporation was orally reminded about it on number of occasions. No action followed either.

The last attempt to reason with Waratah Strata Management was on 4th of June 2017. In it, they provided misconstrued response, and denied obvious knowledge of multiple trolleys in the complex, including TWO that owners corporation staff still use (last sighting of them was during September 2017).

Trolley behind one of the emergency doors in the basement:



Second trolley used in the complex:



Poor repainting of louvres and keeping it secret from owners in SP52948

Number of warnings were submitted to owners corporation about the need to properly maintain louvres in the basement of the buildings.

They were constantly reminded about poor maintenance. An example about louvres from July 2017:

<http://www.nswstratasleuth.id.au/Macquarie-Gardens-photos/gallery/index.php?/category/64>

One of such attempts was on 23rd of August 2017 when owners corporation staff was asked if they would personally pay such bad repainting of louvres, which were treated against rust only from exterior of the buildings. They never replied:

<http://www.nswstratasleuth.id.au/SP52948-owners-corporation-did-not-answer-question-about-poor-painting-of-louvres-23Aug2017.html>

This however, did not stop owners corporation to ignore the request for proper repairs of louvres, as photos from 30th of September 2017 show:









Example of poor repair of garden beds in SP52948

Since 2011 Lot 158 recorded poor maintenance of the buildings and garden beds:

<http://www.nswstratasleuth.id.au/Macquarie-Gardens-photos/gallery/index.php?/category/5>

<http://www.nswstratasleuth.id.au/Macquarie-Gardens-photos/gallery/index.php?/category/6>

<http://www.nswstratasleuth.id.au/Macquarie-Gardens-photos/gallery/index.php?/category/8>

<http://www.nswstratasleuth.id.au/Macquarie-Gardens-photos/gallery/index.php?/category/3>

<http://www.nswstratasleuth.id.au/Macquarie-Gardens-photos/gallery/index.php?/category/14>

<http://www.nswstratasleuth.id.au/Macquarie-Gardens-photos/gallery/index.php?/category/20>

<http://www.nswstratasleuth.id.au/Macquarie-Gardens-photos/gallery/index.php?/category/34>

Minutes of the EC meeting on 20th of February 2013 reported the following:

Garden bed walls. Steve, the new employee of the Building Manager, is to identify a section of garden bed wall that is showing significant signs of water penetration from the garden bed, scrape it back and paint it with a membrane based coating. This section of wall will then be monitored over a period of time to determine if the membrane coating has been successful in preventing water penetration / the leaching of salts & minerals etc. through the wall.

Owners were also not told, or shown in any financial statements, that the budgeted and approved costs were doubled from those given in the minutes of the EC meeting.

Owners corporation falsely reported that they were repaired and repainted in 2013 at cost of \$5,170.00 (GST inclusive) as allegedly approved at EC meeting held on 28th of August 2013:

MOTION 7: To consider quotations for the re-painting of the central courtyard area.
The meeting reviewed quotations for the re-painting of the central courtyard area from Robertson's Painting and Decorating and Pierre Brush.
Resolved to approve the quotation from Pierre Brush, in the amount of \$5,170.00 including GST to re-paint the central courtyard area.

The real cost doubled and invoices paid to Pierre Brush were never disclosed to owners:

Cred. Code	Creditor Name	Doc. Ref. No.	Doc. Date	Doc. Total (GST inc.)	Chq. Date
37988	PIERRE BRUSH PAINTER	125/13	11/11/2013	\$5,500.00	19/11/2013
37988	PIERRE BRUSH PAINTER	115/13	8/10/2013	\$5,170.00	16/10/2013
Total				\$10,670.00	

Not only that, but much more work was done since then by other service providers, including Howard West Builder.

The repairs of garden beds create continuous stream of income for some service providers:

Creditor Name	Doc. Date	Doc. Total (GST inc.)	Chq. Date	Comment
HOWARD WEST - BUILDER	26/08/2015	\$654.50	01/09/2015	Supply and fit new custom made colourbond plates to damaged sections of garden walls throughout complex; drill and plug plates to garden walls, repair/adjust pedestrian fire door to rear ground floor of C Block

HOWARD WEST - BUILDER	19/05/2015	\$1,254.00	29/05/2015	Repair damaged garden walls throughout complex, supply and fit purpose built colourbond plates to walls as required, paint new plates to match, repair cement render to high rise garden wall adjacent C block entry, remove damaged render, supply and install one coat of waterproof render, finish render to affected area
HOWARD WEST - BUILDER	7/05/2014	\$1,353.00	21/05/2014	Common area: supply and fit colourbond capping to sections of garden walls, paint new sections to match, repair damaged aluminium handrail pickets adjacent to D block, refix pickets along entire section of railing, Block D: repair door and door frame of rear fire exit passage
HOWARD WEST - BUILDER	24/02/2014	\$753.50	05/03/2014	Common area: measure up plates for garden walls
HOWARD WEST - BUILDER	24/02/2014	\$704.00	05/03/2014	Common area: repair retaining wall adjacent to garage entrance, supply and install new sleepers
HOWARD WEST - BUILDER	19/02/2014	\$951.50	04/03/2014	Common area: repair leak to garden wall adjacent to pool area
HOWARD WEST - BUILDER	13/08/2013	\$831.60	21/08/2013	Common area: carry out repairs to garden walls, supply and fit folded colourbond panels to various cracks to garden walls, drill and fix new metal covers to brick walls adjacent to pool area and entry stairs
HOWARD WEST - BUILDER	7/12/2012	\$638.00	20/12/2012	Garden walls: supply and fit colourbond cappings to garden walls in main common areas over cracks/ control joints, paint new cappings
HOWARD WEST - BUILDER	12/09/2012	\$682.00	24/09/2012	Common area: repair damaged cement render to garden walls adjacent to entry stairs, supply and install new cement render

... Making the total costs of garden bed repairs in period of three years above to \$20,000.00.

Howard West Builder was using a unique substandard method by nailing metal plates on the front side of damaged garden beds without proper remediation work, leaving inner side of the bed exposed to water penetration, concrete cancer and movement as pictures show. Some of them are still kept on the walls, in spite of warnings about OH&S and the fact that did not help with protecting the walls.





Here is how owners corporation defended the status of garden beds in 2013:

<http://www.nswstratasleuth.id.au/Macquarie-Gardens-photos/gallery/index.php?/category/17>

The examples that garden beds and walls have not been fully repaired and repainted, taken on 30th of September 2017:







Pots in backyard and their maintenance in SP52948

Pots overturned in the backyard on 15th of September 2017, already in that state for several weeks prior to being photographed. No-one acted upon it:



The same pot is still overturned on 30th of September 2017 (two weeks later), and



Tree cuttings not attended to for more than two weeks:



Building complex just repainted but not everything included in SP52948





Details of the contracted values for the painting, including undisclosed details what painting was done on 26 townhouses which already had THREE paintings of pergolas over 20 years (against one poorly-done painting of buildings). In spite of all efforts, owners corporation could not provide any valid justification why painting of 26 townhouses that do not even have render cost owners corporation \$84,498.00 (plus GST) against each seven-storey building (including roof tops) which required minimum two coats of Dulux paint, massive number of repairs for cracks and paint blistering at cost of \$107,000.00 (plus GST). In addition, five lattices in townhouses were erected without approval by owners corporation and are not part of common property: Lot 194, Lot 197, Lot 199, Lot 202, and Lot 216.

Block A	Contract value \$107,000.00 plus GST		\$117,700.00	
20%	\$23,540.00	\$23,540.00		
40%	\$23,540.00	\$47,080.00		
60%	\$23,540.00	\$70,620.00		
80%	\$23,540.00	\$94,160.00		
95% Practical completion	\$17,655.00	\$118,815.00		
100%	\$5,885.00	\$117,700.00		
Townhouses	Contract value \$84,498.00 plus GST		\$92,950.00	
	<i>(Numbers have been rounded to avoided cents in the schedule)</i>			
20%	\$18,590.00	\$18,590.00	7610	31/03/17
40%	\$18,590.00	\$37,180.00	7617	19/04/17 *
60%	\$18,590.00	\$55,770.00	7618	30/04/17 *
80%	\$18,590.00	\$74,360.00	7618	30/04/17 *
95% Practical completion	\$13,943.00	\$88,303.00	7630	26/05/17
100%	\$4,647.00	\$92,950.00	7631	Not approved
<i>Note: Invoice 7631 - 100% claim - will sit until end of the defects liability period.</i>				

UPDATED 29 MAY 2017 FOR PAYMENT OF ITEMS HIGHTLIT IN YELLOW – ML&SP

Block B	Contract value - \$107,000.00 plus GST		\$117,700.00	
Milestone completed	Payment	Progressive	Invoice	Approved
10% - project deposit	\$11,770.00	\$11,770.00	7606	04/03/2017
20%	\$11,770.00	\$23,540.00	7612	31/04/2017 *
40%	\$23,540.00	\$47,080.00	7618	24/04/2017 *
60%	\$23,550.00	\$70,620.00	7624	22/05/2017
80%	\$23,540.00	\$94,160.00	7624	22/05/2017
95% - Practical completion	\$17,655.00	\$111,815.00	7626	Not approved
100%	\$5,875.00	\$111,700.00	7629	Not approved

Notes: Claims for Practical Completion and retention are to and but the milestones have not been reached yet.

Claim 7626 - PC is eminent but not quite there yet.

Claim 7629 will not be approved until Contract End – 3 months after PC

Block C	Contract value - \$107,000.00 plus GST		\$117,700.00	
20%	\$23,540.00	\$23,540.00	7618	24/04/2017 *
40%	\$23,540.00	\$47,080.00	7625	22/05/2017
60%	\$23,540.00	\$70,620.00	7627	Not approved
80%	\$23,540.00	\$94,160.00	7627	Not approved
95% - Practical completion	\$17,655.00	\$111,815.00		
100%	\$5,885.00	\$117,700.00		

Note: Invoice 7627 is a composite claim for both the 60% and 80% milestones.

Whilst 60% has been achieved, 80% has not yet and approval deferred until reached

Block D	Contract value \$107,000.00 plus GST		\$117,700.00	
20%	\$23,540.00	\$23,540.00	7628	22/05/2017
40%	\$23,540.00	\$47,080.00		
60%	\$23,540.00	\$70,620.00		
80%	\$23,540.00	\$94,160.00		
95% Practical completion	\$17,655.00	\$111,815.00		
100%	\$5,885.00	\$117,700.00		

Various structures \$66,000.00	Contract value \$60,000.00 plus GST
20%	\$13,200.00
40%	\$26,400.00
60%	\$39,600.00
80%	\$59,400.00
90% Practical completion	\$59,400.00
100%	\$66,000.00

Continuous elevator maintenance in SP52948

Latest elevator breakdown in Block A happened on 5th of October 2017 and number of owners were caught in it, including two committee members who live in this building.

Summary of how elevator contracts were mismanaged in SP52948 over years. A reply from owners corporation was never received:

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

Examples of professional elevator assessments that have been kept secret from owners:

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

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

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

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

Report from owners corporation staff dated 1st of September 2014 - submitted to EC members but never disclosed to owners:

*I call Thyssen Friday 22nd August regarding to a noise reported to us from an Owner Resident. John the Thyssen tech was out on later on Friday 22nd, checking for this noise and reported to me that he would be back on Monday to follow up on things and that there would be two guys out on Tuesday to carry out the work to correct the noise. On Monday no one turned up, so Tuesday I called Thyssen and asked what was happening with techs that were to be here, John called me and said that Simon should be on site soon, Simon came and stated on the lift. I was working in the area when he informed me that the part making the noise will need to be taken away to be worked on as this part is apparently obsolete so there is no part available to be put in when the faulty one is taken out. What he suggested that the part be removed, taken away and the lift be closed down for four days. I called Paul Banoob (as Russell is on leave till this Monday) and informed him of the situation I passed Paul to the tech. I spoke with the area Manager little later, Andrew, and asked him how could this part be OBSOLETE?? informed him that the lift cannot be closed down for four days, a day at the most if at all. He was going to look further into sourcing the part and get back to me.
I have just spoken to Andrew who said that he has spoken to Liftronic who are looking for a spare second hand part required, the part is apparently is not available any longer. Andrew will keep me informed on the progress and I will pass information onto you.*

Summary of Lot 158 findings about SP52948 maintenance after joint visit with owners corporation staff on 1st of March 2017:

<http://www.nswstratasleuth.id.au/ANNOTATED-SUMMARY-for-Waratah-Strata-Management-on-SP52948-Open-Issues-and-still-undisclosed-Special-By-Law-for-Lot-3-and-photos-of-the-complex-17Mar2017.html>

During document search on 13th of June 2017 it became evident that ALL ThyssenKrupp elevator maintenance reports were REMOVED from strata documents since 2014!

After I sent this report to EC members and Waratah Strata management one day before the meeting in September 2017, all of a sudden there is a plan to run tender for elevator upgrades in the complex.

One of many reminders sent to EC members and strata agency about mismanagement of the complex, including evidence that there was two-day elevator offline in Block A in April 2017 and For the elevator travelling 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 (2017 is exactly 20 years for Block A and D, and 21 years for two other buildings in the complex).

<http://www.nswstratasleuth.id.au/SUBMISSION-to-Waratah-Strata-Management-for-SP52948-EC-meeting-on-20-Apr2017.html>

Notice about elevator breakdown in Block A on 10th of August 2016.

Notice about elevator breakdown in Block A on 14th of August 2017.

Notice about elevator breakdown in Block A on 11th of September 2017.

Breakdown of elevator in Block A on 5th of October 2017, during rush hour in the afternoon, after 17:00 hours.

Minutes of EC meeting held on 20th of April 2017:

Lift Contract

The Lift Audit Report prepared by Thomson's Elevator Consultancy Services was tabled and discussed. Thomson's have written to ThyssenKrupp to notify them of the works that are required to be carried out prior to the expiry of the current contract on 30 June 2017.

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es Page 1 of 3

Resolved the strata manager is to write to ThyssenKrupp to advise that unless the works listed in Thomson's report are completed by 30 June, they will not be considered for appointment under the new contract. Thomson's and ThyssenKrupp are also to be requested to advise for how long the replacement of the lift ropes in Lift 4 will take the lift out of service and whether any of the other recommended upgrades should be carried out while the lift is out of service.

Further resolved that Thomson's are to prepare a specification to place the lift maintenance contract out to tender.

This secret meeting that was held in non-compliance with strata laws to allegedly approve elevator contract with Liftronics was dully submitted to Waratah Strata Management and EC members but no reply received in spite of THREE EC members being unfinancial due to unpaid full levies for gas heating since 1999.

<http://www.nswstratasleuth.id.au/SP52948-Waratah-Strata-Management-again-conducts-Secret-EC-meeting-on-30Jun2017-and-non-compliant-agenda-for-EC-meeting-on-20Jul2017.html>

Repetitive fire safety issues and ignorance of strict laws

Lot 158 had non-compliant external doors for 12 years, until the owner forced a replacement:

<http://www.nswstratasleuth.id.au/Macquarie-Gardens-photos/gallery/index.php?/category/44>

The fire safety reports are always hidden from owners and delayed repair never disclosed:

<http://www.nswstratasleuth.id.au/Macquarie-Gardens-photos/gallery/index.php?/category/46>

Notice to residents in April 2016:



RECTIFICATION OF DEFECTIVE FIRE PROTECTION AND ESSENTIAL SERVICES

1-15 Fontenoy Road, Macquarie Park

Fire Management Solutions has been engaged by the Strata Scheme to complete mandatory repairs of defective essential fire services at the above mentioned address

We will be attending site on **Wednesday 20th April 7.00am-12.00pm** to complete the required repairs and require access into the below Units to complete work as below.

Fire Management Solutions will require access into below apartments for a period of 15-20mins to complete repairs of fire doors

Access Required

Unit 42
Unit 43
Unit 44
Unit 45
Unit 46
Unit 47
Unit 48
Unit 98
Unit 100
Unit 111
Unit 158
Unit 160

Notice to residents in May 2017 (door on Lot 160 was allegedly repaired two times in ONE year, at additional cost):



**EAGLE FIRE PROTECTION
NOTICE OF
UNIT DOOR REPAIRS**

FOR ADDRESS: 1-15 Fontenoy Road, Macquarie Park
STRATA PLAN: 52948

THE FOLLOWING UNITS ARE REQUIRED TO PROVIDE
ACCESS IN ORDER TO COMPLETE MINOR RECTIFICATION
WORKS FROM THE RECENT INSPECTION

Unit Doors From 7.00am to 10.00am

Units 14, 17, 32, 39, 46, 68, 69, 104, 110, 120, 132, 136,
139, 142, 160, 174, 177 and 183

ALL WORKS WILL BE CARRIED OUT AND COMPLETED
BY OUR SERVICE TECHNICIANS

ON THE

20 /03/2017

For your convenience you may call on 9674 4585 between 9.30am and
12.00 pm Monday to Friday to make a specific time for the works to be
undertaken. No booking will be accepted on the day of repairs.

Repetitive hot water system and water leak repairs

This was summarised to owners corporation many times but a reply or comment never received:

SP52948-Block-D-BCS-Strata-Management-Three-Hot-Water-Repairs-With-Significant-Costs-Without-Warranties-Six-Year-Period.pdf

Owners are never told about various partial repairs that do not last long and require additional costs. An example:

6/06/2011	Cheque: 100317	Associated Gas Plumbing: Boilers 1 & 2 - Replace pumps	4,008.20
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Frequent problems, reactive maintenance, and poor repairs of hot water systems are common (almost always without applying any warranties) – costing owners corporation excessive amounts of money from common funds. Just in one Lot 191, there were 22 water leak repairs over six years. In spite of all attempts, owners corporation hides it from owners:

<http://www.nswstratasleuth.id.au/SP52948-owners-corporation-looking-for-excuses-about-poor-complex-management-6Oct2016.html>

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

XCred. Code	Creditor Name	Doc. Total (GST inc.)	Chq. Date	Comments
33568	NCB PLUMBING PTY LTD	\$693.00	15/09/2011	Lot 191: water leak
68671	HOWARD WEST - BUILDER	\$968.00	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	\$832.70	19/04/2013	Lot 191: urgent water leak in kitchen ceiling on Saturday
33568	NCB PLUMBING PTY LTD	\$121.00	15/08/2013	Lot 191: leak coming through light fitting in laundry
33568	NCB PLUMBING PTY LTD	\$653.40	2/09/2013	Lot 191: leak in ceiling area
68671	HOWARD WEST - BUILDER	\$803.00	3/09/2013	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	\$779.90	16/10/2013	Lot 191: leak in laundry ceiling
68671	HOWARD WEST - BUILDER	\$781.00	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	\$1,078.00	14/08/2014	Lot 191: ceiling water leak
68671	HOWARD WEST - BUILDER	\$572.00	23/10/2014	Lot 191: water damage to ceiling
68671	HOWARD WEST - BUILDER	\$781.00	24/03/2015	Lot 191: water damage ceiling
33568	NCB PLUMBING PTY LTD	\$887.70	7/04/2015	Lot 191: water leak through kitchen ceiling bulkhead
33568	NCB PLUMBING PTY LTD	\$867.90	23/06/2015	Lot 191: Urgent Saturday water leak bathroom ceiling
68671	HOWARD WEST - BUILDER	\$1,078.00	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	\$878.90	14/12/2015	Lot 191: water leak through ceiling
33568	NCB PLUMBING PTY LTD	\$658.90	24/02/2016	Lot 191 and 192: water leaks
69661	W & M GORDON	\$790.00	13/12/2016	Lot 191: repairs to bathroom ceiling after water leak
33568	NCB PLUMBING PTY LTD	\$1,305.70	1/12/2016	Lot 191: called out by caretaker, to a report of a water leak coming through the bathroom ceiling. We 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 organised to return 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 to 3 meter section of piping in the ceiling space, which also required us to cut another hole in the ceiling. Tested all new piping and cleaned up mess to complete our part of the job. Caretaker was now organising the ceiling repairs.
33568	NCB PLUMBING PTY LTD	Undisclosed to owners	3/03/2017	A Block. Lot 191 water leak in laundry ceiling
	Warrick - Handyman	Undisclosed to owners	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
		\$15,715.90		

These are few of many examples from one building - Block A.

12th of November 2015.

4th of February 2016.

16th of February 2016.

24th of February 2016.

Notice to residents of Block A on 14th of December 2016.

Notice to owners on 6th of July 2017.

Under pressure from Lot 158, and due to embarrassingly high number repetitive repairs, Block A finally got an upgrade of hot water system on 14th of August 2018, without disclosure of any tender and competitive quotes, or any details of the warranties.

Latest water leak on top floor on Block A on 27th of September 2017.

Roof membranes in Block A, C and half of Block B still not upgraded in SP52948

Literally dozens of warnings about poor maintenance of roofs was sent to owners corporation. Some of them:

<http://www.nswstratasleuth.id.au/Response-from-owners-corporation-on-OFFICIAL-SUBMISSION-SP52948-Request-for-inspection-of-records-on-15May2017.html>

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

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

Kintyre roof membranes in Blocks B and D that were completed at cost of close to \$170,000.00 (GST inclusive) without any tender or competitive quotes:

Creditor	DocNo.	Doc.Date	Doc.Total	Date Presented	Comments
KINTYRE BUILDING SERVICES	42493A	11/12/2015	\$7,785.00	11/02/2016	Block D: roof membrane - fourth part
KINTYRE BUILDING SERVICES	42493	11/12/2015	\$25,000.00	21/12/2015	Block D: roof membrane - third part
KINTYRE BUILDING SERVICES	42215	2/11/2015	\$32,786.00	23/11/2015	Block D: roof membrane - second part
KINTYRE BUILDING SERVICES	42081	7/09/2015	\$43,714.00	16/10/2015	Block D: roof membrane - first part
KINTYRE BUILDING SERVICES	36682	27/02/2015	\$35,613.60	10/03/2015	Block B: roof membrane - second part
KINTYRE BUILDING SERVICES	38330	19/01/2015	\$23,742.40	09/02/2015	Block B: roof membrane - first part
KINTYRE BUILDING SERVICES	26576	27/03/2012	\$28,892.00	05/04/2012	Block A, B, C, D and townhouses

September 2017: Owners corporation prevented check of BigAir facility that runs business illegally since 31 January 2014 and without any financial benefits to owners since signoff in 2004, in non-compliance with the contract

Subject: Visit to roof area and MDF room

Date: 25/08/17 16:11

Based on evidence that I applied for EC membership in compliance with strata laws several times, I am already an EC member and fully financial. Your duty will be to prove that several current EC members are FULLY financial since year 2000.

Pay also attention to identical handwriting on ballot papers at the AGM 2016 and check SSMR 2010 Section 18.

This is a repeat of other AGMs. Like AGM 2012 when Special By-Law 12 was allegedly approved:

<http://www.nswstratasleuth.id.au/SP52948-AGM2012-quorum-calculation-created-on-25Nov2012-updated-1Jul2017.pdf>

I have been in those areas of the complex number of times in the past without complaint. I have OH&S training.

One was with you on 1 March 2017. Nobody had problems with my visit then.

The evidence is collected for Police case.

One of the items is Motion 17 at AGM 2014 in regards to evicting BigAir that is still unattended to in accordance with owners corporation request and decision.

If you are unwilling to co-operate, please reply to this email.

Document created by Lot 158 with details of long-term wireless ISP contract mismanagement:

<http://www.nswstratasleuth.id.au/BCS-Strata-Management-Terrible-Contract-with-Wireless-ISP-Causing-Financial-Losses-above-270000-dollars-to-SP52948-for-12-Years.pdf>

<http://www.nswstratasleuth.id.au/Macquarie-Gardens-photos/gallery/index.php?/category/7>

31st of January 2014: BigAir instructed to remove their equipment from the complex due to failed contractual obligations for 10 years. Big Air refused to comply and still runs business without contact, without presenting their license, and without paying owners corporation for rent, electricity and other items:

31 January 2014

Attention:
BigAir Group Limited
Level 1, 59 Buckingham Street
Surry Hills NSW 2010

WITHOUT PREJUDICE SAVE AS TO COSTS

URGENT

Also by Email: facilities@bigair.net.au

Dear Sir

**THE OWNERS - STRATA PLAN NO
TELECOMMUNICATIONS INSTALLATION
MACQUARIE PARK 2113**

Our Ref: 131862

We refer to your correspondence dated 15 January 2014.

With respect, it is our client's opinion that the offer which has been proposed is grossly inadequate and has no regard to interest.

In our letters dated 15 November 2013 and 13 December 2013 respectively, we informed you that the Owners Corporation has accepted your company's repudiation and terminated the contract.

You are required, therefore, to remove all your equipment and reinstate our client's property to its original condition to its reasonable satisfaction within seven (7) business days of the date of this letter.

In addition, the Owners Corporation will not be entertaining any further negotiations with BigAir. In this regard, from a review of your alleged revenue, it is noted that there will be no or minimum loss to BigAir.

If the equipment is not removed by close of business on 4 February 2014, the Owners Corporation may commence action against you without any further notice to you.

Please kindly confirm once the equipment has been removed.

18th of June 2014: At the Executive Committee meeting that was attended by only seven members of the committee and the Strata Manager, decision was made to pursue matters with BigAir without further involvement of the Lawyer due to unsatisfactory progress with removal of the wireless ISP from common property.

MOTION 2: The meeting noted the following matters to be followed up.

BigAir Contract:

The Executive Committee will consider pursuing this matter without the services of Grace Lawyers.

10th of September 2014: At the Executive Committee meeting that was attended by only seven out of nine members of the committee and the Strata Manager, owners were told that advice from a legal contact was pending as to who may be recommended to assist the owners corporation with any further action.

MOTION 2: The meeting noted the following matters;

BigAir Contract:

The Executive Committee are awaiting advice from a legal contact, as to who may be recommended to assist the Scheme with any further action.

12th of November 2014: Under intense pressure from Lot 158, who had extensive telecommunications experience and ran thorough investigation about BigAir, and raised cases with Australian Media and Communications Authority and Telecommunications Industry Ombudsman (file number 2014/10/03580), the following was reported in the agenda for the Annual General Meeting:

WHOME (now BigAir) BREACH OF CONTRACT

The wireless internet supplier BigAir, originally known as Whome, has reneged on its contractual obligations to pay a commission to the OC and has relied on changes to the Telecommunications Act to prevent their equipment being removed. Solicitors acting for the OC gave ineffective advice and this matter remains a commercial headache. Self-managed legal action may be the only resolution to this, which will take a lot of committee time. The cost of initiating legal action may exceed any recoupment but the alternative is that BigAir continues to profit from the use of common property for no cost.

Some of "actions" by owners corporation in 2017:

<http://www.nswstratasleuth.id.au/SP52948-delaying-actions-against-BigAir-EC-meeting-16Mar2017.png>

<http://www.nswstratasleuth.id.au/SP52948-Waratah-Strata-Management-still-chasing-BigAir-responses-without-success-and-causing-further-financial-losses-to-owners-corporation-Jun2017.png>

Visit to roof tops was also required for another reason, which was prevented by owners corporation, as per OH&S safety report by Napier & Blakeley in July 2012 that was repetitively sent to owners corporation over years. During 2017, this is what was reported to owners. At this stage, there is no evidence that the clean-up occurred yet:

- **Storeroom Rubbish** - Large items of obsolete equipment that is currently being stored in the rooftop storerooms (which are not accessible to residents or the public) are only to be removed if a crane or other suitable method of removing the items is need at the block for any other purpose, such as roof repairs.