

Strata Plan SP52948 committee meeting dated 9 February 2023, as organised by Waratah Strata Management, did not satisfy requirements of Strata Schemes Management Act 2015 (SSMA), Schedule 2, Section 4 (1) and (2), and section 7, and Interpretation Act 1987 (NSW).

Agenda was created on 6 February 2023 and scheduled for 9 February 2023. Excluding date of creation and meeting date, only two days were allowed for delivery of notice to all owners. As per Strata Roll dated 31 January 2017, more than 32% of owners had requested postal delivery of notices – that figure is hidden from owners by Waratah Strata Management in subsequent years. Agenda was not sent to Lot 158. Open and repetitive discrimination by Waratah Strata Management, with Mr. Robert Crosbie acting as ringleader.

Agenda was not detailed, and claimed that notice was dated 2 February 2023.



Waratah Strata Management
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NOTICE OF A STRATA COMMITTEE MEETING
THE OWNERS - STRATA PLAN 52948

ADDRESS OF THE STRATA SCHEME:

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

DATE, PLACE & TIME OF MEETING: A meeting of the Strata Committee of The Owners - Strata Plan 52948 will be held on 9/02/2023 via Zoom Video/Audio Conference. The meeting will commence at 06:00 PM.

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

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

Meeting ID: 848 2882 8060
Passcode: 977850
One tap mobile
+61280156011,,84828828060# Australia

Dial by your location
+61 2 8015 6011 Australia

Meeting ID: 848 2882 8060
Find your local number: <https://us06web.zoom.us/j/kcZGBXNtB4>

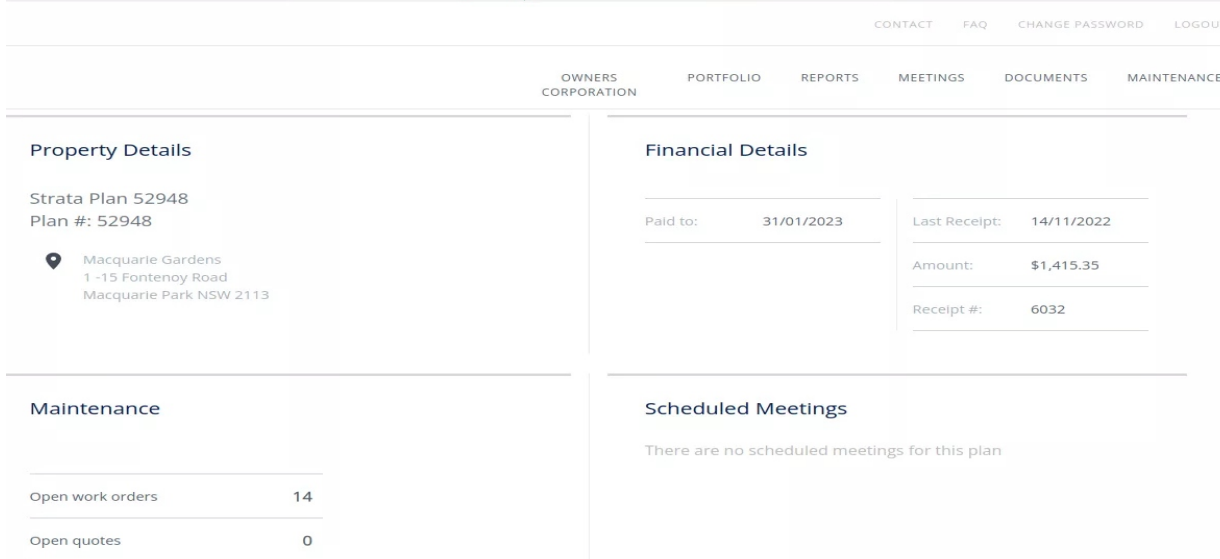
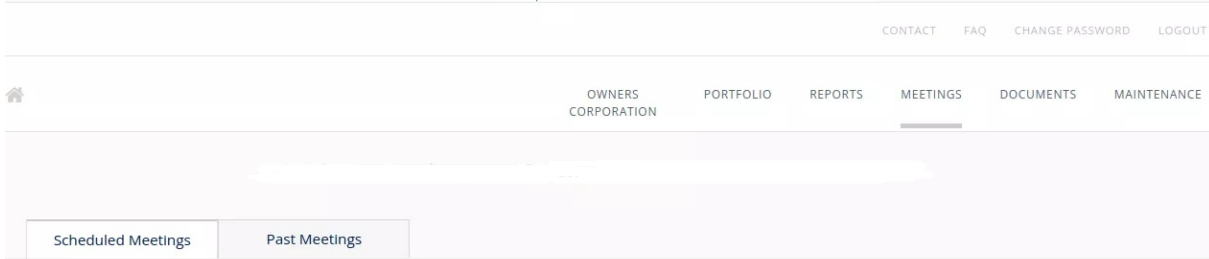
The Agenda for the meeting is:

- 1 **MINUTES**
That the minutes of the previous strata committee meeting be confirmed as a true record of the proceedings of that meeting.
- 2 **FINANCIAL REPORT**
That the financial reports for the current financial year be tabled and discussed.
- 3 **FIRE ORDER**
That update as supplied by CORE Engineering and Austech Engineering in relation to the fire order be discussed.
- 4 **UNIQUECO COST AGREEMENT**
That the costs agreement submitted by Steve Carbone from Uniqueco Pty Ltd be tabled and discussed.
- 5 **ELECTRICAL VEHICLES**
That charging of electric vehicles in Strata is further discussed.
- 6 **GENERAL BUSINESS**
That any general business items be raised and discussed.
- 7 **NEXT MEETING**
That the date time and location of the next Strata Committee meeting be decided.

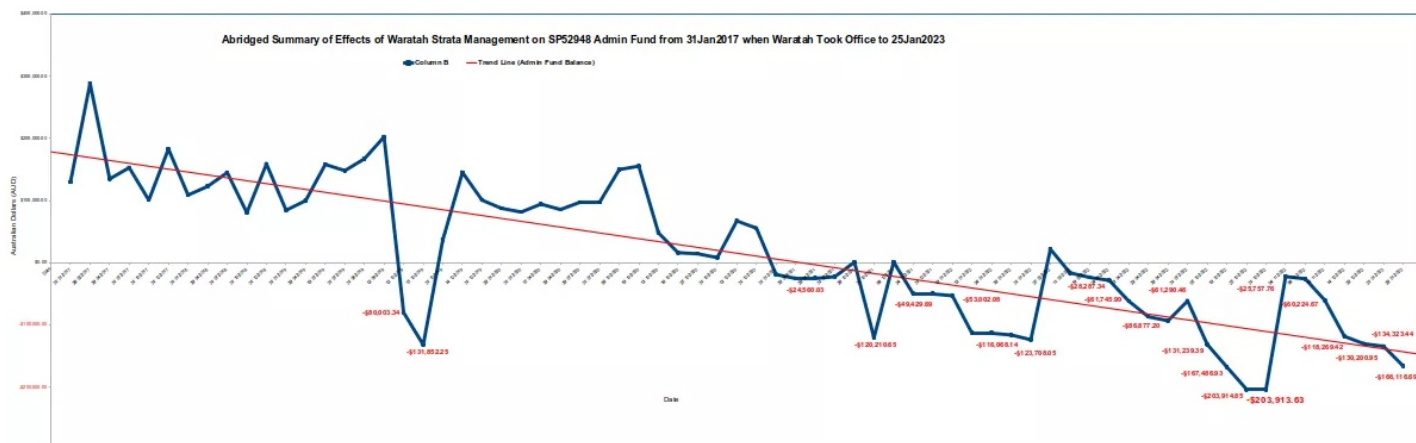
Waratah Strata Management notice claims it was created on 2 February 2023 but PDF metadata showed different status - it was created on 6 February 2023 at 11:48 hours:

Producer: iTextSharp™ 5.4.3 ©2000-2013 1T3XT BVBA (AGPL-version)
Created: Mon 06 Feb 2023 11:48:10
Modified: Mon 06 Feb 2023 11:48:10
Format: PDF-1.4
Number of Pages: 2
Optimised: No
Security: No
Paper Size: A4, Portrait (210 × 297 mm)
Contains Javascript: No
Size: 150.7 kB

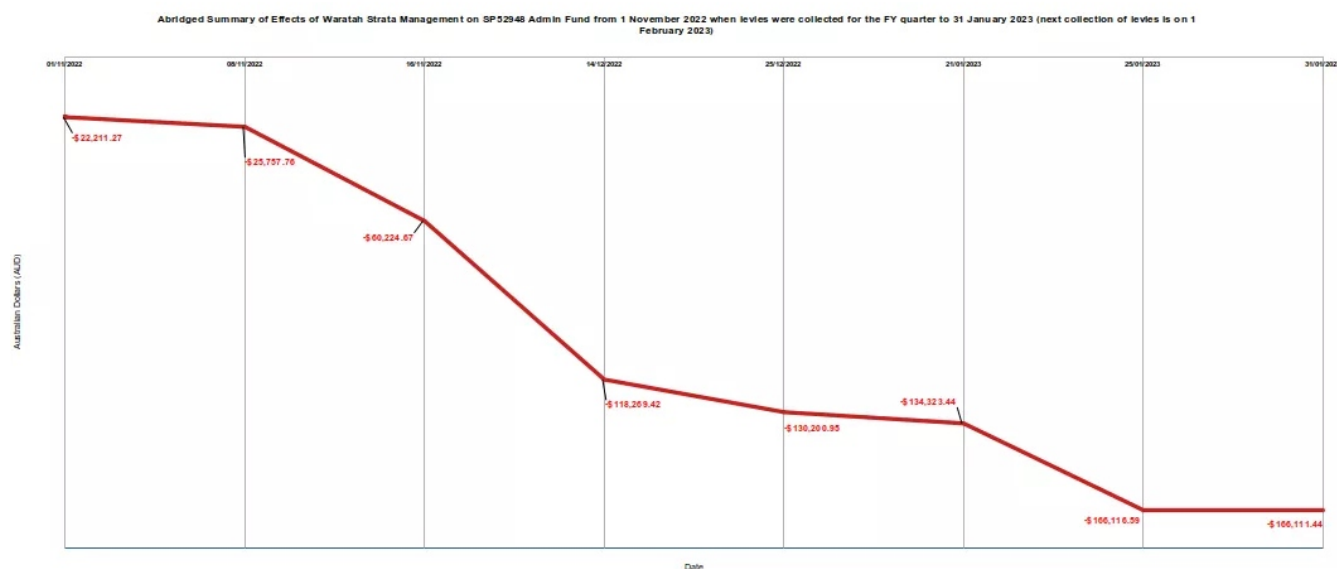
Waratah Strata Management website did not contain schedule for the meeting on 6 February 2023:



Owners and investors did not receive any information about balances in Admin and Capital Works Funds with negative trend in Admin Fund since 2018 when Waratah Strata Management took office:



For first time in history of strata complex SP52948, thanks to Waratah Strata Management, Admin Fund had continuous negative balance in whole FY quarter (1 November 2022 to 31 January 2023):



SP52948 Balance Status on 27 October 2022 - day of Annual General Meeting, Admin Fund has negative balance of \$203,914.85 (4 days before next collection of levies is due on 1 November 2022):

190200	Utility--Electricity	8,967.99	57,939.98
190400	Utility--Gas	7,131.54	25,668.18
191200	Utility--Water & Sewerage	25,120.00	95,367.60
<i>Total expenses</i>		<u>284,771.25</u>	<u>802,734.45</u>
Surplus/Deficit		<u>(279,715.80)</u>	<u>(34,757.74)</u>
Opening balance		75,800.95	110,558.69
Closing balance		<u>-\$203,914.85</u>	<u>\$75,800.95</u>

Financial Audit, which by law, had to happen before general meeting on 27 October 2022, was completed by Economos on 7 December 2022 (43 days later, in non-compliance with STRATA SCHEMES MANAGEMENT ACT 2015 – SECT 95 and STRATA SCHEMES MANAGEMENT REGULATION 2016 – REG 21:

SP52948 Detailed Expenses still listed on Waratah Strata Management website as of 12 February 2023



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**Detailed Expenses
 for the financial year
 from 01/09/2021 to 31/08/2022**

Strata Plan 52948		Macquarie Gardens, 1-15 Fontenoy Road, Macquarie Park NSW 2113		Group	Amount (GST exclusive)	Status	Type	Ref.No.	Payment No.
Administrative Fund									
Maint Bldg—Insurance Repairs &/or Excess 169400									
20/09/2021	Bldg D Plantroom Leaking Pipe (Below Excess)	NCB Plumbing Pty Ltd			789.00	Paid	DE	INV-40392	001214
19/04/2022	Block D Boiler Room Burst Pipe(Below Excess)	NCB Plumbing Pty Ltd			785.00	Paid	DE	INV-40769	001384
08/08/2022	Transfer AIG payment from Misc Income to Insurance				4,545.45		Jnl	8691	
					\$6,119.45				

Economos Strata Services Pty Ltd signed the Financial Statement for SP52948 43 days after the Annual General Meeting, on 7 December 2022, in spite of advanced warnings about breach of STRATA SCHEMES MANAGEMENT ACT 2015 – SECT 95 and STRATA SCHEMES MANAGEMENT REGULATION 2016 – REG 21 (auditor report not prepared BEFORE general meeting), whilst only \$1,574.00 was accounted for in “Maint Bldg – Insurance Repairs &/or Excess” with \$4,545.45 missing as listed in Detailed Expenses:



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**Income & Expenditure Report
 for the financial year
 to 31/08/2022**

Strata Plan 52948		Macquarie Gardens, 1-15 Fontenoy Road, Macquarie Park NSW 2113	
Administrative Fund			
	Current period 01/09/2021-31/08/2022	Annual budget 01/09/2021-31/08/2022	Previous year 01/09/2020-31/08/2021
Maint Bldg—Insurance Repairs &/or Excess	1,574.00	10,000.00	15,890.00

Owners did not receive any information about double charging for alleged Solicitor Adrian Mueller's costs: from Lot 158 and insurance company:

Receipt number N270127422354 Print receipt

From account
 Transaction date
02/07/22

To Account
Strata Plan 52948 **Amount**
 182-222 **\$5,000.00**
 Macquarie Bank Limited

Transaction description
 Payment #1 for blackmail by Adrian Mueller CA 2022/70683

Receipt number **N292724452061**

Print receipt 

From account

[Redacted]

Transaction date
27/09/22

To Account


Strata Plan 52948
182-222 [Redacted]
Macquarie Bank Limited

Amount
\$5,000.00

Transaction description

Payment #2 for blackmail by Adrian Mueller CA 2022/70683

Receipt number **N210334711532**

Print receipt 

From account

[Redacted]

Transaction date
03/01/23

To Account

Strata Plan 52948
182-222 [Redacted]
Macquarie Bank Limited

Amount
\$5,000.00

Transaction description

Payment #3 for blackmail by Adrian Mueller CA 2022/70683

In minutes of the meeting dated 9 February 2023, owners and investors were again misinformed (not having any information about serious negative balance in Admin Fund and shortage in Capital Works Fund, fire safety orders delayed for two years, Uniqueco Property Services increase of their costs without any information and without decision at general meeting, and admission of concrete cancer in pool area - concrete cancer happened number of times in the complex, due to poor maintenance):

2 FINANCIAL REPORT

Resolved that the financial reports for the current financial year were tabled and discussed.

It was noted that Gas and Electricity expenditure has been under budgeted for this financial year.

3 FIRE ORDER

The Managing Agent received a call from Imran of Austech Engineering requesting instruction from the strata committee to resolve disputed elements of the initial compliance report prepared by XEL.

Imran advised that both CORE and Austech are unsure of locations of the following compliance items:

- Item 7 - Exit Travel Distance (BCA Clause D1.4)

- Item 8 - Distance Between Alternative Exits (BCA Clause D1.5)

Imran proposes the Owners Corporation engage XEL to return and provide further advice on the above items or that CORE & Austech be engaged to produce another report to be submitted to Council.

Minutes Page 1 of 2

Resolved that CORE & Austech be engaged to prepare a new report.

It was further discussed that the Strata Committee continue to act upon the advice from the consultants to ensure safety obligations are upheld.

4 UNIQUECO COST AGREEMENT

Resolved that the costs amendment submitted by Steve Carbone from Uniqueco Pty Ltd be approved. It was noted that the proposed increase is modest and justified for the services provided by Steve and his team.

5 ELECTRICAL VEHICLES

Resolved that Andrew and Ramesh with assistance of the Managing Agent investigate proposals for installation of EV charging infrastructure from service providers based in New South Wales.

It was discussed that Fire Order precedence is essential ahead of any EV charging solutions and that the Strata Committee will continually monitor for industrial updates.

Further resolved that a motion be included for discussion at the next AGM.

6 GENERAL BUSINESS

The following general business items were raised and discussed:

POOL REPAIRS - Steve is obtaining quotations to repair suspected concrete cancer of pool area which is causing the unsightly staining. Quotes for this work will be provided before the next Strata Committee Meeting.