

**Alleged CORE Consulting Engineers tender for SP52948 (full details have never been provided to owners) as sent in agenda for committee meeting on 17 May 2024 and Annual General Meeting on 8 October 2024 differed only by date and signature of the sender, in spite of concern on page 2:**

*“In summary CORE recommend engagement of Superior Fire Services for the works. Note the costs provided are not final and additional surveying will be required to finalise the cost. This assessment does not constitute final project costs which may be subject to variations.”*

**Five and half months passed since that report and no further analysis has been done, preventing owners corporation from making fully informed decisions, in spite of SUU (Strata Unit Underwriters) warning on 24 September 2024:**

**<https://www.sp52948-news.info/SP52948-year-2024/SP52948-Insurance-Policy-24Sep2024.pdf>**

***“Building Defects***

***Additional policy exclusion Building Defects and remedial work exclusion (applicable to all sections)***

***We will not pay any claims for Damage, Personal Injury, Property Damage, Loss, or legal expenses caused directly or indirectly by, contributed by or arising from any of the defect in any item, structural defect, faulty design, faulty workmanship error or omission as outlined within the report issued by Fire and rescue NSW dated 08/11/2019 and any subsequent reports.***

***Risk Survey***

***Cover under this policy is subject to a Risk Survey being conducted by Strata Unit Underwriters and implementation by the insured of any suggested risk improvements within 60 days of request.***

***Should the insured not make the reasonable suggested risk improvements within 60 days of request, and should the Risk Survey of the premises show an increased risk of loss, damage or liability in relation to the premises, Strata Unit Underwriters may charge an additional premium, change the cover of your policy and/or impose special conditions to reflect the increased risk of loss, damage or liability. Strata Unit Underwriters may also cancel the policy if permitted by the Insurance Contracts Act 1984 (Cth).***

***It is important for the insured to know that Strata Unit Underwriters may make changes to this Policy as a result of a change in the insured's information. When there is a change, Strata Unit Underwriters will inform you. If the insured is not satisfied with the changes, the insured may cancel the policy.”***

CORE Consulting Engineers  
5/45-55 Epsom Rd Rosebery NSW 2018  
T 02 8961 3250  
F 02 8961 3254  
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15 May 2024

Ref: AC2718

Owners of SP52948

**RE: Tender Analysis – SP52948, 1-15 Fontenoy Road, Macquarie Park NSW**

Owner of SP52946

Core Consulting Engineers have been engaged by to assess tenders by the following fire contractors in a response to the tender documentation by CORE;

- Flamesafe [\$783,713]
- Fire Protect Services [\$997,240]
- Superior Fire Services [\$907,124]
- Remedial [\$3,450,172]

A tender analysis [ref: AC2718 - SP52948, 1-15 Fontenoy Road, Macquarie Park - Tender Analysis] was undertaken and a summary of the analysis is provided below:

- Flamesafe was the cheapest quote but have excluded key services such as works to the sprinklers, hydrants and hose reels which are considered major works required to close out the fire order.
- Remedial were the most expensive and the quote was not assessed in detail due to being almost 3 times the fee of the next tenderer.
- Fire Protect Services did not allow for painting/patching, which can be onerous in nature. Fire Protect Services were \$90k more expensive than the recommended tenderer.
- Superior Fire Services were the contractor that best aligned with our tender documentation and have made allowances for all major works. Whilst patching and painting/make good was not allowed, the proposal of a methodology on a test unit is acceptable to ascertain costs for similar works required for other units. Exit and emergency lighting was excluded and a survey is required for final cost. Doors and statutory signage is not excluded but is considered minor and costs will be provided following final survey. In summary the exclusions made requiring further verification on site is not expected to exceed the next highest tenderer and the methodology provided to ascertain cost shows the intent to provide value for the works proposed.

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8 October 2024

Ref: AC2718

Owners of SP52948

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In summary CORE recommend engagement of Superior Fire Services for the works. Note the costs provided are not final and additional surveying will be required to finalise the cost. This assessment does not constitute final project costs which may be subject to variations.

Ref Documentation:

- Tender Analysis:
  - AC2718 - SP52948, 1-15 Fontenoy Road, Macquarie Park - Tender Analysis
- Fire Protect Systems:
  - 1-15 fontenoy st Mac Park tender submission
- Flamesafe:
  - SQ24-119 Automatic Fire System Installation 28-02-2024 MT
  - SQ24-146 Macquarie Gardens - 1-15 Fontenoy Road NORTH RYDE 1-03-2024
- Remedial:
  - NS23211SB - Core Engineering - 1-15 Fontenoy Rd Macquarie Park
- Superior Fire Services:
  - 0662\_001
  - CRF5402

Kind regards

**Melvin Kumar**  
Director

☎ 0416 266 070 | ✉ [melvin.kumar@core.engineering](mailto:melvin.kumar@core.engineering)

CORE Consulting Engineers Pty Ltd. | 5/45-55 Epsom Rd Rosebery NSW 2018



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Kind regards

**Mihir Trivedi**

**Electrical Engineer – MEP Project Leader**

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CORE Consulting Engineers Pty Ltd. | 5/45-55 Epsom Rd Rosebery NSW 2018

## **Core Consulting Engineers received concerns and inquiries from Lot 158 but failed to respond each time**

30 November 2022 (email in two parts)

13 March 2022

12 May 2022

Staff at Core Consulting Engineers forget that Waratah Strata Management and Uniqueco Property Services do not pay their consulting invoices - their invoices are actually paid by owners like Lot 158.

## **Excluding FY 2024 (Waratah Strata Management claimed there were no payments for “Maint Bldg -- Consultants Code 164200” in agenda for pending Annual General Meeting in November 2024), Core Consulting Engineers was paid \$20,250.00 (GST excl)**

Payment Date	Payee	Amount (GST excl)	Ref No.
06/07/2021	Core Consulting Engineers Pty Ltd	\$8,500.00	INV-CCE2791
24/09/2021	Core Consulting Engineers Pty Ltd	\$4,000.00	INV-CCE2740
11/10/2021	Core Consulting Engineers Pty Ltd	\$4,000.00	INV-CCE2963
19/12/2022	Core Consulting Engineers Pty Ltd	\$3,750.00	INV-CCE3528

## **For FY 2023 alone, Waratah Strata Management and Uniqueco Property Services failed to justify invoices and expenses in amount of \$122,843.87 (GST excl) before, at, and after AGM 2023, which include these payments related to fire orders**

Payment Date	Payee	Amount (GST excl)
29/11/2022	Austech Consulting Engineers Pty Ltd	\$11,400.00
18/04/2023	GRS Building Reports Pty Ltd	\$4,000.00
22/05/2023	Austech Consulting Engineers Pty Ltd	\$26,600.00
19/12/2022	Uniqueco Property Services	\$210.00
28/03/2023	Uniqueco Property Services	\$140.00

<https://www.sp52948-news.info/SP52948-AGM-2023-dubious-invoices-24Oct2023.pdf>

## **BIV Reports was paid \$5,070.00 (GST excl) for poorly prepared Capital Works Fund plans in 2017 and 2021**

Payment Date	Payee	Amount (GST excl)
03/2017	BIV Reports Pty Ltd	\$1,900.00
18/10/2021	BIV Reports Pty Ltd	\$3,170.00

<https://www.sp52948-news.info/SP52948-discrepancies-in-BIV-report-for-10-Capital-Works-Fund-in-2017-and-2021.pdf>

<https://www.sp52948-news.info/SP52948-BIV-report-Capital-Works-Fund-Mar2017.pdf>

<https://www.sp52948-news.info/SP52948-BIV-report-Capital-Works-Fund-6Oct2021.pdf>

## **Biv Reports received concerns and inquiries from Lot 158 but failed to respond each time**

15 April 2017

16 April 2017

15 October 2021

Staff at Biv Reports forget that Waratah Strata Management and Uniqueco Property Services do not pay their consulting invoices - their invoices are actually paid by owners like Lot 158.

**Strata Plan SP52948 committee meetings dated 2 April 2024, 17 May 2024 and 19 September 2024, 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)**

1) On the 11 December 2023 the NSW strata and community title legislation changes came into effect. General Meeting Notices: time period for notices increases from 7 days to 14 days:

<https://www.parliament.nsw.gov.au/bills/Pages/bill-details.aspx?pk=18511>

Under the Strata Schemes Management Act, 2015 (NSW), the notice period for a general meeting (other than the first) is fourteen (14) days. In addition to this fourteen (14) day period, allowance must also be made for the postal rule, which is a further seven (7) day period. The day of postage cannot be included nor can the day of the meeting itself (Section 36 of the IA) – in other words, those days must be left clear and not be counted in either the postal or strata period. The seven (7) day postal rule is for seven (7) working days - working days are not public holidays, bank holidays in the state to which the agenda applies, Saturdays or Sundays.

2) Agenda was created on 17 May 2024 and scheduled for 23 May 2024. Excluding date of creation, meeting date, public holidays, and the weekend, only three 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:

<https://www.sp52948-news.info/SP52948-year-2024/SP52948-agenda-EC-meeting-17May2024.pdf>

3) No owner received full information about financial status, where Admin Fund had deficit (negative balance) of \$100,522.75 on the day of the meeting:

<https://www.sp52948-news.info/SP52948-year-2024/SP52948-Income-and-Expenditure-Report-1Sep2023-to-23May2024.pdf>

4) Agenda was not detailed, especially the details of Solicitor Adrian Mueller's costs in Standard Costs Agreement and the fact that Police Event was opened for his alleged criminal activities, whilst Office of Legal Services Commissioner and New South Wales Bar Association continued to investigate his misconduct in relation to Supreme Court case and insurance fraud.

5) Another main motion for this meeting contained incomplete details about massive expenses awaiting owners - Core Consulting Engineers was engaged to assess tenders by the following fire contractors in a response to the tender documentation by CORE (forced by City of Ryde Council). Even worse, these tenders were still incomplete, in spite of fire safety non-compliance for four-years:

Flamesafe [quoted their work at \$783,713.00]

Fire Protect Services [quoted their work at \$997,240.00]

Superior Fire Services [quoted their work at \$907,124.00]

Remedial [quoted their work at \$3,450,172.00]

6) Lot 158 did not receive agenda for the meeting.

7) None of six notice boards published agenda of the alleged meeting until one day before the meeting on 22 May 2024 (photo evidence was collected).

8) Waratah Strata Management was repeatedly warned about allowing self-nominations for committee (this problem reoccurred at AGM 2023 too), in non-compliance with SSMA 2015 Section 31 (1) (c):

<https://www.sp52948-news.info/SP52948-problems-with-validity-of-nominations-for-committee-with-example-from-AGM-2017-sent-to-Waratah-Strata-Management-on-14Nov2021.html>

Mr. Robert Crosbie and Mr. Heath Crosbie received warning about it from Lot 158 on 13 February 2024 with Subject line:

“Re: SUMMARY SP52948 validity of nominations for committee with example from AGM 2017 and 2023”

On that date, Lot 158 found copies of emails (and saved them as evidence) that current committee members conducted self-nominations for AGM 2023 (if property is co-owned, self-nomination is not allowed):

Lot 87, email from Mr. Heath Crosbie telling owner he was able to self-nominate on 12 October 2023

Lot 200, email to Mr. Heath Crosbie and all committee members with his self-nomination on 18 October 2023

Lot 218, email to Mr. Heath Crosbie and all committee members with his self-nomination on 18 October 2023

Lot 133, email to Mr. Heath Crosbie and all committee members with his self-nomination on 18 October 2023

Lot 181, email to Mr. Heath Crosbie and all committee members with his self-nomination on 17 October 2023

Lot 133, email to Mr. Heath Crosbie and all committee members with his self-nomination on 17 October 2023 (and then allegedly removed her candidacy at AGM on 26 October 2023, where there were 10 candidates on two polling pages and Lot 158 name was missing initially in spite of advance notice)

Lot 122, mail to Mr. Heath Crosbie and all committee members with his self-nomination on 17 October 2023

Lot 142, mail to Mr. Heath Crosbie and all committee members with her self-nomination on 17 October 2023

Lot 170, mail to Mr. Heath Crosbie and all committee members with her self-nomination on 17 October 2023

9) Waratah Strata Management website on two main pages did not list any meeting for this date (photo and video evidence was collected).

10) Even five and half months after the alleged meeting (as of 4 November 2024), none of six notice boards published minutes of the meeting (photo and video evidence was collected).

11) Many owners, like Lot 158, never received minutes of this committee meeting.

12) As this meeting, legally, never occurred, previous committee meeting held on 2 April 2024 was also void and invalid:

- Strata Plan SP52948 committee meeting dated 2 April 2024, 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):

<https://www.sp52948-news.info/SP52948-year-2024/SP52948-agenda-EC-meeting-26Mar2024.pdf>

- Agenda was created on 26 March 2024 and scheduled for 2 April 2024. Excluding date of creation, meeting date, public holidays, and the weekend, 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.
- Access to current Strata Roll was disabled by deliberate actions of strata manager:  
<https://www.sp52948-news.info/SP52948-Lot-158-outcome-of-access-to-strata-documents-13Feb2024.pdf>
- No owner received full information about financial status, where Admin Fund had deficit (negative balance) of \$190,762.04 one day before alleged agenda was sent to owners:  
<https://www.sp52948-news.info/SP52948-year-2024/SP52948-Income-and-Expenditure-Report-1Sep2023-to-25Mar2024.pdf>
- Agenda was not detailed, especially the details of Solicitor Adrian Mueller's costs in Standard Costs Agreement.
- Agenda did not contain details of time and place of the meeting, denying owners their right to attend in person, if they wishes so, and with 25% of voting rights to make decision any way they wanted without committee members.
- None of six notice boards published agenda of the alleged meeting at any time before the meeting (photo evidence was collected).
- Meeting did not satisfy quorum (out of four allegedly valid votes, two were not legal committee members: Mr. Ramesh Desai and Mr. Stan Pogorelsky):  
<https://www.sp52948-news.info/SP52948-year-2024/SP52948-minutes-paper-EC-meeting-2Apr2024.pdf>
- None of six notice boards published agenda of the alleged meeting at any time after the meeting (photo evidence was collected).
- Alleged Solicitor's Standard Costs Agreement did not contain estimate of costs.
- Copy of Solicitor's alleged email dated 18 March 2024 was not provided to any owner.
- No owner received outcomes of alleged Solicitor's engagement, which had to provide two services:
  - (i) provide advice in relation to recent communication from Lot 158; and
  - (ii) draft additional by-law for storage of electric bikes, scooters and other electric lithium battery powered mobility equipment.
- Waratah Strata Management website on two main pages did not list any meeting for this date (photo and video evidence was collected).
- Waratah Strata Management attempted to use services of Solicitor Adrian Mueller in spite of knowledge that he was being investigated for serious professional misconduct and crime (lying to NCAT and Supreme Court, withholding evidence, involvement in insurance fraud, overcharging for non-existent services, and much more) by Office of Legal Services Commissioner and Law Society of New South Wales.
- All expenses for Solicitor Adrian Mueller in FY 2024 (and up to AGM 2024 planned for 28 November 2024) are illegal.



13) Alleged SP52948 committee meeting dated 19 September 2024, 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) too:

<https://www.sp52948-news.info/SP52948-Waratah-Strata-Management-organised-non-compliant-ordinary-committee-meetings-since-1Feb2017.html>

Fair Trading allowed SP52948 an extension of time to review the FREE mediation offer in case 00994497:

<https://www.sp52948-news.info/SP52948-year-2024/SP52948-NSW-Fair-Trading-mediation-case-994497-with-requested-outcomes-Aug2024.pdf>

<https://www.sp52948-news.info/SP52948-year-2024/SP52948-committee-members-NSW-Fair-Trading-mediation-case-994497-Aug2024.pdf>

<https://www.sp52948-news.info/SP52948-year-2024/SP52948-NSW-Fair-Trading-mediation-case-994497-Aug2024.pdf>

<https://www.sp52948-news.info/SP52948-year-2024/SP52948-insurance-OHS-and-other-risks-Aug2024.pdf>

<https://www.sp52948-news.info/SP52948-year-2024/SP52948-Lot-158-request-access-to-strata-documents-2Sep2024.pdf>

That meeting, if NSW Fair Trading received such information from Waratah Strata Management, never complied with proper legal processes and we collected evidence. If Waratah Strata Management claimed that SP52948 rejected offer for mediation at meeting on 19 September 2024, they DELIBERATELY MISLEAD and PROVIDED FALSE STATEMENT to NSW Fair Trading:

- a) The copy of the mediation request and its details were never provided to any owner.
- b) The copy of the mediation request and its details were never published on six notice boards.
- c) The copy of the mediation request and its details were never published on Waratah Strata website.
- d) The alleged committee meeting was not listed in schedule on two different pages on Waratah Strata website at any time before and after the scheduled date of 19 September 2024.
- e) Notice of the alleged committee meeting scheduled for 19 September 2024 was published on six notice board without detailed agenda just four days before the meeting.
- f) Minutes of the meeting were never given to any owner, or published on notice boards, or published on Waratah Strata website.
- g) This was not be the first time that Waratah Strata Management mislead NSW Fair Trading and owners in the complex. Here is a summary of how they acted in previous mediation request 00351498 in 2020.

Strata Plan SP52948 committee meeting dated 12 March 2020, 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 7 March 2020 and scheduled for 12 March 2020. Excluding date of creation, meeting date, and the weekend, ONLY four 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 detailed, as required by SSMA 2015 and was not sent to Lot 158.

Paper committee meeting was scheduled for 12 March 2020 at 16:00 hours but actual meeting happened five days later, without any updated given to owners, on 17 March 2020 at 09:00 hours (time-warped event).

Owners corporation declined to attend free mediation in NSW Fair Trading NSW 00351498 on 17 March 2020, without providing owners with details of the case, or giving owners copy of the mediation request.

On 25 March 2020, Lot 158 sent the following email to Waratah Strata Management, which was never tabled in minutes of any meeting or shared with owners. Th Subject line of the email was:

“SUMMARY: Waratah Strata Management refusal to notify owners about critical issues including fair Trading Mediation and expired contract with Waratah Strata Management”.

Waratah Strata Management allowed three non-financial owners to be on the committee and vote, in spite of knowledge of unpaid levies for gas heating (including 10% simple interest per each year).