

**THE OWNERS OF STRATA PLAN NO 61139  
9-15 CENTRAL AVENUE, MANLY NSW 2095**

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**MINUTES OF A STRATA COMMITTEE MEETING OF THE OWNERS OF STRATA PLAN NO. 61139 HELD ON THURSDAY 9<sup>TH</sup> DECEMBER, 2021 IN THE OFFICE OF LAMB & WALTERS, SHOP1, 13 WHISTLER STREET, MANLY AT 6.00PM.**

**NOTE: DUE TO CAPACITY OF MEETING ROOM NON COMMITTEE MEMBER OWNERS WERE INVITED TO ATTEND VIA ZOOM.**

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**PRESENT:** Mr J Chester, Mr O Isaacs, Mr D Mockler, Ms L Brown, Mr N Owen, Mr A Longfellow and Mr G Brown.

**IN**

**ATTENDANCE:** Mr T Strati (Building Manager) and Ms N Hopkins (Lamb & Walters).

**IN ATTENDANCE**

**VIA ZOOM:** Mrs S Stow, Mr D & Mrs N Richards, Mrs Z Dybac, Mr R & Mrs S Davison, Mr R Stone, Mr M Nicholson, Mr M Martinez de Morentin, Mr D Glading and Mr M Chrysiliou.

**CHAIRPERSON:** Ms N Hopkins occupied the Chair for the purpose of the Meeting.

**1. MINUTES:** Resolved that the Minutes of the last Strata Committee Meeting held on 18/10/21 be confirmed.

## **2. ELECTION OF OFFICE**

**BEARERS:** Strata Manager gave an overview of the Office Bearer roles.

Resolved that the following three (3) Office Bearers be elected:

- i. Mr G Brown was elected as Chairman.
- ii. Mr D Mockler was elected as Secretary.
- iii. Mr A Longfellow was elected as Treasurer.

## **3. Operation of new Strata Committee**

Resolved that the following motion from Strata Committee Member, Ms L Brown be tabled:

*To discuss the operation of the new committee including but not limited to:*

- *Procedures: notices, motions, record-keeping*
- *Roles and authority of office bearers (Part 3, Management Act) and delegation of functions to:*
  - *Strata manager (ss 52, 54)*
  - *Building manager (ss 66, 67) Appt at AGM*

- *Protocol for disclosure and recording of any beneficial interest to BM or SM. Note: Interests of SM or BM must be disclosed: s 77(2)(b) “any direct or indirect pecuniary interest in the strata scheme (other than an interest arising only from the prospective appointment)”*
- *Protocols for communication outside meetings*
- *Informal meetings and transparency*
- *Transparency and communication with owners (duty to carry out functions for the benefit of the owners corporation: s 37)*
- *Moving motions in general meeting for owners to decide: when is this appropriate or needed?*
- *Managing difficult or demanding lot owners while ensuring equity for all (non-complaining) owners*
- *Regulatory obligations eg:*

#### **4 Functions that may only be delegated to strata committee member or strata managing agent**

For the purposes of section 13(1)(h) of the Act, the following functions of an owners corporation are prescribed as functions that **may be delegated to or conferred only on a member of the strata committee or a strata managing agent**—

- (a) *arranging for **inspections for the purposes of fire safety** in accordance with section 123 of the Act,*
- (b) *ensuring that the owners corporation **complies** with any relevant requirements under the **Work Health and Safety Act 2011**,*
- (c) ***entering into contracts** relating to the maintenance of common property or the provision of services to the common property (other than contracts relating to a parcel),*
- (d) ***arranging for inspections of records** and other documents under section 183 of the Act [inspection of docs]*
- (e) ***giving certificates** under section 184 of the Act [re strata information certificate]*
  - *Tenant representative on strata committee? (s 33, cl 7 regs)*

#### *Decisions*

It was agreed that decisions need to be recorded formally. If decisions are made outside a Meeting they need to be ratified at the next Meeting.

#### *Building Manager*

It was noted that the Building Managers Contract was extended at a BMC Meeting to 30/9/22.

The Building Manager has a building works company called Strati Remedial. It was agreed that if Strati Remedial is to do work he needs to get approval first from the Strata Committee. If it is for major works then Strata Remedial is to provide a quote and then the Strata Manager is to obtain alternate quotes.

#### **4. Financial Statement**

Resolved that the Financial Statement to 22/11/21 be tabled and accepted.

## **5. Building Managers Report**

Resolved that the Building Managers Report be tabled and discussed.

2.1 It was agreed to proceed with clock repairs at a cost of \$2200.00 + GST.

The entire Clock Tower is to be reviewed by the Building Manager as it is deteriorating.

2.2 It was agreed to have contractor investigate noise in plant room to see if there is any ways to easily reduce noise or put a timer on the equipment.

2.3 It was agreed to have Building Manager arrange to install new speed hump that has been purchased.

2.4 It was agreed to add Unit 802 to tile repair list and have the works put in the programme when created.

2.5 It was agreed that Building Manager prioritised having the suspected concrete spalling investigated.

2.6 It was agreed to send a request to all Residents to advise if they have noticed any issue with their balcony hob paintwork.

2.7 It was agreed to increase the gardening service to fortnightly til 1/5/22.

2.8 Christmas Party

It was agreed to send notice to all Owners about the Christmas Party to gauge interest for 16/12/21 from 6pm. It will not proceed if the numbers are too low.

2.10 Strata Committee to review outstanding matter items list and a priority list to be developed.

## **6. Change of Flooring Unit 609 (Noise Complaint)**

Resolved that the following request from the Owners of Unit 509 be tabled and discussed.

*We would like to request that you include our noise transmission complaint from the unit above us, unit 609, in the agenda of the upcoming Strata Committee meeting.*

*Greg Brown, has been in touch with us and informed us that the owners of unit 609 have agreed to have acoustic testing performed. We are very appreciative of this quick action and thank Greg very much.*

*Our concern is that the acoustic testing is undertaken by an independent certified accessor in accordance with the by laws of Pacific Waves. We ask that the Strata Committee supervise this procedure.*

*We also ask that the Strata Committee put in place procedures whereby anyone wishing to instal hard flooring has to abide by the Pacific Waves by laws and are supervised closely by the Building Manager or the Strata Committee.*

Thank you,  
Zina and Peter Dybac, unit 509, Pacific Waves.

It was noted that the Owner of Unit 609 has engaged an Acoustic Engineer to attend on the 21/12/21 to carry out the necessary testing to ascertain if the flooring complies with the Building Codes or not.

## **7. Maintenance Issues Requesting Immediate Action**

i. Resolved that the below request from the Owner of Unit 505 be tabled and discussed:

*As a former SC member I always worked to ensure we supported expenditure that was in the best interest of the building. Because of this I never pushed the point on all the maintenance issues affecting common area attributed to my unit. I have been patiently waiting for the repairs to take place.*

*I am extremely concerned that others are 'jumping the queue' in respect to repairs and note that only 2 major balcony re-tile jobs have both been for SC members: Denis Mockler and Greg Brown. I note that the re-tiling of Denis' balcony has cost approx \$53,000!*

*At our AGM it was noted that balcony repairs would only be one per year (which will not be sufficient); I have been waiting since February 2019 for my cracked/drummy tile repairs and waiting since September 2016 for my blistering balcony hobs to be re-painted. The following is a list of all reported and unattended maintenance report that are to be conducted by the OC:*

- 1. Blistering balcony hobs – first reported 08/09/2016*
- 2. Rust bleeding through balcony ceiling – 4 spots – first reported 15/02/2019*
- 3. Cracked tiles (drummy) – reported verbally to BM when he came to inspect the above rust bleeding item – February 2019*
- 4. Front door and frames re-paint – Reported flaking paint and poor workmanship (previous paint showing through) many times verbally and documented again in the SC/BM WhatsApp group 23/08/21*
- 5. Earthquake cracks connected to common walls (Cracks require filing and painting), reported via the SC/BM WhatsApp group 22/09/2019, reported again (when asked by BM) 02/11/2021.*
- 6. Shower tray leak (common area) reported 02/11/2021, inspected 03/11/2021 (note we've had major leaks into other common areas from other unit shower leaks and this could build up into a major issue if left longer)*

*As a long term resident and owner of Pacific Waves I am not prepared to wait further years for these repairs while others jump the queue and SC members get re-tiling paid for by the SC to the sum of \$53k. I pay extensive strata fees and expect all repairs to be conducted in a timely manner.*

*I request that all of my repairs be scheduled between now and February 28, 2022. My unit will not be available for scheduled repairs between Friday 3<sup>rd</sup> December 2021 and January 18<sup>th</sup> 2022, but repairs can take place either side of these dates.*

*I look forward to receiving the schedule of works*

ii. That the partial reply from Mr Brown, Strata Committee member be tabled:

*I write to you as a member of the new strata committee given that office bearers have not yet been determined and as an individual lot owner. in partial response. I shall liaise with Tony tomorrow on the balance.*

**Re “jumping the queue”.**

*The balcony work on my unit 806 was finally completed this afternoon. I advise contrary to jumping the queue the SC was aware that I did everything in my power to avoid the work being done at all. The problem was reported by and repairs consistently pursued by David Glading on behalf of the owner of unit 706. We only undertook works on my balcony when all other remedial attempts failed. As a result my balcony was out of action for 5 weeks.*

*Denis Mockler did not ask for his balcony to be stripped and resurfaced. The work occurred as a result of complaints by lot owners whose cars were packed directly under his balcony. His balcony was then put out of action for nearly 6 months.*

**Re earthquake cracks.**

*Email discussions have taken place on this issue already. My position was that given SC members were asking the SC to approve repairs that in some instances would not strictly relate to common property then we needed to be transparent and vote on the works at a properly convened SCM with in this case both you and Ray abstaining. There was insufficient engagement by SC members to formalise a decision. This will be on the agenda for the 09/12 SCM.*

Mr Brown tabled his comments:

I am concerned with the implication that I as Chair used my position in order to “jump the queue” and thereby gained some material advantage.

For the record there was nothing wrong with my balcony (unit 806). I did not want it touched and because of the potential retiling cost (\$30K) encouraged a thorough investigation of the water penetration damage to the underside of the concrete slab. (balcony ceiling to unit 706). It was only after all alternatives failed that the SC agreed to the works which put my balcony out of action for 5 weeks.

1. It was agreed that the Building Manager send a request to all Residents to report if they have any issues with their balcony hobs. The information will then be collated and a contractor will inspect and a programme will be developed.
2. It was agreed that Building Manager to attend to rust bleeding through the balcony ceiling as it is a relatively minor job.
3. As per item 1.
4. It was agreed that this will be repaired as part of routine maintenance
5. It was agreed to attend to minor cracks following earthquake.

6. Shower tray work was carried out but work was not satisfactory. Contractor to return with the Building Manager to review.

### **8. Building Manager Concerns**

Mr Strati was requested to leave the Meeting whilst this item was discussed.

Resolved that the following request be tabled and discussed:

*As you are currently acting Secretary of SP61139, I request on behalf of myself, S Stow; FM de Morentin; R Stone & D Glading that the following agenda item be added to the forthcoming Strata Committee Meeting (SCM) scheduled 9<sup>th</sup> December 2021:*

*We request that the Strata Committee (SC) conduct a full investigation into the alleged proxy farming by our Building Manager Tony Strati in favour of Greg Brown & Denis Mockler and other areas of concern pertaining to the our Building Manager activities and Building Management contract. Request that this investigation include (but not be limited to):*

1. *Proxy farming by Building Manager (BM) in favour of Greg Brown & Denis Mockler for AGM Tuesday 16<sup>th</sup> November 2021. Potential breaches by BM of both strata law and contract with SP61139*
2. *Building Manager conflicts of interest including but not limited to works undertaken by: 'Tony Strati Remedial Building' ABN 8815403053 for SP61139*
3. *Emergency (informal) SCM meeting held 15<sup>th</sup> November 2021 where the majority of SCM members (5 out of 7) voted YES to the following 3 motions:*
  - a. *Building Management company be advised that the Building Manager be temporarily stood down from duties effective immediately from strata SP61139 pending an investigation into the alleged illegal activity – Yes or No*
  - b. *All proxy votes in favour of Greg Brown and Denis Mockler to be deemed null and void for the upcoming AGM Tuesday 16th November 2021 and are null and voided for any future proxy assignment – Yes or No*
  - c. *Nikki Hopkins replace Greg Brown as the Chair at the AGM 16th November 2021*
4. *Approved extension of the BM contract for a further 12 months passed through BMC without ratification and agreement through SCM majority vote or through SP61139 General Meeting to approve expense above \$50,000.*

*We request that any investigating subcommittee be free of any conflicts of interest and also not include any person(s) that could be called upon as a witness to any of the above investigation items. We request response to this investigation within 4 weeks of the SCM 9<sup>th</sup> December 2021 (5<sup>th</sup> January 2022). Further to this date and the investigation response from the SC, concerned owners will then assess options of next action(s) which could involve NCAT proceedings including having the latest AGM (16<sup>th</sup> November 2021) and all motions declared null and void.*

*Please ensure that the full details provided (above) are included in the SCM agenda for December 9<sup>th</sup> 2021. We are looking forward to receipt of the agenda once published,*



Mr Brown tabled his comments:

Notice of an emergency strata committee meeting scheduled for 16th November 2021 was given to all Strata Committee members by email dated 15th November 2021 at 5.38pm.

Surely advice was sought on the validity of the notice period and the issues canvassed therein prior to issuing the notice and I request that the Strata Manager be asked whether any advice was provided to the then Secretary and if so the nature of that advice.

I submit that the notice provided was in breach of the Strata Schemes Management Act notice provisions.( Schedule 2, Part 2 (1). Consequently the meeting was invalid and the so called informal SC meeting held 15th November 2021 by definition was also invalid.

Attached is copy of my emailed request to the Strata Manager seeking a fee proposal for consideration to facilitate a thorough and independent investigation of the issues raised.

*Fee Proposal from J S Mueller*

A fee proposal from J S Mueller in the amount of \$1850.00 + GST was circulated to all Strata Committee members.

Resolved to accept the fee proposal from JS Mueller to provide advice on the above issues raised.

## **9. Omission in General Business**

Mr Strati was invited to return to the Meeting.

Resolved that the following from the Owner of Unit 610 be tabled and discussed:

*I have a few issues arising from the AGM for Pacific Waves on 16 November.*

*1. There is an omission in the minutes in General Business which needs rectification.*

*I asked if there was any regulation in regard to the Building Manager having any conflict of interest or pecuniary interest in the carrying out of his duties including awarding tenders and contracts and taking commissions.*

*You, as acting Chair, referred the question to Mr Tony Strati, the Building Manager.*

*Mr Strati refuted any conflicts, pecuniary interests or commissions.*

*Mr Greg Brown, Chairman, then stood to say Mr Strati's private company had been retained to perform several significant jobs, including waterproofing, painting and replacing the polystyrene cladding.*

*This needs to be minuted.*

*2. There was a lack of transparency in the voting process for the Strata Committee. I believe it was irregular to remove all the ballot papers from the premises and publish the result of the poll late the next day.*

*I am making a request to inspect:*

- a) the proxy papers and*
- b) the voting papers.*

Mr Brown tabled his comments:

1. There is a misunderstanding of what I said. I made the point that Mr. Strati as building manager supervised the polystyrene removal and low rise roof waterproofing works saving the OC nearly \$300000, on each project. I did not state that Mr. Strati was awarded the contract to undertake these works. For the record I confirm that Mr. Strati was not awarded an independent contract to complete these projects, rather as building manager he organized a series of specific purpose contractors and day labourers to perform the works under his supervision.

*1. Minutes*

It was agreed that an amendment be moved when the next General Meeting is held and Minutes confirmed.

*2. Proxies & Secret Ballot*

It was noted that any Owner can book a Strata Inspection to view the proxies (fee applicable). It was noted that secret ballot papers cannot be viewed.

**10. Carpet Cleaning**

Resolved that the below request from Mr Brown, Strata Committee member be discussed:  
*6 monthly carpet cleaning has been put on hold and should be restarted.*

**11. Pool Renovation Update**

Resolved that an update on the pool renovation be given.

Due to ongoing wet weather the pool works have been delayed and it is anticipated that the pool works will not be completed til end of January. Building Manager to inform Residents.

**12. Strata Management Statement Review**

Ms Brown agreed to defer this item until the next Strata Committee Meeting.

**13. Schedule of regular services**

Ms Brown agreed to defer this item until next Strata Committee Meeting.

**14. Gardening**

Resolved that the below request from Ms Brown, Strata Committee member be discussed:  
*To discuss gardening, including performance and budget of present gardener*

Resolved that the gardening services be increased to fortnightly (from monthly) until 1/5/22.

**15. Scaffolding and Anchor Points**

Resolved that the below request from Ms Brown, Strata Committee member be discussed:  
*To discuss scaffolding and possible use of anchor points instead of scaffolding for all external works*



It was noted that currently there are roof anchors on the high rise roof but not the low rise roof.

**16. External Lighting Repair Patches**

Resolved that it be noted that a quotation was received in the amount of \$874.00 from the Building Managers company Strati Remedial. The Building Manager advised that he was able to do the job for \$630.00 and works have been completed.

**17. Rescission of decision made 18/10/21**

Resolved that the below request from Mr Brown, Strata Committee member be discussed:

Resolved that the below decision be rescinded because all members of the previous Strata Committee subsequently agreed that the floor protection coverings remain insitu for the duration of relevant works:

*It was agreed that common property floor protection during renovations is to be removed on weekends (also lift curtains to be removed on weekends).*

**18. Storage Area Rental**

Resolved that the below request from Mr Brown, Strata Committee member be discussed:  
*That two (2) licenced area restaurant Owners be allowed to continue to rent the storage area at a rental of approx. \$10,000 per annum (located ground floor next to Lot 1 of SP61679)*

It was noted that a new Licence Agreement would need to be drafted and tabled for adoption at the next General Meeting. For now the arrangement may continue on a month to month basis.

**19. 43 North Steyne breach of DA conditions**

Resolved that the below request from the Owner of Unit 505 be tabled and discussed:  
*Please can you ensure that the 43 North Steyne breach of DA conditions – roof top air conditioners is added to the forthcoming SCM meeting please?*

*Given the change to SC I don't want this issue to fall by the wayside. The SC/OC still need to pursue compliance; Greg has already requested that an order be placed upon 43 North Steyne to comply with their DA conditions and remove the units. Documents attached.*

It was noted that a letter was sent to Council about three (3) months and whilst an acknowledgement was received no formal response was. Mr Brown advised he would send follow up letter.

**20. Building Management Committee Representatives**

Resolved that Mr Brown be elected and Representative and Mr D Mockler.

**General Business**

*Painting Invoice 50/50 SP61139 and SP61679*

There was an invoice for painting in commercial accounts that was in dispute between residential and commercial for \$2508.00 on 31/1/20 for “courtyard wall prep and painting touch-up paint throughout the building”.

It was agreed that SP61139 re-imburse SP61679 50% being \$1254.00.

*New DA 42 The Steyne/75 The Corso (The Steyne Hotel) DA2021/2257*

The below from Owners Samantha Stow was tabled:

*This DA/Development has a major impact to the entire Pacific Waves building and if approved will actually change the entire landscape of Manly forever. They are a) requesting to build on a heritage site (gut and build upwards) and b) they are requesting to build upward of height limits in the conservation area. If this single DA is approved it will open the flood gates for every building in the Manly conservation area to increase height limits; the ramifications for Manly are huge.*

*For Pacific Waves, our amenity will be impacted forever. Units close to the build will suffer view loss, sunlight loss which in turn will impact values and the impact median values throughout the building affecting every single owner. Even more significant is that during a build of 2-3 years many residents will have to leave their homes. The proposed excavation of the site will also likely impact the foundations of our building. These are just some of the issues and impacts; it will be a nightmare for Pacific Waves.*

*I have already begun the work to oppose the DA. We need the support of the SC and the entire building to get behind the objection submissions. I want to suggest that we bring in a Town Planner on behalf of Pacific Waves. I may not be part of the SC, but I am more than happy to be involved in leading the submissions of objections and working with a planner if appointed by the SC. I would like to suggest the Town Planner that was used by owners previously to successfully fight the DA and in the L & E Court for the upward build of 46-48 North Steyne. They successfully won in the L & E Court twice.*

Mr Mockler suggested that Owners should lodge their objections but this was not the time to engage consultants. Objections to be lodged by 22/1/22.

**Next Strata Committee Meeting**

The next Strata Committee Meeting to be held on Tuesday 1<sup>st</sup> March, 2022 at 6.00pm.

**CLOSE:** As there was no further business the Meeting closed at 8.24pm.

# PACIFIC WAVES BUILDING

## Building Manager's Report

For SC Meeting, 09 December 2021

### Property Management Professionals Pty Ltd

ABN: 88 154 030 538 | 0415 484 143 |

[buildingmanager@pacificwavesmanly.com](mailto:buildingmanager@pacificwavesmanly.com)

#### We specialise in:

- Building Management Services
- Project Management Services (Apartment Renovations)
- Concrete Spalling Repairs and Magnesite removal (License No. 353765C)

To: the Strata Committee, SP 61139

From: Tony Strati of the **Property Management Professionals Pty Ltd**

Please see the attached Building Managers Report current at 26 November 2021:

1. **Building Managers Report FYI Items (page 2 - 6)**

2. **Building Managers Report SCDR Items (page 6 - 13)**

3. **Electricity Usage Graph (page 13)**

4. **Gas Usage Graph (page 14)**

5. **Water Usage Graph (page 14)**

6. **False Fire Alarm Report (page 15)**

Dear SC Members

I have provided a brief background on my company and role in the building. My duties are described in the building management contract and involve, on a daily basis such things as: leak rectification, by-law enforcement, noisy neighbour management, smoke drift management, daily maintenance of the buildings plant and equipment, security issues, together with issues attended to for the BMC, SP61679 (Commercial), the NBC carpark and SP96802 (Offices), weekend call outs and overnight issues, etc., etc., etc. The purpose of the BMR is not to report on these day to day duties and maintenance issues but rather the identification of issues, progress of works and future planning to address these issues.

**Strata Committee Decision Required (SCDR)** items shown in part 2 of this report require SC attention please.

Thank you

Tony Strati, Building Manager

- Building Management Services
- Project Management Services (Apartment Renovations)
- Concrete Spalling Repairs and Magnesite removal (License No. 353765C)

## 1. Building Managers Report - background information

### 1.1 Property Management Professionals (Building Management Company):

Tony Strati is a director of Property Management Professionals Pty Ltd (PMP). PMP has a building management services contract with the "Pacific Waves Building" (PWB), but in principle contracts separately with the residential OC, commercial OC, office OC and the Building Management Committee (BMC) to provide building management services. Since the inception of the building one Building Manager has been retained to deliver all building management services, so the distinction between the separate entities has been overlooked. PMP has provided these services since 2014 in accordance with the terms of its contract.

PMP does not receive any income by way of commissions or other income as a result of providing that contractual service: see *Strata Schemes Management Act 2015* ("the Act") section 71(2) (b).

Tony Strati holds a Certificate III in Concreting and a Diploma of Building and Construction (Building). PMP has on occasion been requested to provide additional services pursuant to Schedule 1 clause 2.0 of the building management contract. PMP regularly provides these services at no additional charge but on a limited occasion has provided a quote for the service (in the name of its related entity Tony Strati Remedial Building) and been directed by the strata management committee to perform the work pursuant to the quote.

When providing quotations for work using TSRB, supervision/project management fees are not included. PMP takes the view that these activities are provided within the standard building management services fee structure.

#### **"Tony Strati Remedial Building"**

Tony Strati Remedial Building is a registered business name of PMP ABN 88154030538. It is not a separate corporate entity, nor does it have a separate ABN. It is under this entity that Tony Strati offers additional services not included in the building management contract.

#### **Disclosure**

PMP provides Building Management Services to 3 buildings only. They are:

1. The Pacific Waves Building approx. 70% of TS time
2. The Manly National Building 29% of TS time and
3. The Hum Building 1% of TS time.

All buildings are located in Central Avenue and this allows Tony Strati and Danielle Wilson together with any PMP contractors to be available to all buildings almost instantly on week days during business hours and in the event of an emergency.

#### We specialise in:

- Building Management Services
- Project Management Services (Apartment Renovations)
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## 1. Building Managers Report

### 1.2 Earth Quake damage repairs to CP hallway ceilings:

As per the resolution at the SC Meeting of 18 October 2021, I retained the services of OH Constructions to install slip joints within the plasterboard ceiling in areas where frequent cracking was occurring. The cost of the work was \$4,800 + GST. I also had an access panel installed in the ceiling at level 2 near unit 236 as there was evidence of a previous water leak in this location. The access panel will assist in a quick diagnose of the source of the leak when it next occurs.

The works went very smoothly, with the workers using their own drop sheets and vacuum cleaners to ensure no mess was left behind.



### 1.3 Covid 19 precautions continue:

SC/BM initiated Covid-19 precautions continue.

There have been no reported Covid 19 cases in the PWB.

### 1.4 Balcony tidiness Sub Committee inspection:

On the 8<sup>th</sup> November 2021 at 3pm I met with the sub Committee assigned to inspect the tidiness of PWB balconies. The sub Committee agreed that there were no serious breaches occurring which required any type of action. It was noted that there was a bicycle on one particular balcony and a chest of drawers on another.

As BM I agreed to monitor this observation and report back if this situation escalated.



### 1.5 Garden near boom gate:

As per the resolution at the SC Meeting of 18 October 2021, on behalf of the OC I instructed the gardener to install additional "fit for purpose" plants to the garden next to the boom gate. Unfortunately this garden does not receive any sun light at any time and it is subject to cold and fast moving wind on a frequent basis which impacts on the type of plants and their health.

Additional sprinkler heads have been installed to thoroughly water the plants.



- Building Management Services
- Project Management Services (Apartment Renovations)
- Concrete Spalling Repairs and Magnesite removal (License No. 353765C)

## 1. Building Managers Report (cont'd)

### 1.6 Animals in the PWB:

The schedule below shows the current status of animals in the building:

Unit No.	Name	Animal	Type
204A	Sarah Ko	dog	Tibetan Spaniel
207A	April Pilley & Daniel Myers	dog	Golden retriever
225	Alessandra Felix & Marelo Moreira	dog	Jack Russell
230	Teagan Spettigue	dog	Mini cavoodle
303b	Michael Carey & Jessica Lane	dog	American staffy
501	David Wilson & Sophie Hunston (Owner)	dog	Beaglier
505	Samantha Stow (Owner)	cat	British shorthair
601	Albert & Martina James	dog	Cavoodle
609	Steve Terry	dog	Chihuahua
703	Eric Martinez de Morentin (Owner)	dog	Dachshund
705	Cameron & Candida Kirby	dog	Shih Tzu
805	Trish Murray & Paul Corby	cat	(arrival of cat pending)
209	Oliver Isaacs	dog	(arrival of dog pending)

### 1.7 Unit 706 balcony ceiling crack repair:

Repairs to the suspended cantilever concrete slab above unit 706 have been completed and to date are successful. The concrete repair works were carried out by Tony Strati Remedial Concrete, the concrete repair business that my company operates. TS Remedial was commissioned by the SC to perform the work.

The concrete slab repair work was carried out in accordance with the retained structural engineer's specification. Regrettably the lot owner at 806 was inconvenienced for several weeks during the process, balcony access was not possible and 14 floor tiles had to be replaced with salvaged tiles from another balcony in the building. The match is not identical and the tiles may have to be replaced.

Other repairers who contributed to the project were GD Tiling, Antoine's Water proofing and Crystalica Painting. These contractors provided their services directly to the OC and were managed by the BM.





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For SC Meeting, 09 December 2021

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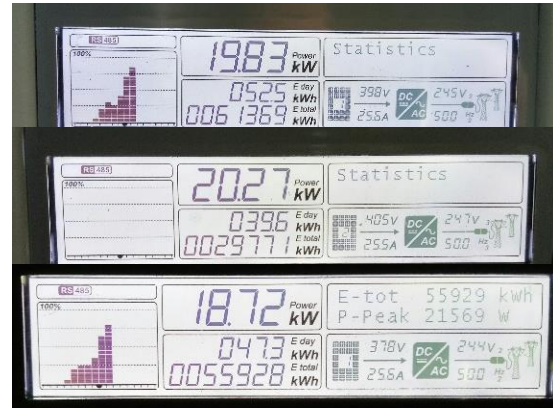
## 1. Building Managers Report (cont'd)

### 1.8 Solar Panels on roof (FYI):

The roof top solar panels were installed in November 2019 and in the last 24 months have produced 147,068 kwh of electricity.

This number translates to approximately 5 months' worth of free electricity in only a 2 year period.

The pictures to the right show data from the screens of 3 inverters located in the roof top plant room.



### 1.9 Repairs and re-painting to the metal structure inside the high rise plant room:

The metal structure within the roof top plant room is rusting away and requires constant attention. This area is completely exposed to the highly corrosive coastal environment and was not sufficiently designed to withstand the constant chloride attack.

In the interests of preserving this critical asset a painter has been assigned to exclusively work in this area. His brief is to remove rust from steel beams and re-paint them in the best metal protective paints available.

Some metal roof parts are already too damaged to be repaired and these will be replaced. I'm currently negotiating with a metal fabricator to supply replacement parts for the roof. These important works will need to happen every year during the life span of the building.

During the last 6 year period, periodic maintenance has been treating the visible and accessible areas affected by surface rust, this includes re-painting however non accessible areas have been left untreated.

### 1.10 Pool renovations – major upgrade works (FYI):

On 18.10.21 the Strata Committee advised that the agreed scope of works for the pool renovations had been expanded to include:

1. Re fibre glassing of the pool tank
2. Re-tiling of the internal spa and pool areas
3. Installation of a new coping tile to the entire perimeter of pool and spa
4. Removal of the pavers and installation of new tiles in their place
5. Installation of stainless steel strip drains to replace the current round floor waste drains
6. Repairs of concrete where required.



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## 1. Building Managers Report (cont'd)

Accordingly, at the request of the SC, TS Remedial has assisted with the required demolition and rubble removal works.

A chute was used to quickly remove rubble from the pool area without the need to bring it through the building.

The OC now awaits the arrival of the waterproofing/tiling contractor to complete the works.

Unfortunately works cannot happen in rainy weather and frequent rain over recent weeks has caused delays. Further delays are inevitable, and I shall advise the SC of a projected completion date at the earliest opportunity.

## 2. Building Managers Report (SCDR)

### 2.1 Clock Tower Repairs (SCDR):

In accordance with the SC resolution of the last SC Meeting where it was agreed to repair the failed clock up to the value of \$1,000, on behalf of the OC I engaged the incumbent Firm "Simplex" to repair the easterly facing clock.

Regrettably the repairs could not be completed for under \$1,000 and the repairer has advised that parts need to be ordered from France, there will be a 6-8 week wait time and the cost will be \$2,200 + GST.

Subsequently I have sought additional quotes, they are on the way. In any case it will be necessary to pay Simplex its fee for its site visit so far.

**Recommendation:** that the SC resolve to accept the quote from Simplex to repair the clock at the cost of \$2,200 + GST

### 2.2 Complaint regarding noise vibration (SCDR):

Over the last year the tenant in unit 805 has consistently complained to me of a rumbling noise/vibration type sound that occurs in the ceiling space above his bedroom in the early hours of the morning (between 2am and 6am). The roof top plant room is above this unit.

In response to this complaint I set out to identify the noisy item of machinery and made the following changes along the way: 1. A new hot water pump was installed, 2. A new hot water motor to drive the pump was installed. 3. I alternated use between the many back up pumps within the HW heater plant room, 4. I switched off the garbage room exhaust fan for a trial period, 5. I had the HW heater service person replace noisy parts inside the HW heater.

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## 2. Building Managers Report (SCDR)

Regrettably none of the above mentioned remedies have had the desired affect and the problem remains. To manage the problem in the short term I provided the tenant with a key to the room so that he could shut down half of the HW heating system over night. This short term solution is 100% effective and was free.

In my opinion the vibrations are inherit to the design of the system in that all plumbing pipes are "hard" mounted to the building, they are not "rubber" mounted. What would the SC like to do if anything to remedy this problem?

Another way to tackle this issue would be to retain the services of Paul Reed Plumbing, Paul installed the current hot water heating system several years ago and may be able to make enough changes to improve the issue. Paul is around \$100 per hour.

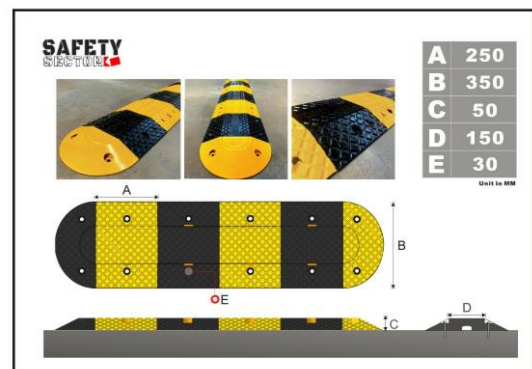
**Recommendation:** that the SC resolve to retain Paul Reed or an equivalent expert plumber at their hourly rate of \$100 to carry out an investigation into the cause of the noisy vibrations emanating from the hot water heater system over night.

### 2.3 Speed hump at bottom of ramp (SCDR):

The components for the replacement speed hump at the bottom of the car park ramp have arrived and these are now being stored in the OCs storage shed.

The parts have cost \$527.40 so far. A handyman is now required to remove the existing speed hump and install the new one.

A handy man will cost the OC anywhere between \$70 to \$100 per hour for their services. Alternatively, my business Tony Strati Remedial Concrete can carry out the works promptly for \$60 per hour. As part of the works the car wash area floor drain will be modified to ensure water can drain from the area quickly.



**Recommendation:** that the SC resolve to appoint a contractor to install the new rubber speed hump and upgrade drainage point.

### 2.4 Cracked and drummy tiles at unit 802 (SCDR):

The new lot owner of unit 802 has reported that there are drummy tiles and cracked tiles on his westerly facing balcony. These will require repair in the future.

Regrettably the PWB balconies were not finished to a high standard by the original builder, it is thought that all of the balconies in the high rise part of the building do not have a waterproofing

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## 2. Building Managers Report (SCDR)

membrane beneath the tiles. This is the case in unit 806 where tiles were previously removed by the OC as part of a high level inspection of the installation detail.

The low standard finish has led to some of the lot balcony tiles becoming delaminated, drummy and cracked from time to time.

The OC does not have spare tiles and in the interests of saving OC funds has in the past salvaged tiles from balconies that received full tile replacement as part of their upgrade so that the spare tiles could be used in other balconies requiring smaller repairs to minimise the cost to the OC. This solution however is problematic in that tiles do not always match in colour.

**Recommendation:** that the SC resolve to carry out repairs to the damaged tiles at unit 802 using saved tiles from the recent balcony repair at unit 210.

### 2.5 Likely Concrete cancer in lower edge of balconies level 2 above courtyard (SCDR):

I have noticed 3 spots of possible concrete cancer occurring in the concrete balcony perimeter edge, level 2 main courtyard. The areas require attention at some stage, and if left untreated the concrete that is under pressure from the expanding reo steel below will pop off and fall to the ground (this is still some time away but inevitable). Access is difficult. A scissor lift or very tall mobile scaffold will be needed by the repairing contractor.



Tony Strati Remedial Concrete specialises in concrete cancer and would like to quote on this work. If retained by the OC TSRC can carry out the works at \$60 p/hr + materials and scaffold hire at \$50 per day. FYI, Kennard's hire charge out the same scaffold for \$116 per day.

The works should be undertaken in the short term.

**Recommendation:** that the SC resolve to carry out the repairs with a suitable contractor as soon as practically possible.

### 2.6 Balcony paint blistering hobs (SCDR):

The balcony hobs beneath the glass hand rail were last painted in 2016 as part of paint works that happened to all areas of the exterior of the building. Unfortunately, in some of the lots the balcony hob paint began to blister in the following months. This happened because the hobs become water logged as a result of capillary action accentuated because of a lack of waterproofing on the balcony substrate. This is a building fault and was not the fault of the painter.



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## 2. Building Managers Report (SCDR)

In 2017 the balcony hob on Unit 806 was cut up and broken open with a jack hammer in an attempt to identify the cause of the issues. An engineer was retained to provide advice.

Several tests were carried out. It was revealed that there was no waterproofing beneath balcony tiles, moisture was penetrating the area beneath the tiles and rising into the hob area as a result of capillary action. Nothing could be done to prevent the moisture ingress without re-tiling and waterproofing from scratch.

The alternate interim solution was to paint the balcony hob in Ardex hydro poxy and then coat with the chosen colour.

This solution appeared to work on the 806 reconstruct and has since been used experimentally in approx. 3 balconies and has been successful to date. Should the SC resolve to undertake painting works to balcony hobs this solution could be again used.

**Recommendation:** that the SC resolve to commence balcony hob paint rectification works to a select few balconies only on a trial basis using WPM Hydro Poxy as the base coat.

### 2.7 Mealy bug infestation in front garden (SCDR):

Mealy bugs have again arrived at PWB and have attached themselves to some trees in the front garden area.

The mealy bugs are being managed by the gardener. The gardener has advised that the mealy bugs are falling off and will do no harm to the trees. The gardener has been treating them since 18/10/21 (shortly after their arrival). The gardener only visits PWB once per month and this costs the OC \$400 + GST per visit.



Would the new SC like to see any changes to gardening? Possible changes could include:

1. Inviting the current gardener to re quote the service with an additional visit each month
2. Going to tender
3. Do nothing

**Recommendation:** that the SC resolve to retain the gardener for additional unscheduled visits at the rate of \$50 per hour when the gardens require it.

### 2.8 Christmas Party (SCDR):

The PWB Christmas party has been held in the rear courtyard next to the pool and gym the last 2 years in a row. Lot owners and residents have declared this a very successful event and patronage has been very good with up to 40 residents attending. Each year as BM I have organised the BBQ and food at the OCs cost.

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## 2. Building Managers Report (SCDR)

Would the SC like to hold the Christmas party again this year?

**Recommendation:** that the SC resolve to hold the annual Christmas party in the rear courtyard area by the pool spending funds of up to \$800 to purchase food and drink.

### 2.10 List of outstanding matters at PWB (SCDR):

A list of outstanding matters (shown below) was shared with the SC at its last meeting for discussion. As part of normal business some of the items have since been attended to with some being progressed and some completed. those items have been marked in highlighted green.

**Please note:** Many of the items below will take time to resolve as a result of either: 1. Time constraints, 2. Budget constraints, 3. No clear decision from the previous SC.

1. The roof sarking in the high rise plant room is ripped, damaged torn etc. It requires replacing  
*There is no current plan to repair this item. Long term solution is to replace roof.*
2. The easterly facing steel roof girders are rusted and require replacing  
*This issue is progressively being attended to. I have identified a metal fabricator who has provided a quote for replacement girders. His price is \$2,470 + GST*
3. All other roof girders require re-painting  
*This issue is progressively being attended to on an ongoing basis in accordance with the CWF Budget*
4. The car park exhaust and intake ducting system is rusted out and requires replacing or removal.  
*There is no current plan to repair this item. A BCA expert should be retained by the OC to provide a report as to whether or not this equipment is still required in a car park that has some natural ventilation.*
5. Many of the exhaust/intake ducts on the high rise roof top are rusted away and require replacement. See item 4 above.  
*There is no current plan to repair this item*
6. There is cracking in many of the hallway ceilings because there is no slip joint at critical areas of regular expansion and contraction  
*Done – Completed 05/11/21*
7. The balcony at 706/806 has a crack in the concrete and requires a serious structural remedial repair  
*Done – Completed 12/11/21*
8. The balcony floor tiles at U209 and U211 hold water in the sand cement screed, they are always saturated  
*This issue is progressively being attended to on an ongoing basis in accordance with the CWF Budget. Unit 211 will be attended to in 2022.*



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## 2. Building Managers Report (SCDR)

- The lift ceiling panels do not line up, are damaged and of poor design, they require replacing  
*This issue is noted in the attached "proposed CWF budget" with work to happen in year 2*
- The car spaces require new lines and numbers  
*This issue is progressively being attended to on an ongoing basis in accordance with the CWF Budget*
- The car spaces require all non-operative parking locks removed and concrete repaired  
*I will send out a notice – The OC will remove all non-operative locks on date (09/12/21)*
- The car park security grillage requires replacement  
*This issue is noted in the attached "proposed CWF budget" with work to happen in year 2*
- The eastern gardens on level 2 are in need of replacement  
*There is money available in the CWF Budget to carry out this type of work in year 2, the money previously was to be used for the garden bed behind the water fall*
- One of the eastern garden beds leaks into the car park below. It requires emptying and waterproofing  
*There is no current plan to repair this item. Temporary repair measures are in place*
- Unit 220 balcony has again leaked in heavy rain  
*Attended to on 14/10/2, small adjustments were made and there have not been any leaks since.*
- Unit 221 has again leaked in heavy rain when the balcony drain was blocked.  
*Attended to on 14/10/2, small adjustments were made and there have not been any leaks since.*
- The pool requires reconstruction  
*Work In Progress (WIP)*
- Unit 210 balcony requires completion  
*Done – Completed 20/10/21*
- The structure of the clock tower requires immediate major refurbishment. There are important safety issues requiring rectification  
*There is no current plan to repair this item although CWF monies are available right now*
- One of the clocks on the clock tower requires its clock motor repaired  
*WIP*
- Upgrade waterproofing and additional drainage is required inside the plant rooms on the low rise roof top  
*There is no current plan to repair this item*
- A pot plant on level 2 near the pool requires attention

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## 2. Building Managers Report (SCDR)

### *Done – Completed in October*

23. Many of the grey apartment doors have scratched or damaged paint on them.

### *WIP*

24. The large pavers in the corner of the front court yard are cracked and damaged

*Pavers have now been obtained as a result of removing them from the pool area, the pool area will receive tiles as part of pool refurbishment works. This item will await the courtyard wall rebuild*

25. The sprinkler system in the car park requires repainting in the medium term.

*Suggest this be included in the 2022 budget*

26. The pool toilet ceilings and door jambs require repainting

### *Done – Completed in October*

27. The garden bed near the boom gate is a problem. The environment is toxic and plants find it difficult to survive.

*Attended to in November, additional plants and sprinkler nozzles have been installed.*

28. Almost all of the balcony hobs in the high rise building have blistering or bubbling paint as a result of an underlying construction issue which allows moisture to enter them.

*Awaiting SC advice*

29. The generator enclosure is constantly rusting, it is located directly opposite a breezeway tunnel from the Ocean. It needs an enclosure.

*There is no current plan to solve this problem.*

30. There is concrete cancer in the wall by the pool and in the level 2 front balcony edge.

### *WIP*

31. The façade of the residential apartments units 232, 233 and 234 (above the restaurant seating area) was not able to be painted as part of building painting works on the most recent effort. This was because of access issues, the boom lift did not reach this area, the abseilers could not get a clear foot hold, scaffolding was expensive and any work in this area is difficult to undertake with restaurant patronage below. Works were postponed. As part of the painting work an amount of decorative timber trim also requires repair and replacement.

*There is no current plan to repair this item*

32. The newly installed weatherboard on the low rise roof top requires painting and sealing.

*There is no current plan to repair this item*

33. The garden area by the gym on level 2 needs new plants.

*There is no current plan to repair this item. Suggest autumn winter 2022 repair*

34. The pavers in the easement driveway area are cracked, broken and uneven.

# PACIFIC WAVES BUILDING

## Building Manager's Report

For SC Meeting, 09 December 2021

### Property Management Professionals Pty Ltd

ABN: 88 154 030 538 | 0415 484 143 |

[buildingmanager@pacificwavesmanly.com](mailto:buildingmanager@pacificwavesmanly.com)

#### We specialise in:

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## 2. Building Managers Report (SCDR)

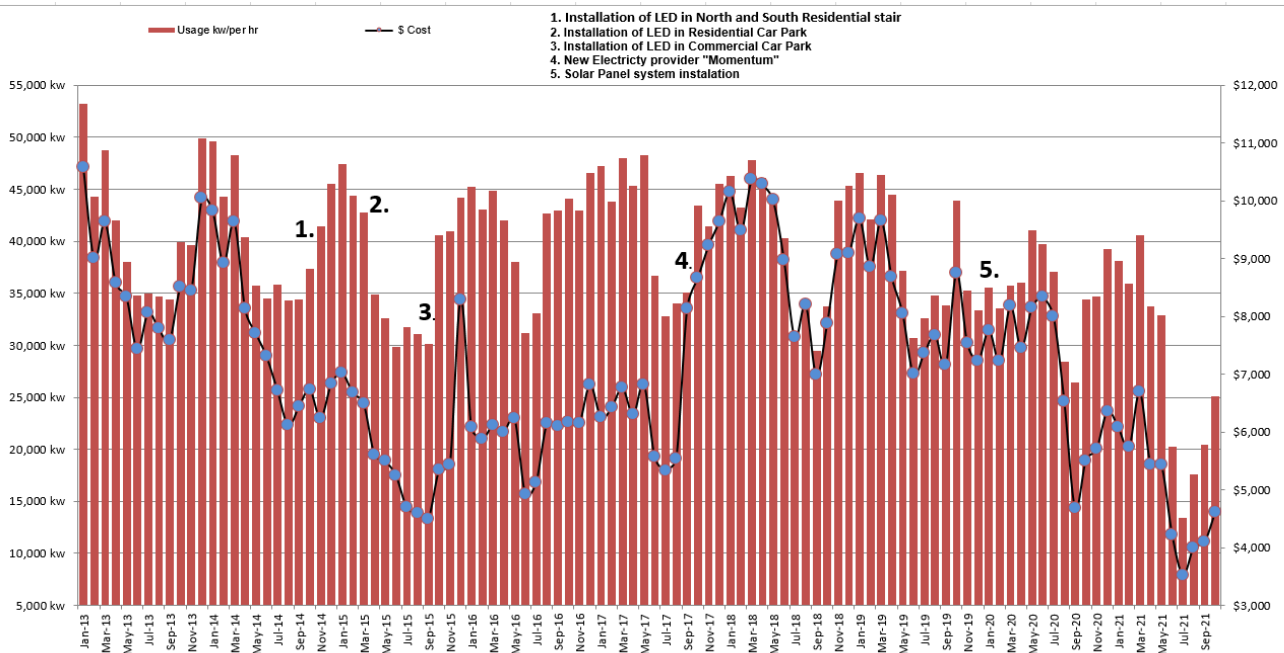
**There is no current plan to repair this item**

**IMPORTANT:** The above mentioned items require SC consideration and prioritisation. Alternatively the BM will repair as time and money permits.

**If SC members are aware of other outstanding matters please discuss.**

**Recommendation:** that the SC discuss the above 34 items and provide the BM with clear instructions.

## 3. Electricity Usage at the PWB – (FYI)

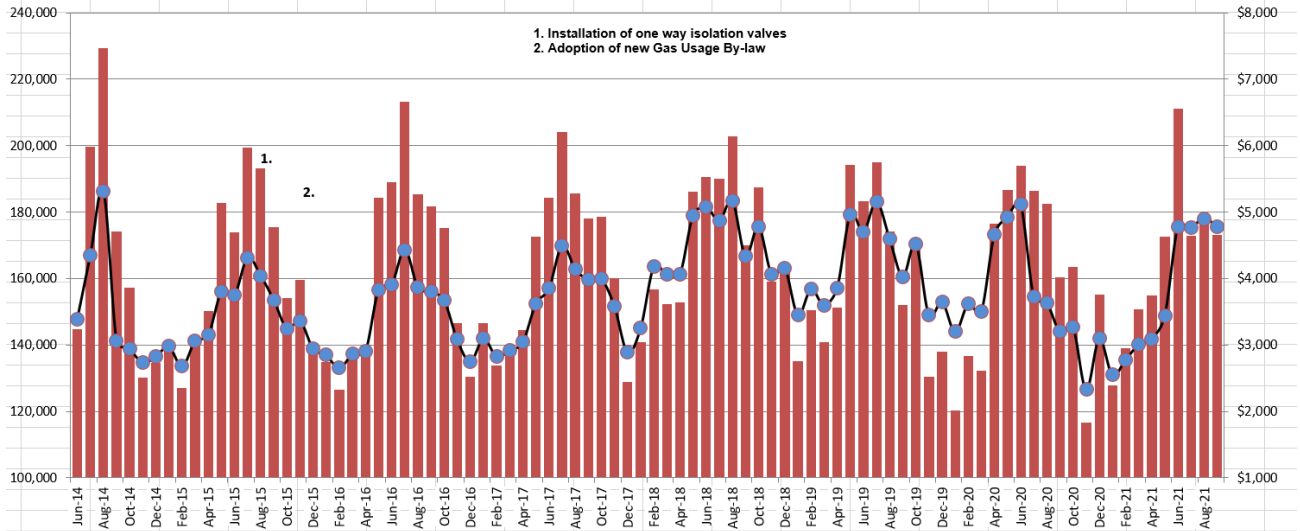


Electricity consumption in the PWB has been dramatically reduced by approximately 25% since December 2019 largely due to the installation of a 60kw Solar Panel System and a 6 hour overnight shut down of the cooling towers. There have been further reductions in the building's recent electricity usage, possibly due to Covid and because of the pool and spa heater being off. In the last month the electricity consumption has risen but is still much lower than in past years.

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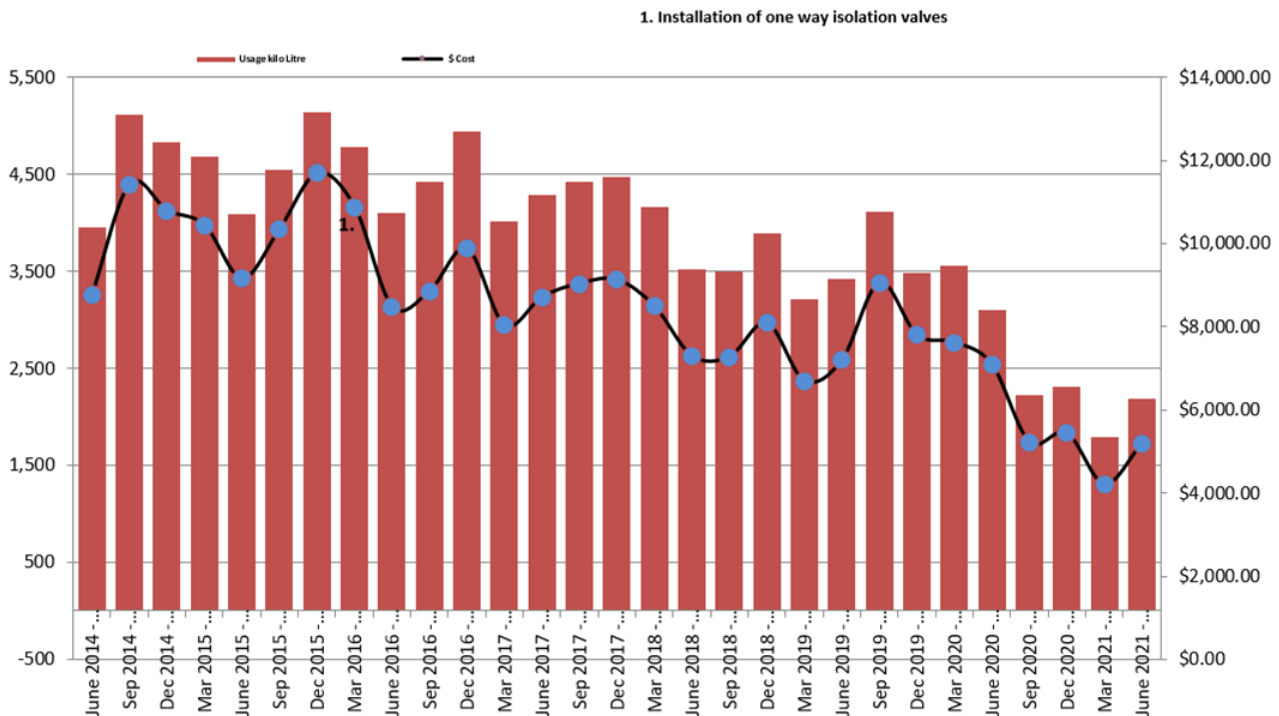
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### 4. Gas Usage at the PWB – (FYI)



Gas consumption habits in the PWB are stable and predictable. The cost of gas has recently fallen by more than 20%.

### 5. Water Usage at the PWB – (FYI)



Water consumption in the PWB is still falling, this is also reflected in the cost. I believe that this event is attributed to Covid 19 restrictions with less people in the building than usual.

# PACIFIC WAVES BUILDING

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### 6. False Fire Alarm Report – (FYI)

DATE	TIME	LOCATION	CAUSE OF ALARM	Charge Lot Owner	OC Charged by NSWFB
27/03/21	11.31pm	NBC car park	A NBC customer has broken off a sprinkler head again	Pending	Pending

This BMR was written by Tony Strati on behalf of **Property Management Professionals**.

Thank you, Tony Strati, Building Manager

Day	Date	Hours on site	Description	Hours off site	Description
Thursday	18/11/2021	6	12pm - 6:15pm		
Friday	19/11/2021	5	12:30pm - 5:40pm, site (pool/PWB grounds) and office		
Saturday	20/11/2021				
Sunday	21/11/2021			3.5	9pm - 12:30am
Monday	22/11/2021	4	12:30pm - 4:30pm	5	7am - 12pm
Tuesday	23/11/2021	7	9:30am - 4pm, site and office	6	7am - 9am / 8pm - 12am
Wednesday	24/11/2021	5	11:30am - 4:30pm	6.5	7:30am - 11am / 7pm -10pm
Thursday	25/11/2021	5.15	11:15am - 4:30pm	5.5	7:30am - 11am / 8pm -10pm
Friday	26/11/2021	4.5	12pm - 4:30pm	2	8:30pm - 10:30pm
Saturday	27/11/2021				
Sunday	28/11/2021				
Monday	29/11/2021	3.45	2pm - 5:45pm	6.45	8am - 1:30pm / 7:45pm - 9pm
Tuesday	30/11/2021	5.4	11:20am - 5pm	6.2	8:40am - 11am / 5:30pm - 9:30pm
Wednesday	1/12/2021	4.5	11:30am - 4pm	3	8am - 11am
Thursday	2/12/2021	7.5	9:30am - 5pm	3	8am - 9am / 9pm - 11pm
Friday	3/12/2021	4	12:20pm - 4:30pm+	2.45	9am - 11:45am
Saturday	4/12/2021				
Sunday	5/12/2021				
Monday	6/12/2021	6.5	10:30am - 5pm	4	7:30am - 9:30am / 10:30pm - 12:30am
Tuesday	7/12/2021	5	12pm - 5pm	3	8 - 11am
Wednesday	8/12/2021	3.5	11.05am - 2.45pm	1	10-11pm
Thursday	9/12/2021	7	11am - 6pm	4.5	8 - 10am/6pm to 8.30pm

TOTAL HOURS            145.6            83.5

62.1