



Purchasers Strata Inspections Pty Ltd

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PREMIUM STRATA TITLE REPORT

SYDNEY

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Matraville NSW 2036
Phone: 1300-363-774
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BRANCHES

- NEWCASTLE
- WOLLONGONG
- CAIRNS
- TOWNSVILLE
- SUNSHINE COAST
- MACKAY
- GOLD COAST
- TWEED HEADS

CLIENT NAME:

Sample Lawyers
PO Box 2000
Sydney NSW 2000

REFERENCE:

Andrews from Borman

STRATA PLAN:

00000

LOT NO(S):

15

ADDRESS:

"Sample Park Apartments"
120-124 Sample Street
Redfern 2016

REPORT DATE:

6th May 2019.

INSPECTION DATE:

3rd May 2019.

INSTRUCTION NO:

000000

This report contains **17** pages. If you do not receive every page, please call us and we will provide you with any missing pages. For qualifications and exclusions, see the last page of this report.

SMART BUYER INFORMATION

What do you look for when you set out to buy an apartment?

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1 STRATA ROLL (Sections 176-178)		Dictionary	Help
1.1	Is there a Strata Roll?	Yes	
1.2	Current Owners Details		
	Name:	P Borman	
	Address:	15/120-124 Sample Street Redfern 2016	
	Agent/Nominee (if any):	N/A	
1.3	Mortgagee (1)		
	Name:	Nil	
	Address:	N/A	
	Nominee (if any):	N/A	
1.4	Other Entries		
	Type of entry:	Nil	
1.5	Was the Strata Roll in compliance with the following aspects of Part 10, Division 1?		
	Particulars of owners recorded	Yes	
	Has provision for lot entries	No	
	Has provision for common property and strata scheme entries	Yes	
	Unit entitlement recorded	Yes	
	Original Owner's name and address recorded	No	
	Strata Managing Agent's name and address recorded	Yes	
	By-laws included therein	No	
	Strata scheme details recorded	Yes	
	Insurance particulars recorded	Yes	

Section 176 states

A strata roll or any other record required to be made or stored by an owners corporation may be made or stored in the form determined by the owners corporation.

Section 177 states:

An owners corporation must prepare and maintain a strata roll in accordance with this Division.

Section 178 states:

(1) Information about lots

The following information must be recorded in the strata roll in relation to a particular lot in the strata scheme:

- (a) the name of the holder of the estate in fee simple in the lot (in the case of a freehold strata scheme) or the holder of the leasehold estate in the lot (in the case of a leasehold strata scheme),
- (b) an address for service of notices,
- (c) an Australian postal address, and an email address if the holder has one, if not provided as the address for service,
- (d) the name of the holder's agent (if any) appointed in accordance with this Act and the agent's address for service of notices,
- (e) information provided under a strata interest notice
- (f) information provided under a tenancy notice.

(2) Information about common property and strata scheme

The following information must be recorded in the strata roll in relation to the common property of the strata scheme and the scheme in general:

- (a) the strata plan number and the address of the strata scheme building,
- (b) the names of the original owner and any strata managing agent of the owners corporation and their addresses for service of notices,



PREMIUM STRATA TITLE REPORT

- (c) the aggregate unit entitlement of the scheme and the unit entitlement of each lot,
- (d) particulars of insurance taken out by the owners corporation, including the following:
 - (i) the name of the insurance company,
 - (ii) the number of the insurance policy,
 - (iii) the nature of the risk insured,
 - (iv) the amount of the insurance,
 - (v) the due date for payment of the premium,
 - (vi) the date on which the premium was last paid,
- (e) the by-laws for the time being in force for the strata scheme,
- (f) if the scheme was registered before the commencement of Part 10 of the Strata Schemes Development Act 2015, whether that Part applies to the scheme.

(3) Sources of information for strata roll

The owners corporation may make or amend entries in the strata roll on the basis of information contained in the Register or provided under a strata interest notice or a tenancy notice (to the extent that information so provided is not inconsistent with information contained in the Register). Information provided under any such notice may be presumed to be consistent with information contained in the Register until the contrary is evident.

2 INITIAL PERIOD

Dictionary

Help

2.1 From entries on the Strata Roll, does the Initial Period appear to have expired?

Yes

The Act defines the initial period as:

- (a) commencing on the day the owners corporation is constituted, and
- (b) ending on the day there are owners of lots in the strata scheme (other than the original owner) the sum of whose unit entitlements is at least one-third of the aggregate unit entitlement.

Section 26(1) states

An owners corporation for a strata scheme must not, during the initial period, do any of the following things unless the owners corporation is authorised to do so by an order of the Tribunal under this Division:

- (a) alter any common property or erect any structure on the common property otherwise than in accordance with a strata development contract,
- (b) incur a debt for an amount that exceeds the amount then available for repayment of the debt from its administrative fund or its capital works fund,
- (c) appoint a strata managing agent or a building manager or other person to assist it in the management or control of use of the common property, or the maintenance or repair of the common property, for a period extending beyond the holding of the first annual general meeting of the owners corporation,
- (d) borrow money or give securities.

Section 140(1) states

An owners corporation for a strata scheme must not, during the initial period, change the by-laws so that a right is conferred or an obligation is imposed on one or more, but not all, owners or in respect of one or more, but not all, lots in the scheme.



3 INSURANCE (Part 9)

Dictionary

Help

3.1 Details of Building Insurance:

Sum Insured	\$36,370,000.00
Company	AAI Limited trading as Vero Insurance
Policy Number	LNG-STR-81700
Due Date	31st May, 2019
Premium	\$36,763.69

3.2 Details of Public Liability Insurance

Limits of liability	\$20,000,000.00
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3.3 Details of Workers Compensation Insurance

Has insurance policy?	No
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3.4 The above details were obtained from [Certificate of Currency](#)

3.5 Details of the last valuation obtained [A valuation was not sighted.](#)

3.6 Is this Property under insured [Unable to ascertain](#)

Section 160(1) states

The owners corporation for a strata scheme for the whole of a building must insure the building and keep the building insured under a contract of insurance, in accordance with this Division, that insures the building if it is destroyed or damaged by fire, lightning, explosion or any other occurrence specified in the policy (a **damage policy**).

Section 160(2) states

The owners corporation for each strata scheme for part of a building and any other person in whom is vested an estate in fee simple in part of the building that is not included in the parcel of the strata scheme must insure the building and keep the building insured under a damage policy.

Section 161 requires

The damage policy for a building must be with an approved insurer, be in the name of the owners corporation, and any other person required to insure under section 160.

Section 161(a) states

The building is to be insured for at least the amount determined in accordance with the regulations.

What other insurance must an owners corporation have in place?

Section 164 states

- (1) An owners corporation must take out the following insurance with an approved insurer, in addition to any other requirements of this Part:
 - (a) insurance in respect of any occurrence against which it is required by law to insure, including any insurance required by the Workers Compensation Act 1987 and the Workplace Injury Management and Workers Compensation Act 1998 to be taken out,
 - (b) insurance in respect of damage to property, death or bodily injury for which the owners corporation could become liable in damages,
 - (c) insurance against the possibility of the owners becoming jointly liable because of a claim arising in respect of any other occurrence against which the owners corporation, in accordance with a special resolution, decides to insure,
 - (d) insurance against any damages for which the owners corporation could become liable because, without fee or reward or any expectation of fee or reward, a person acting on behalf of the owners corporation does work in a building or on the common property in the strata scheme,
 - (e) insurance of any other class prescribed by the regulations for the purposes of this subsection.
- (2) Insurance taken out in accordance with subsection (1) (b) must be for a cover of not less than \$10,000,000 for each event for which any claim or claims may be made or, if the regulations provide for another amount, that other amount.
- (3) The regulations may provide that the amount is to be calculated or determined in the manner prescribed by the regulations.

With respect to Section 164(2)

Clause 40 of Strata Schemes Management Regulations 2016 states

For the purposes of section 164 (2) of the Act, the minimum insurance cover for the purposes of damage to property, death or bodily injury for which the owners corporation could become liable in damages is \$20,000,000.



4 DOCUMENTATION RETENTION (Section 180)		Dictionary	Help
4.1 Period(s) of correspondence sighted at this inspection?	September 2017 to August 2018 NOTE: The most recent and current documents/emails may be held on the Managing Agent's computer system. We are not provided access to this system.		
If not presented as required by the Act, (7 years) name of person asked to provide missing records and their reason for non-presentation	We were advised by the staff at the Managing Agent's office that previous correspondence has been archived.		
4.2 Are notices of the Owners Corporation and Executive Committee Meetings retained for the prescribed period?	No		
4.3 Are proxies retained for the prescribed period?	No		
4.4 Are voting papers retained for the prescribed period?	No		
4.5 Are records served under Section 55 retained for the prescribed period?	No		
4.6 Are Notices given under Section 22 retained for the prescribed period?	No		
4.7 Are minutes of meetings kept and retained for the prescribed period?	Yes		
Date of first minutes made available for inspection	A.G.M. 2/10/2012		
Date of last minutes made available for inspection	E.G.M. 12/3/2019		

Section 180 states

- (1) An owners corporation must cause the following to be retained for 7 years:
- (a) any records, notices and orders required to be kept under this Division or Part 10 of the Strata Schemes Development Act 2015,
 - (b) minutes of meetings required to be kept under Schedule 1 or Schedule 2,
 - (c) its financial statements and accounting records,
 - (d) copies of correspondence received and sent by the owners corporation,
 - (e) notices of meetings of the owners corporation and its strata committee,
 - (f) proxies delivered to the owners corporation,
 - (g) voting papers relating to motions for resolutions by the owners corporation and to the election of officers or the establishment of a strata renewal committee (under Part 10 of the Strata Schemes Development Act 2015),
 - (h) a copy of any signed strata managing agent agreement or building manager agreement entered into by the owners corporation,
 - (i) records given to the owners corporation by the strata managing agent relating to the exercise of functions by the agent,
 - (j) any other documents prescribed by the regulations for the purposes of this section.



5 BOOKS OF ACCOUNT (Section 96)		Dictionary	Help
5.1	Are substantially all of the prescribed accounting records maintained by or on behalf of the Owners Corporation?	Yes	
5.2	If so, who keeps the books of account?	The Managing Agent	
5.3	What was the approximate balance of the Administrative Fund?	\$339,673.67 DEBIT, as at 3/5/2019	
5.4	What was the approximate balance of the Capital Works Fund?	\$67,695.23 credit as at 3/5/2019	
5.5	How were these approximate balances ascertained?	A Balance Sheet	

Section 96 states

(1) An owners corporation must keep accounting records in accordance with this Division.

Maximum penalty: 5 penalty units.

(2) The accounting records may be made and stored in the form determined by the owners corporation.

(3) Separate accounting records must be kept for the administrative fund, the capital works fund and any other fund kept by the owners corporation.

(4) The regulations may prescribe accounting records that are required to be kept by an owners corporation. An owners corporation must keep the accounting records prescribed by the regulations.

Reg.22 (SSMR 2016)

The accounting records required to be kept for the purposes of section 96 (4) of the Act are as follows:

(a) receipts consecutively numbered,

(b) a statement of deposits and withdrawals for the account of the owners corporation,

(c) a cash record,

(d) a levy register.



6 MAINTENANCE CONTRIBUTIONS (Section 81)

Dictionary

Help

6.1 Contributions are payable in equal quarterly installments, commencing 1/11/2018, as follows:

To the Administrative Fund	\$1,415.40 due 1/11/2018, 1/2/2019, 1/5/2019 and 1/8/2019
To the Capital Works Fund	\$551.50 due 1/11/2018, 1/2/2019, 1/5/2019 and 1/8/2019
Do these contributions appear to have been correctly determined	Yes
If not, in what respect does the determination appear to be defective?	N/A

6.2 Last Increase in levies: 1st November, 2018

6.3 Are there any current special levies? Yes

Fund	Administrative Fund
Total Amount	\$2,220,000.00
Amount Payable by the Subject Lot	\$1,887.00 per installment
Due Date	20 quarterly installments, commencing 1/1/2016
Purpose	Repayment of loan obtained to fund remedial works

6.4 Is there any proposal for special levies in the near future? No

Fund	N/A
Amount	N/A
Due Date	N/A
Purpose	N/A

7 FINANCE AND LOANS

Dictionary

Help

7.1 Does it appear that loans or finance has been raised or sought by the Owners Corporation ? Yes

Details of finance /loans raised or sought	E.G.M. 3/3/2016: Resolved to enter into a loan agreement with Macquarie Bank up to an amount of \$1,500,000.00 to fund Dapcor remedial works resolved at the 2015 AGM. NOTE: Treasurer's Report dated 1/8/2018 notes the loan has been paid off.
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Administrative Fund

Section 73(1) states

An owners corporation must establish an administrative fund.

Section 73(4)(f) allows

the transfer of money to the capital works fund or to pay expenditure that should have been paid from the capital works fund.

However;

Section 76(2) states

The owners corporation must, not later than 3 months after the transfer or use, determine the amount to be levied as a contribution to the fund from which the transfer or use was made to reimburse the amounts paid from the fund. Section 81 (3) and (5) apply to a contribution determined under this subsection.

Capital Works Fund

Section 74(1) states

An owners corporation must establish a capital works fund.

Section 74(4)(d) allows

the transfer of money to the administrative fund or to pay expenditure that should have been paid from the administrative fund.

However;

Section 76(2) states

The owners corporation must, not later than 3 months after the transfer or use, determine the amount to be levied as a contribution to the fund from which the transfer or use was made to reimburse the amounts paid from the fund. Section 81 (3) and (5) apply to a contribution determined under this subsection.

Levy Contributions

Estimates to be prepared of contributions to administrative and capital works funds

Section 79 states

- (1) An owners corporation must, not later than 14 days after the constitution of the owners corporation and at each annual general meeting after that, estimate how much money it will need to credit to its administrative fund for actual and expected expenditure:
 - (a) to maintain in good condition on a day-to-day basis the common property and any personal property vested in the owners corporation, and
 - (b) to provide for insurance premiums, and
 - (c) to meet other recurrent expenses.
- Note.** Recurrent expenses would include such regular expenses as insurance, water charges, electricity charges, carpet cleaning, lawn mowing services and the like and minor expenses relating to maintenance of the common property.
- (2) An owners corporation must, at each annual general meeting, estimate how much money it will need to credit to its capital works fund for actual and expected expenditure:
 - (a) for painting or repainting any part of the common property which is a building or other structure, and
 - (b) to acquire personal property, and
 - (c) to renew or replace personal property, and
 - (d) to renew or replace fixtures and fittings that are part of the common property, and
 - (e) to replace or repair the common property, and
 - (f) to meet other expenses of a capital nature.

Note. Expenses of a capital nature would include expenses in relation to major repairs or improvements to the common property or personal property of the owners corporation, such as replacement of roofing, guttering or fences and the like.

- (3) When estimating amounts needed to be credited to the administrative fund or the capital works fund, the owners corporation must have before it, and take into account, a statement of the existing financial situation of the strata scheme and an estimate of receipts and payments.
- (4) An estimate prepared before the first annual general meeting of an owners corporation is to take into account the initial maintenance schedule provided by the original owner for that meeting.
- (5) In estimating amounts to be credited to the capital works fund, an owners corporation is to take into account anticipated major expenditure identified in the 10-year plan for the capital works fund proposed under this Division.
- (6) An owners corporation of a large strata scheme must include in the estimates prepared at an annual general meeting:
 - (a) specific amounts in relation to each item or matter on which the owners corporation intends to spend money, or on which the owners corporation is aware money will be likely to be spent, in the period until the next annual general meeting, and
 - (b) a note as to any difference between the estimates and the 10-year plan for the capital works fund prepared under this Division and the reasons for the difference.

Owners corporation to set contributions to administrative and capital works funds

Section 81 states

- (1) The owners corporation must determine the amounts to be levied as a contribution to the administrative fund and the capital works fund to raise the amounts estimated as needing to be credited to those funds.
- (2) That determination must be made at the same meeting at which those estimated amounts are determined.
- (3) The owners corporation must levy on each person liable for it such a contribution.
- (4) If the owners corporation is subsequently faced with other expenses it cannot at once meet from either fund, it must levy on each owner of a lot in the strata scheme a contribution to the administrative fund or capital works fund, determined at a general meeting of the owners corporation, in order to meet the expenses.
- (5) A contribution is, if an owners corporation so determines, payable by the regular periodic instalments specified in the determination setting the amount of the contribution.

Section 83(2) states

Contributions levied by an owners corporation must be levied in respect of each lot and are payable (subject to this section and section 82) by the owners in shares proportional to the unit entitlements of their respective lots.



8 BY-LAWS (Part 7)		Dictionary	Help
8.1 Do the records suggest that the By-laws have been changed or added to in the past 6 months?	Yes		
If so, does it appear that these changes or additions have been registered?	No		
If not particulars are	E.G.M. 12/3/2019: Resolved to create an additional By-law - Lot 32 works. Resolved to create an additional By-law - Lot 37 works. Resolved to create an additional By-law - Solar panels building works.		
8.2 Were any exclusive use By-laws registered in the past 6 months affecting the subject Lot?	No		
If so, particulars are	N/A		
8.3 What is the attitude of the Owners Corporation to the keeping of animals?	By-law 15 - Keeping of Animals: (1) Subject to section 157 of the Strata Schemes Management Act 2015, an owner or occupier of a lot must not, without the approval in writing of the Owners Corporation, keep any animal on the lot or the common property. (2) The Owners Corporation must not unreasonably withhold its approval of the keeping of an animal on a lot or the common property.		

By-laws that apply to strata schemes

Section 134 states

(1) **New strata schemes**

The by-laws in force for a strata scheme that came into existence after the commencement of this section are the by-laws adopted by or lodged with the strata plan registered by the Registrar-General for the strata scheme, as changed in accordance with this Act.

(2) **Strata schemes 1997 to commencement of section**

The by-laws in force for a strata scheme that came into existence after the commencement of the Strata Schemes Management Act 1996 and before the commencement of this section are the by-laws adopted by or lodged with the strata plan registered by the Registrar-General for the strata scheme, including any changes to the by-laws made in accordance with that Act or in accordance with this Act.

Note. The Strata Schemes Management Act 1996 commenced on 1 July 1997.

(3) **Strata schemes before 1996**

The by-laws in force for a strata scheme that was in existence before the commencement of the Strata Schemes Management Act 1996 are the by-laws set out in the regulations for the purposes of this section, including any changes to the by-laws made in accordance with a previous law or in accordance with this Act.

Note. Section 8 of the Strata Schemes (Freehold Development) Act 1973 and section 7 of the Strata Schemes (Leasehold Development) Act 1986 require that when a strata plan is submitted for registration it must be accompanied by the proposed by-laws for the strata scheme. Those by-laws are registered with the strata plan.

Procedure for changes to by-laws

Section 141 states

- (1) An owners corporation may, in accordance with a special resolution of the owners corporation, change the by-laws of the strata scheme.
- (2) A change to the by-laws of a strata scheme has no effect until:
- (3) The secretary of the owners corporation must keep a consolidated up to date copy of the by-laws for the strata scheme.
- (4) A notification cannot be lodged in the Registrar-General's office more than 6 months after the passing of the resolution to make the by-law.



9 MANAGING AGENT (Sections 49 and 237)

Dictionary

Help

9.1	Is there a Managing Agent?	Yes
9.2	Agents Name	Sample Management Group
	Agents Telephone	0000-0000
	Appointed under what Section?	Not stated
	Was a written Agency Agreement sighted?	Yes
	Was a License issued under the Property Stock and Business Agents Act 2002 in the name of the Agent sighted?	Yes
	Date of last appointment?	9th August, 2017

How is a strata managing agent appointed?

Section 49(2) states

The appointment is to be made by instrument in writing authorised by a resolution at a general meeting of the owners corporation.

Section 237

Orders for appointment of strata managing agent.

10 TITLE DEED

Dictionary

Help

10.1	Was the Original Certificate of Title for the Common Property sighted?	No
	If not, why not?	Sighted scanned copy of Edition 11 dated 19/1/2018.

11 INCOME TAX

Dictionary

Help

11.1	Does the Owners Corporation appear to receive taxable income?	Yes
	What is the source of that income?	Interest on invested funds, rental of cars paces and fees under Sections 183 and 184.
	Are Income Tax Returns lodged	Yes

12 GENERAL INFORMATION

Dictionary

Help

12.1	Number of Lots in the Strata Plan:	61
12.2	Number of Units in the building	61
12.3	Unit of Entitlement of the subject Lot(s):	17
12.4	Aggregate Unit of Entitlement	1,000
12.5	Approximate number of tenanted Units:	Unable to ascertain
12.6	State of harmony in the building:	Appears to be all right.

Purchasers Strata Inspections Pty Ltd
PREMIUM STRATA TITLE REPORT



12.7 When was the Strata Scheme Registered?	20th June, 1990
12.8 Who is the Original Owner?	Meriton
12.9 When was the First Annual General Meeting held?	23rd July, 1991
12.10 CLADDING - NSW Cladding Compliance:	
Does it appear that the Owners Corporation is required to be registered?	Unable to ascertain
If so, has the Owners Corporation registered?	N/A
Details of registration (date and number)	N/A
If registered, what is the effect of this registration?	N/A
If not registered, what action has the Owners Corporation taken in relation to this issue?	N/A

NOTE:

Generally, the original owner means the person by whom the parcel the subject of that scheme was held in fee simple at the time of registration of the strata plan to which the scheme relates.

The original owner must convene and hold a meeting of the owners corporation within 2 months of the expiration of the initial period. This meeting is known as the First Annual General meeting

13 HISTORY OF DISPUTES

Dictionary

Help

Nil

14 HISTORY OF PLUMBING

Dictionary

Help

Year ended June 2000: Plumbing repairs \$5,919.00.
 Year ended June 2005: Plumbing repairs \$6,985.00.
 July 2006 to June 2007: Plumbing repairs \$5,038.00.
 Year ended June 2011: Plumbing repairs \$10,417.00.
 Year ended June 2018: Plumbing repairs \$12,089.00.
 July 2018 to May 2019: Plumbing repairs \$6,102.00.



15 HISTORY OF WATER PENETRATION

Dictionary

Help

Council Meeting 20/9/94: Managing Agent will arrange for leaking roof of Unit 41 to be attended to.

Council Meeting 14/5/97: Noted that a comprehensive report had been received from Sutech for water penetration repairs totalling \$55,000.00. Resolved to proceed with points 1 and 2 of the quote, totalling \$17,830.00, to lower water outlets behind the main block and install more.

Council Meeting 18/6/97: Resolved that Sutech proceed with the first stage of remedial works to the penetration of water into the garage.

Committee Meeting 16/7/97: Noted that a report had been received from Sutech concerning the investigations by Richard Shacklady & Co. of the units experiencing water penetration and wall cracks. The cost of repairs to the five units inspected amounted to \$23,837.00. Prior to final approval, the water penetration problem to the top floor of Unit 3 is to be included in the work.

Executive Meeting Committee 19/11/97: Resolved to accept a quote of \$51,492.00 for waterproofing works.

Year ended June 1998: Water penetration repairs (part payment) \$13,420.00.

A.G.M. 7/10/98: Resolved that a special Administrative Fund levy of \$140,000.00 be imposed to pay for water penetration rectification works, due 1/12/98, 1/3/99 1/6/99 and 1/9/99.

NOTE: This complex suffered hail damage during the April 1999 Hail storm.

Year ended June 1999: Water penetration repairs \$125,338.00.

Committee Meeting 28/7/99: Water penetration: Silicon injection of the balconies and the rear paved areas is to proceed within the next three months. Funds will be available to cover the remaining water penetration works once the final instalment of the special levy is imposed in September.

Sighted a report dated 21/9/99 from Sutech Pty. Ltd. "We advise that according to our records, the following work has not been carried out due to lack of previous funding:

* Work to Units 2, 14, 21, 43, 7, 16, 38 and 45, total \$30,000.00. (Appears carried out).

* Water penetration has been reported in Units 36 and 59: Cost to repair: \$6,000.00.

* Swimming pool and car park area, cracks, flashing replacement, waterproof membrane and crack injection to balconies: \$30,450.00.

* Contingency: \$8,555.00

* Contracts, supervision, project management \$7,500.00.

Total Cost - \$82,500.00.

Sighted a Notice to owners dated 11/1/2000 that Stage 3 of the water penetration works will commence on 17/1/2000. (This appears to be works to Units 2, 14, 21, 42, 7, 16, 38, 45, 35 and 59 costing \$30,395.00.)

Sighted correspondence dated 24/1/2000 from Sutech Pty. Ltd. requesting confirmation that funds are available for current work totalling \$73,865.00.

Committee Meeting 24/5/2000: Remedial works to the water affected units continue and are due to be finished by 30/6/2000.

Sighted a report dated 22/6/2000 from Sutech advising that there has been newly identified water problems in Units 10, 21 and 23.

Year ended June 2000: Water penetration repairs \$42,400.00.

Committee Meeting 29/11/2000: Resolved to follow up waterproofing repairs as some townhouses still affected by excess water run-off.

Committee Meeting 9/5/2001: Water penetration: Further investigation required.

Year ended June 2001: Water penetration repairs \$11,104.00.

September 2001: It would appear that waterproofing works may be complete or substantially complete. There was no recent reference in the Managing Agents "current correspondence file".

Sighted Waterproofing File which mainly contained contract specifications from Sutech Pty Ltd. The last entry in this file was dated June 2000.

Year ended June 2018: Roof repairs \$12,145.00.



16 CURRENT MATTERS

Dictionary

Help

Particulars of matters discovered from the books and records generally which may adversely affect either the Owners Corporation or the Subject Lot (s) from the point of view of the Purchaser or Mortgagee, or which otherwise may be of interest to the Purchaser or Mortgagee, are:

See attached Sinking Fund Plan dated 24/6/2014 prepared by Solutions in Engineering.

See attached Chairperson's Report and Treasurer's Report dated 31/10/2017.

A.G.M. 15/11/2017: See attached Minutes regarding By-law changes and general matters.

Committee Meeting 21/3/2018: See attached Minutes regarding completion of major remedial works and other matters.

E.G.M. 18/4/2018: See attached Minutes regarding general business.

Resolved to accept quote of \$193,012.00 from Schindler Lifts for lift replacement.

Resolved to create an additional By-law - Works by Lot 4.

See attached Window Safety Certificate dated 17/5/2018.

See attached Building Condition Report dated July 2018 prepared by RHM Consultants.

See attached Chairperson's Report and Treasurer's Report dated 1/8/2018.

See attached Annual Fire Safety statement dated 15/8/2018.

A.G.M. 22/8/2018: See attached Minutes regarding accepted budgets and other matters.

Resolved to create an additional By-law - Lot 35 works.

Resolved to review the Building Condition Report prepared by RHM Consultants in July 2018 and budget for recommended works.

Committee Meeting 22/8/2018: See attached Minutes regarding general business.

Discussed damage to common property caused by Lot 15's contractors. The Owners Corporation has attended to repair and will seek reimbursement.

Discussed possible sale of the garage.

E.G.M. 12/3/2019: Specially resolved to authorise works by Lot 4.

Resolved to create an additional By-law - Lot 32 works.

Resolved to create an additional By-law - Lot 37 works.

Resolved to create an additional By-law - Solar panels building works. (See attached Minutes)

Committee Meeting 12/3/2019: See attached Minutes regarding hail damage insurance claim, lift replacement and other matters.

STRATA ROLL: The Managing Agent maintains the Strata Roll in a computerised format. Only the page relevant to Lot 15 and the common property page were provided for inspection.



17 HISTORICAL INFORMATION

Dictionary

Help

The following historical information concerning the Company and the building generally is made available on the basis that it may be of interest to the Purchaser or Mortgagee:

E.G.M. 15/11/90: Approved Sydney County Council's easement.

Proprietors wishing to hold parties on the roof must obtain the Body Corporate's approval.

1990/91: No evidence of any major or extraordinary expenditure in the records inspected.

Council Meeting 6/2/91: A complaint against the builder was lodged with the Building Services Corporation.

E.G.M. 8/5/91: A special levy of \$11,607.70 was imposed to pay for electrical works and insurance.

Correspondence dated 27/8/91 from the Building Services Corporation to the Managing Agent regarding Rectification Order Items 3, 5, 6 and 7 as outstanding. Items 3, 5 and 6 relate to water penetration through concrete roof slab into car park and Item 7 relates to brick clearing adjacent to Townhouse 61. Meriton's maintenance contractor has advised Items 3, 5 and 6 have been rectified but cannot be checked until it rains and Item 7 cannot be completely removed (stains).

September 1991 to June 1992: No evidence of any major or extraordinary expenditure in the records inspected.

Year ended June 1993: No evidence of any major or extraordinary expenditure in the records inspected.

Meeting 13/7/93: A special Sinking Fund levy of \$24,000.00 was imposed for upgrading of the swimming pool, due and payable 1/11/93.

Council Meeting 15/12/93: Resolved to approve the installation of a roller screen to a window of Unit 51.

Year ended June 1994: Install pool heating equipment \$8,750.00. Garden/trees and landscaping \$5,524.00.

Painting of pool \$7,250.00.

Year ended June 1995: General replacements \$6,134.00.

Year ended June 1996: No evidence of any major or extraordinary expenditure in the records inspected.

Year ended June 1997: No evidence of any major or extraordinary expenditure in the records inspected.

Year ended June 1998: Building repairs \$7,744.00.

Sighted report dated 12/5/99 from Richmond & Ross regarding cracks which stated: Cracks are in Units 15, 21, 36, 52 and 55 and that the cracking observed is relatively minor and no cracking, in our opinion is the result of a major structural fault. Recommended that cracking be repaired in an approved manner by a specialist render repairer.

Year ended June 1999: Pool and spa maintenance \$11,601.00. Consultant fees \$8,179.00. Engineer fees \$5,645.00.

Committee Meeting 24/5/2000: The owners of Unit 35 are going to appeal against the Executive Committee rejection of their application to install an air conditioning unit through an external wall into their unit.

Year ended June 2000: No evidence of any major or extraordinary expenditure in the records inspected.

A.G.M. 14/3/2001: Resolved to appoint Bright & Duggan Pty Ltd as Managing Agent.

Committee Meeting 9/5/2001: Resolved to approve request from Lot 11 for installation of an air conditioner, subject to conditions.

Resolved NOT to approve a request from Lot 33 for a timber floor.

Resolved to allow owner of Unit 5 to relocate security camera in Unit 5, subject to conditions.

Resolved that Lots 37 and 38 be given approval to install lattice, subject to conditions.

Resolved to approve Foxtel installation, subject to review of cost.

Year ended June 2001: Electrical repairs \$7,864.00. General repairs \$8,434.00.

Year ended June 2002: General repairs and maintenance \$31,801.00. Tiling \$9,768.00. Painting \$24,913.00.

A.G.M. 15/7/2002: Common property garage and space: Specially resolved pursuant to Section 9 of the Strata Schemes (Freehold Development) Act 1973 to approve the sale of common property garage and car space. Further information to be obtained. (It was noted that the garage next to Unit 43 was rented for \$40.00 per week, however, valued by local real estate agents at between \$40,000.00 to \$60,000.00).

Resolved to do all things necessary to comply with the above motion including executing documents and arranging registration of strata plan of subdivision.

Year ended June 2003: Pool and spa repairs \$10,787.00. Electrical repairs \$16,642.00. General building repairs and maintenance \$18,232.00. Fencing and gates \$5,183.00. Painting \$12,045.00.



Year ended June 2004: General building repairs and maintenance \$22,244.00. Tiling \$9,380.00. Painting \$14,155.00.

A.G.M. 31/8/2004: Resolved to create an additional By-law to allow the Owners Corporation to install security devices, locks, alarms and security systems, subject to certain conditions.

Resolved to repeal By-law 2 with regards to vehicles.

Resolved to create an additional By-law with regards to vehicles and visitors parking, subject to certain conditions.

Resolved to create an additional By-law with regards to moving furniture in and out of the building, subject to certain conditions.

Resolved to create an additional By-law with regards to conduct of lessees and others, subject to certain conditions.

Resolved to create an additional By-law with regards to damage to common property, subject to certain conditions.

Resolved to create an additional By-law with regards to alterations and additions to fire doors, subject to certain conditions.

Resolved to create an additional By-law with regards to use of pool and barbecue area, subject to certain conditions.

Resolved to create an additional By-law with regards to the installation of air conditioners, subject to certain conditions.

(NOTE: By-laws appear to have been registered under Dealing No. AB186342).

Year ended June 2005: Painting \$8,300.00. General building repairs \$17,642.00.

Year ended June 2006: Carpet \$5,977.00. Gym equipment \$15,078.00. General repairs \$24,704.00.

Committee Meeting 19/9/2006: Agreed to approve requests from Lot 17, 38, 42 and 61 to install air conditioning systems, subject to certain conditions.

Agreed to approve the request from Lot 26 to renovate the kitchen, Lot 48 to install a bike rack, Lot 58 to install a satellite dish and Lot 37 to enclose the car space, subject to certain conditions.

July 2006 to June 2007: Electrical repairs \$6,108.00. General repairs \$28,770.00. Intercom \$15,994.00.

NOTE: Expenditure records for the period July 2007 to June 2010 were not sighted.

NOTE: Minutes between A.G.M. 19/9/2006 and A.G.M. 2/10/2012 were not sighted.

Year ended June 2011: Painting \$29,282.00. General building repairs \$14,466.00.

Year ended June 2012: Pool and spa equipment \$13,338.00. Consultant fees \$9,224.00. Fire protection replacement \$15,482.00. General repairs \$26,844.00.

A.G.M. 2/10/2012: Resolved that in order to comply with the Fire Safety Order, items are to be removed from car spaces.

Specially resolved to approve a plan of subdivision which will create an additional Lot 62 for sale.

Year ended June 2013: Fire protection repairs \$39,858.00. Pool and spa equipment \$5,845.00. Doors \$5,623.00.

A.G.M. 30/9/2013: Sale of Lot 62 - Resolved to approve final plans.

Resolved to create an additional By-law - Installation of hard flooring.

Resolved to create an additional By-law - Fire Brigade false alarms.

Resolved to create an additional By-law - Use of car spaces.

Resolved to create an additional By-law - Doors.

Year ended June 2014: Painting \$6,050.00. Fire protection replacement \$130,626.00. Special project consultant \$8,586.00. Electrical repairs \$10,153.00. Fire protection repairs \$7,586.00. General building repairs \$10,266.00.

E.G.M. 23/7/2014: Resolved to impose a special levy of \$200,000.00 for fire safety works and unpaid creditors, payable in 4 installments on 1/8/2014, 1/11/2014, 1/2/2015 and 1/5/2015.

A.G.M. 9/9/2014: Resolved to amend Special By-law 11 - Recreation facilities.

Resolved to create an additional By-law - Works by Lot 52.

Resolved to approve agreement for building management services with Simon Strata Services.

Specially resolved to install roof access system.

E.G.M. 11/11/2014: Resolved to enter into a licence agreement over common property garage.



Year ended June 2015: Ceiling \$14,759.00. Special project consultant \$10,358.00. Fire protection repairs \$29,937.00. Electrical repairs \$6,276.00. General building repairs \$20,872.00.

E.G.M. 23/7/2015: Specially resolved to install a pedestrian gate in the carpark for a cost of \$4,500.00 plus GST.

Resolved that the Owners Corporation ratifies management of visitors' car spaces. The car spaces will be advertised for \$50.00 per week per car space.

Resolved to create special By-law 1 - Parking granting of licenses.

Resolved to approve new access device procedure.

A.G.M. 3/9/2015: Resolved to create a Special By-law - Building works Lot 50.

Resolved to create a Special By-law - Electronic service of notices of General Meeting and other documents.

Resolved to approve quote of \$1,308,912.00 from Dapcor for remedial works including balustrade replacement.

Resolved to enter into a loan with Lannock Capital 2 Pty Ltd to pay for remedial works.

Amended and resolved to impose a special levy of \$2,220,000.00 to cover cost of repaying loan of \$1,800,000.00 from Lannock Strata Finance, payable in quarterly installments commencing 1/1/2016 for 5 years.

E.G.M. 14/12/2015: Resolved to give a 10% discount to any lot owner who pays the special levy imposed at the A.G.M. held 30/9/2015 in full by 1/2/2016.

E.G.M. 3/3/2016: Resolved to rescind motion from A.G.M. held 30/9/2015 to enter into a loan agreement of \$1,800,000.00 with Lannock Capital 2 Pty Ltd.

Resolved to enter into a loan agreement with Macquarie Bank up to an amount of \$1,500,000.00 to fund Dapcor remedial works resolved at the 2015 AGM.

Year ended June 2016: General building repairs \$109,020.00. Fire protection repairs \$26,541.00. Consultant fees \$23,769.00.

E.G.M. 19/7/2016: Specially resolved to convert 2 visitor parking spaces to bike racks.

Specially resolved to alter balustrade design and construction.

E.G.M. 17/10/2016: Resolved to create an additional By-law - Lot 13 renovations.

E.G.M. 14/11/2016: Resolved to approve variation to works being carried out by Dapcor which will cost an additional \$300,000.00.

Resolved to impose a special levy of \$300,000.00 for work variations, due 1/1/2017.

Specially resolved to install additional CCTV for cost \$16,007.00.

Resolved to create an additional By-law - Lot 18 building works.

Resolved to create an additional By-law - Lot 7 pergola.

Year ended June 2017: Rectification work by Dapcor \$1,549,330.00. Supervision of works \$116,490.00. Security system \$8,364.00. General repairs \$18,633.00. Fire protection repairs \$12,667.00.

A.G.M. 15/11/2017: Remedial works levies: Resolved to give lot owners a 10% discount if the levy is paid in full by 1/1/2018.

Resolved to install window safety locks.

Specially resolved to alter one additional car parking space into bike racks.

Resolved to create an additional By-law - Minor renovations.

Resolved to create an additional By-law - Major renovations.

Resolved to create an additional By-law - Works by Lot 15.

Resolved to authorise the strata committee to review the By-laws and register consolidated By-laws.

NOTE: Consolidation of By-laws was registered under Dealing No. AN51690 on 19/1/2018.

Year ended June 2018: Lift refurbishment \$92,852.00. Child window locks \$5,500.00. Bike rack \$6,423.00. General replacement \$16,224.00. Remedial work \$136,800.00. Remedial work consultant fees \$18,308.00. General repairs \$40,179.00. Fire protection repairs \$15,762.00.

July 2018 to May 2019: Painting \$14,750.00. Lift refurbishment \$94,006.00. General repairs \$22,083.00. Fire protection repairs \$14,581.00.

NOTE: Expenditure under \$5,000.00 has not been covered in this report.



QUALIFICATIONS AND EXCLUSIONS

1. During the course of the subject inspection no attempt was made to ascertain whether any Managing Agent has complied with the detailed accounting requirements of the Property, Stock and Business Agents Act 2002 or whether the prescribed accounting and prescribed financial statement requirements are being complied with by the Owners Corporation. As these requirements are particularly complex, an additional inspection by a specially trained Inspector would be necessary before we could report on these matters.
2. The information contained in this Report was extracted from the books and records of the Owners Corporation and, so far as was possible, from conversations with officers of the Owners Corporation. Special procedures were followed to minimise the possibility of records not being made available for inspection and this information has, where possible, also been checked with information obtained from previous inspections. However, your attention is directed to the possibility that all of the records of the Owners Corporation may not have been made available for inspection, or alternatively, that the records may not have contained all of the information of interest to a Purchaser or Mortgagee.
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