

PO Box 972

PARRAMATTA NSW 2124

Tel 133220

ABN 81 913 830 179

www.fairtrading.nsw.gov.au

Our Ref

Your Ref

Contact Lachlan Geeves

Dear Mr

I refer to our conversation dated 12 January 2017 regarding your strata matter. The following matters were raised with Mr Stephen Brell, Licensee in Charge at Net Strata:

1) Notices

- Mr Brell was advised that your correspondence detailed that you had not received levy notices and were only made aware of levies when you received late notice reminders
- Mr Brell was advised that you raised this matter with the Strata Manager on 11/4/2016, 8/7/2016 and 5/8/2016

Mr Brell advised NSW Fair Trading that owner's within your scheme had resolved that notices were to be provided electronically. Mr Brell has advised your last three levy notices were forwarded to email address: on 2/6/2016, 19/10/2016 and 28/11/2016.

2) Fountain

- Mr Brell was advised that your correspondence detailed that you requested the service to the fountain on 16/2/2016 and that the Strata Manager had advised the contractor was to look into the repair. Mr Brell was further advised that another owner had asked about the repair on 9/6/2016 and when you asked again on 3/8/2016 you were advised the fountain had been de-commissioned and was to be removed.

Mr Brell has advised that the repairs regarding the fountain were significant and were addressed at the 2016 Annual General Meeting. These minutes have been reviewed and reflect that a motion regarding the waterproofing of courtyard and planter boxes was resolved and that owners resolved to proceed once funds were available once obtained by a special levy.

Mr Brell further advised the special levies being raised addressed the repairs to the waterproofing of the fountain and it was the recommendation of the contractors that the fountain be turned off whilst the repairs are occurring to prevent further issues. Mr Brell stated whether the fountain is re-commissioned after the repairs are completed will be a decision for owners.

Re: NSW Fair Trading Reference (Geeves)

From:

To: sc@finance.nsw.gov.au

Date: Thursday, 26 January 2017, 7:09 am AEDT

Hi Lachlan,

I can't recall but are you the person that was originally assigned to my case that i spoke to over the phone for over an hour before my case went to Net strata? For some reason i don't believe so based on the outcome to date.

I have attached the minutes from the AGM and there is nothing noted in there regarding the fountain. The issue that is tabled in the minutes is water proofing of the court yard. The issue related to the fountain is that it no longer pumps water, ie. it is not a fountain. These are two totally unrelated issues. And in typical Net Strata form they even lie to the Dept Fair Trading.

I don't believe even they know what is wrong with it. Just easier to shut it down than anything.

I will forward some pictures once i'm back from holidays on wednesday, and some of the many other problems due to lack of maintenance from our strata managers.

On Thursday, 19 January 2017, 14:31, "sc@finance.nsw.gov.au" <sc@finance.nsw.gov.au> wrote:

Dear Mr

Please find the attached correspondence regarding your strata complaint.

Yours sincerely
Lachlan Geeves
NSW Fair Trading

This email message and any attached files is confidential and intended solely for the use of

the individual or entity to whom it is addressed and may contain information that is privileged, confidential and/or exempt from disclosure under applicable law. If you have received this email in error, delete all copies and notify the sender.

This email is subject to copyright. No part of it should be reproduced, published, communicated or adapted without the copyright owner's written consent. No employee or agent is authorised to conclude any binding agreement on behalf of the Department of Finance, Services and Innovation (DFSI) by email without express written confirmation.



Net Strata 2016AGMMins - _3001552079.pdf
889.7kB

October 18, 2016

To All Owners. Strata Plan

Dear Owners,

**RE: MINUTES OF ANNUAL GENERAL MEETING
at**

Attached are the minutes of the recent Annual General Meeting conducted for your strata scheme and enclosed is a levy payment notice for your 1st quarter levies.

We urge you to read the minutes so you're aware of the issues discussed at the meeting and we also write to bring the following matters to your attention;

PLEASE NOTE - The special levy is being raised in 6 quarterly instalments over an 18 month period. As this falls over two separate financial years, the information on the special levy notice of this financial year 2016/17 will state 4 instalments. Next financial year, 2017/18 will state 2 instalments therefore totaling 6 instalments.

1. Reform to Strata Laws

On 27th October 2015 the NSW Government passed the Strata Schemes Management Bill 2015 and the Strata Schemes Development Bill 2015.

These two pieces of legislation represent the most significant reforms to Strata Title Law in NSW since 1973. In total there are around 90 changes to current legislation that will impact all stakeholders of strata title property including, owners, tenants, business operators and managing agents.

The new legislation will come into force on 30th November 2016. For further information and a complete listing of all the changes see the NSW Fair Trading Website www.fairtrading.nsw.gov.au and search 'Strata Reform'.

2. Your Owner Portal

Don't forget you can obtain all the pertinent information relating to your scheme via your Owner Portal at www.netstrata.com.au. From here you are able to access;

- The Minutes Book for your scheme
- The current Financial Records for your scheme
- The current Financial Records for your lot
- The By-laws for your scheme
- The Insurance Certificate & P.D.S. for your scheme
- R.P. Data Sales and Area Profile reports
- Other important records for your scheme
- Update your personal information

Forgotten your user name and password? Don't worry go to the login in page at the portal for assistance.

We hope this information proves helpful. Should you have any questions or require further information regarding these or any other matters concerning your strata scheme please do not hesitate to call or email me directly.

Sincerely,
NETSTRATA



Michael Thompson | Direct Line: 02 8567 6431 | Email: michael.thompson@netstrata.com.au
Strata Manager

Netstrata is a registered trademark of Network Strata Services Pty Ltd. We proudly support the following charities and organisations... A.C.N. 064 030 324





Securing your Strata or Community Title Property

One of the attractions of living or working in a strata or community scheme is the additional security that can be provided to a building such as security intercoms, secured garage areas and the sense of 'community watch' within a development.

Regrettably however residents often don't become security conscious until after they have been robbed and no matter how many security devices may be fitted to the common areas of your building, the harsh reality is that a security building is only secure as the people that reside in it. Surveys have shown that over 90% of occupants living in a multi-dwelling property have 'buzzed' strangers into their building.

A main entry security door or shutter at the entry to a garage area provides both a visual and physical deterrent; however these areas are often secluded and are a common target for many would be thieves. Aside from this very few residents ever stop to check that a security garage door has closed after they've entered or exited the building and it's fairly easy for a thief to simply wander into the building whilst the door is opening or closing.

Thankfully legislators recognise the importance for owners of strata and community properties to be able to further secure their own premises. Pursuant to the by-laws, all owners of residential, commercial, retail and industrial strata and community schemes are at liberty to undertake the installation of additional locking devices, security screens or other security devices to their windows, front doors, balcony doors and garage doors to further secure their individual premises. If such devices are not already in place at your property, we highly recommend they be installed. However it should be understood that any additional locking devices must adhere to current fire safety regulations – a licensed locksmith will be able to offer advice on such regulations. Further, any additional security screens (not shutters) fitted to windows or doors must comply with any design and colour scheme that is already established at the property. If you are not certain of these protocols, simply contact your strata manager.

There are a variety of security strategies that you can initiate to further secure your property and it's not always necessary to spend a lot of money on home security. There are things you can do that cost nothing. Care, vigilance and common sense are free.

The following are 10 simple and cost effective ways that you can further secure your property.

Remember, thieves aren't brain surgeons on a day off; they are opportunists who will exploit easy targets. Making your building harder to break into than the one next door will go a long way to preventing a security breach at your property.

1. Make sure your locks work...

Ensure that the locks you do have installed on windows, front doors, balcony doors and garage doors are functioning properly and ensure all your doors and windows, including common property entries and exits are closed and locked whenever you enter or leave the property.

2. Get to know your neighbours...

Make an effort to get to know the other residents within your scheme. Conduct brainstorming sessions or make suggestions for security improvements for your building so they can be considered by all owners.

3. Don't leave notes...

On doors for couriers or friends advising that you're out or that you'll be back in ten minutes.

4. Dispose of rubbish properly...

Cut up boxes that contained expensive electrical equipment and dispose of them properly. Leaving large boxes on the nature strips for a council pick-up simply advertises the new appliances in your property. And ensure you tear up old bank statements or financial documents before placing them in the rubbish; Bank statements that are stolen from rubbish or recycling bins is a leading cause of identity theft!

5. Natural ladders are a risk...

Don't leave ladders, wheelie bins or pot plants in areas that can be used by thieves to scale the building.

6. Mark your property...

Mark or label all your electrical appliances by using an engraver or ultra-violet pen so they cannot be readily sold by thieves and keep a record of their serial numbers separately so they may be provided to police in the event the worst happens.

7. Lock your vehicle...

Always lock your vehicle and don't leave valuables like phones, GPS units, sunglasses or iPods visible.

8. Secure items in your garage...

Secure items such as bikes, tools and other valuables by chaining or locking them within your garage.

9. Make sure your valuables aren't visible...

Don't leave iPods, laptops, wallets and keys near doors and windows where they can be seen by thieves.

10. Program Emergency phone numbers...

Program the local Police Station's phone number in the speed dial of home and mobile phones so it's readily available in the event of an emergency.

This advice has been prepared with the assistance of security experts and the NSW police. For more information see the information pages at our website.

Strata Plan:

Meeting date: Monday, 17th October 2016

Commenced: 6:00pm

Apologies: Nil

Present: The Owners of Lot 2, Lot 8, Lot 9, Lot 13, Lot 14, Lot 26, Lot 29, Lot 30, Lot 34*, Lot 35*, Lot 37, Lot 40

Proxies: The Owners of Lot 6, Lot 7, Lot 12, Lot 23, Lot 38 in Favour of the Chairperson

Corporate Authorisation: The Owner of Lot 24 appoint the Chairperson

In attendance: Michael Thompson of Netstrata, of Engineering

Quorum: 16 of the 44* lot owners were present in person or represented by proxy, a quorum was formed.

Chairperson: Michael Thompson chaired the meeting.

Motion 1. Confirmation of Previous Minutes:

RESOLVED that the minutes of the last general meeting be confirmed.

Vote: All in Favour

Motion 2.

Financial Statements: **RESOLVED** that the financial statement as presented for the period ending 31-JUL be confirmed.

Vote: All in Favour

Motion 3. Appointment of Auditor:

RESOLVED that the appointment of an auditor be continued.

Vote: All in Favour

Motion 4. Building Defect Rectification:

RESOLVED that report, scope and recommendations by Engineering - Strata & Remedial be accepted for the following items as per the relating documents attached in the notice;

1. Installation of drainage
2. Crack repair in the North East & North West stairwells.
3. Waterproofing of the Courtyard & Planter boxes
4. Rectification of concrete spalling

FURTHER RESOLVED that the Owners Corporation proceed with items 1 & 2 listed above immediately with the works funded via the Sinking Fund. Items 3 & 4 are to proceed once ample funds are available as per Motion 5b. (18 months)

Vote: 15 votes in Favour, 1 vote Against

Minutes of annual general meeting



Motion 5a.

Tender Analysis:

DEFERRED that the Owners Corporation will not accept one of the tenders at this time as the works for items 3 & 4 (waterproofing of courtyard and planter boxes + rectification of concrete spalling) will not proceed for 18 months until the necessary funds are received.

The Owners Corporation will confirm a tender for the works at the 2017 Annual General Meeting held in September 2017.

Vote: 15 votes in Favour of Deferring the Motion, 1 vote Against

Note – The Strata Managing Agent will issue the tender document to members of the Owners Corporation for further tenders to be sought.

Motion 5b.

Special Levy:

RESOLVED that pursuant to Section 76(4) of the Strata Schemes Management Act 1996, that the Owners Corporation raise a special levy of \$700,000.00 GST Incl. to fund items 3 & 4 as noted in Motion 4 & 5a of the Annual General Meeting Notice. (Waterproofing of courtyard and planter boxes + rectification of concrete spalling)

The special levy will be divided amongst all owners according to Units of Entitlement with the levy to fall due and payable in 6 instalments over an 18 month period as follows;

01/11/16, 01/01/17, 01/04/17, 01/07/17, 01/10/17, 01/01/18.

Vote: 15 votes in Favour of the Motion, 1 vote Against

Motion 6.

Approved Budget & Strata Levies:

RESOLVED that the proposed budget as presented be confirmed as administration fund \$135,776.00 GST Incl. and sinking fund \$77,000.00 GST Incl. for the year commencing 01/08/16 and that the first contributions become due and payable for both the Administrative and Sinking Fund in quarterly instalments on 01/11/16, 01/01/17, 01/04/17 and 01/07/17.

Vote: 15 votes in Favour of the Motion, 1 vote Against

RESOLVED the managing agent is directed to serve written notice of such contributions on each owner as required by the Act.

Vote: 15 votes in Favour of the Motion, 1 vote Against

Motion 7.

Strata Insurances:

RESOLVED that the owners corporation insurances as per the schedule presented be confirmed and that the following insurances be effected;

- Office Bearers Liability to the extent of \$1,000,000.00
- Fidelity Guarantee Insurance to the extent of \$100,000.00

Vote: All in Favour

Motion 8.

Election of Executive Committee:

RESOLVED that the following persons were elected to the Executive Committee from the date of this meeting until the next annual general meeting:

Vote: All in Favour

Note – The first Executive Committee Meeting will be held in February 2017 with the scheduling of the next quarterly meeting to be decided at the meeting.

Motion 9.

Restricted Matters:

RESOLVED that at this stage there be no changes to the matters that should only be determined by the Owners Corporation in general meeting.

Vote: All in Favour

Motion 10. **Update Agency Agreement:**

RESOLVED to enter into a new Managing Agency Agreement with Network Strata Services Pty Ltd, trading as 'Netstrata' as presented to the Owners Corporation dated 17/10/16, and that an instrument in writing in the term of this resolution be executed under the seal of the Owners Corporation delegating to the agent all of its functions including those of chairperson, secretary, treasurer and executive committee of the Owners Corporation.

FURTHER RESOLVED that _____ of lot 9 and _____ of lot 37 be authorised to sign the agreement on behalf of the Owners Corporation.

Vote: 15 votes in Favour of the Motion, 1 vote Against

Note:

- Original copies of the agreement were served on the authorised signatories immediately following the meeting.
- In accordance with Section 50 (6) of the Strata Schemes Management Act 2015, the Strata Manager provides written notice that the agency agreement must be renewed by the Owners Corporation by no later than 17/10/19.

Motion 11. **Special By-Law - Levy of Debt Collection Expenses:**

RESOLVED by Special Resolution that the Owners Corporation will pass a By-Law in the following form:

Special By-Law – Levy of Debt Collection Expenses

PART 1 – Preamble

(i) The intention of this By-law is to provide a mechanism for the Owners Corporation to add any expenses incurred associated with the pursuit of Levy Arrears and/or Debt Recovery Action for outstanding levies onto an owner by adding the charges directly to the lot owners' notice of contributions or 'Levy Notice'.

(ii) The expenses shall include but will not be limited to expenses charged by the Strata Managing Agent, Debt Collection agents or Solicitors engaged by the Owners Corporation or the reasonable expenses of the executive committee that are incurred during the debt recovery process.

(iii) These expenses will include any expenses or levies issued by the Owners Corporation prior to the commencement of this By-law.

PART 2 – Definitions & Interpretation

2.1 In this by-law, unless the context otherwise requires or permits:

'Agent' means any person engaged by the Owners Corporation to pursue levy arrears of a lot owner, including but not limited to the Strata Managing Agent, Debt Collection Agents or Solicitors.

'Costs' includes any charge, fee or invoice imposed on the Owners Corporation by an agent engaged by the Owners Corporation or the reasonable expenses of executive committee for the pursuit of levy arrears or debt recovery against a lot owner.

'Levy Payment Notice' means a notice issued by the Owners Corporation to an owner of a lot as notification that a payment for a standard levy, special levy or charge upon the lot is due and payable to the Owners Corporation.

'Lot' means any lot in the strata plan.

'Owner' means the owner/s of the Lot.

'Owners Corporation' means the Owners Corporation created by the registration of strata plan for the scheme

'Owners Corporations Agents' means the Strata Managing Agent, Executive Committee or any contractor, legal counsel, debt recovery agent or other personnel engaged by the Owners Corporation for the pursuit of levy arrears.

'Reasonable expenses of the executive committee' means expenses that may be approved by the executive committee at a properly convened executive committee meeting from time to time.

'The Act' means the Strata Schemes Management Act 2015.

2.2 Where any terms used in this by-law are defined in the Strata Schemes Management Act 2015, they will have the same meaning as the terms attributed under that Act.

2.3 In this by-law, unless the context otherwise requires:

- (a) the singular includes plural and vice versa;
- (b) any gender includes the other genders;
- (c) any terms in the by-law will have the same meaning as those defined in the Act;
- and
- (d) references to legislation includes references to amending and replacing legislation.

PART 3 - Powers, Duties and Obligations of the Owners Corporation

The Owners Corporation shall have the following additional powers, authorities, duties, functions and obligations;

- (i) The Owners Corporation shall have the authority to add all costs associated with the recovery of levy arrears and/or Debt Recovery Action from a lot owner as a debt by way of a levy charged to the lot;
- (ii) Any Debt Recovery expenses may be added to an owners' Levy Payment Notice that is issued by the Owners Corporation from time to time;
- (iii) The Owners Corporation must serve upon the owner a written notice of the contribution payable;
- (iv) The Owners Corporation may charge interest upon any contribution payable under this By-Law pursuant to section 85 of the Act;
- (v) The Owners Corporation may initiate debt recovery proceedings for any contribution payable under this By-Law pursuant to section 86 of the Act;
- (vi) All monies recovered by the Owners Corporation shall form part of the fund to which the relevant contribution belongs.

PART 4 - Owners Right of Appeal

(i) In the event that a lot owner believes the expenses levied upon them pursuant to this By-law are unreasonable, the lot owner may request that the Owners Corporation waive the charge by a resolution of the Owners Corporation at the next general meeting of the Owners Corporation.

(ii) In the event the Owners Corporation rejects a request made by a lot owner pursuant to sub-clause D)(i) above, all charges imposed by the Owners Corporation shall stand.

Vote: 3714 of 9628* Unit of Entitlement (UOE) votes were cast at the meeting, the breakdown of votes was as follows:

3714 UOE votes in favour of the motion (100%)

0 UOE votes against the motion (0%)

Motion 12. Special By-Law – Child Window Safety Devices:

RESOLVED by Special Resolution that the Owners Corporation will pass a By-Law in the following form

Special By-Law (Installation of Child Window Safety Devices)

PART 1 – Preamble

The intention of this By-law is to provide the Owners Corporation with a means of charging, passing and/or indemnifying the Owners Corporation against any additional costs associated with the obligations imposed by section 64A of the Strata Schemes Management Act 1996 (Strata Schemes Management Amendment (Child Window Safety Devices) Bill 2013) on to the owner of a lot in circumstances including but not limited to the circumstances outlined in Part 3 (Rights & Obligations of Owners) below;

PART 2 – Definitions

(i) The following terms are defined to mean:

'Costs' includes any fine, charge, fee or invoice imposed on the Owners Corporation by a statutory or lawful authority or any contractor or agent engaged by the Owners Corporation or lot owner.

'Lot' means any lot in the strata plan.

'Occupier' means the occupier of a Lot

'Owner' means the owner/s of the Lot.

'Owners Corporation' means the owners corporation created by the registration of strata plan.

'Owners Corporations Agents' means the Strata Managing Agent, Executive Committee or any contractor, legal counsel or other personnel engaged by the Owners Corporation.

'Owners Agents' means any real estate agent, property manager or any contractor engaged

by a lot owner or the occupant of the lot or visitors to the lot.

'the Act' means the Strata Schemes Management Act 1996.

'Required Devices or Safety Devices' means a locking or other security device that must be installed pursuant to section 64A of the Act.

'works' means any repair, maintenance, replacement or refurbishment undertaken in relation to the required devices at the strata scheme.

(ii) Where any terms used in this by-law are defined in the Strata Schemes Management Act 1996, they will have the same meaning as the terms attributed under that Act.

PART 3 – Rights and Obligations of Lot Owners

(i) A lot owner shall be liable to compensate or indemnify the Owners Corporation against any costs that arise as a result of any additional work or administrative charges that are imposed upon the Owners Corporation as a result of the section 64A of the Act, including but not limited to the following;

(a) An owner or occupier refusing access for the Owners Corporations agents to install the required devices;

(b) An owner or occupier refusing access for the Owners Corporations agents to certify that the correct devices have been installed;

(c) Where an owner elects to engage the Owners Corporations agent to fit a locking or safety device other than the device/s chosen by the Owners Corporation or the executive committee;

(d) Where an owner, occupier or owners agent removes or damages a safety device that has already been installed by the Owners Corporation or loses the key to said locks in accordance with section 64A;

(e) Where the owner of a lot undertakes the installation of a compliant safety device, the Owners Corporation shall not be obligated to reimburse the owner of the lot for the costs of the said device;

(f) Any additional administrative charges incurred by the Owners Corporation associated with items (i)(a) to (e) above;

(ii) Any costs imposed upon a lot owner pursuant to PART 3 (i)(a) to (f) of this By-law shall be payable to the Owners Corporation whether the said items are arranged, caused or initiated by the owner, occupier, owners agent or the Owners Corporation's agent.

(iii) In the event that a lot owner believes a charged imposed upon them pursuant to this By-law is unjust, the lot owner may request that the Owners Corporation waive the charge by a resolution of the Owners Corporation at the next general meeting of the Owners Corporation.

(iv) In the event the Owners Corporation rejects a request made by a lot owner pursuant to PART 3 (iii) of this By-law, all charges imposed by this By-law shall stand.

PART 4 - Rights, Powers and Obligations of the Owners Corporation

The Owners Corporation shall have the following additional powers, authorities, duties, functions and obligations;

(i) The Owners Corporation shall have the power to recover all costs outlined in PART 3 above from a lot owner as a debt by way of a levy charged to the lot;

(ii) The Owners Corporation must serve upon the owner a written notice of the contribution payable;

(iii) The Owners Corporation may charge interest upon any contribution payable under this By-Law pursuant to section 79 of the Act;

(iv) The Owners Corporation may initiate debt recovery proceedings for any contribution payable under this By-Law pursuant to section 80 of the Act;

(v) All monies recovered by the Owners Corporation shall form part of the fund to which the relevant contribution belong

Vote: 3714 of 9628* Unit of Entitlement (UOE) votes were cast at the meeting, the breakdown of votes was as follows:

3714 UOE votes in favour of the motion (100%)

0 UOE votes against the motion (0%)

Closure:

The meeting closed at 8:45pm



.....
Chairperson

**Proposed date for the next
annual general meeting:**

To be held in September 2017

Disclosure and Privacy of information:

Owners should be aware that all correspondence, including letters, facsimile transmissions and emails are retained on the file of the Owners Corporation and may be subject to inspection by other owners within your scheme, as well as prospective purchasers for any lot that may be for sale within your scheme.

In regards to the privacy of your information; Netstrata is required by law to protect the privacy of your personal information under the National Privacy Principles. This statement is an abbreviated version of our Privacy Statement; the complete text is published on our website www.netstrata.com.au; go to the 'Privacy' page. Alternatively you can request a copy from us by email, post or fax.

Briefly we gather and maintain personal information about you on behalf of your strata corporation of which we are the appointed managers. The legislation from which the National Privacy Principles have been derived largely supersedes sections of the Strata Schemes Management Act 1996 that previously permitted access to this information by third parties. Notwithstanding this, some of your personal information may be still be accessed by certain third parties in particular circumstances, for example to tradespersons during an emergency situation.

Other than the above, we will not disclose your personal information without your consent unless disclosure is either necessary to prevent an unreasonable threat to safety, damage to property, authorised or required by law, reasonably necessary to enforce the law or necessary to investigate a suspected unlawful activity.

Network Strata Services Pty Ltd (trading as Netstrata) discloses that it has Authorised Representative agreements with Austbrokers Sydney, CRM Insurance Brokers, OAMPS Wollongong, Honan Insurance Brokers and C.H.U. Agencies whereby the agent will receive commissions (of up to 20%) from those companies.

Netstrata also discloses that Strata Insurance Services Pty Ltd (A.C.N. 167 214 182) (A.F.S. Licence 457333) is a wholly owned subsidiary of the agent. All brokerage fees charged and commissions received are retained by the subsidiary, not the agent.

Netstrata may have commercial arrangements with suppliers to the scheme, including Macquarie Bank and Khouri Bros. & Co. Whilst the agent uses and recommends these suppliers to the scheme, the agent **DOES NOT** receive any discount, rebate or commission from these or any other suppliers to the scheme for providing a recommendation or referral on behalf of the scheme. The scheme is at liberty to utilise the services of any supplier or contractor of their choice.

Maintenance Responsibilities:

Briefly, generally each owner is responsible for the maintenance, repair and replacement of all those components of the building that are housed within the external walls of their unit/villa or townhouse or service only their lot (within the lot envelope), such as internal walls, bathroom & kitchen cabinets, tiles on internal walls, taps and light fittings.

Section 62 of the Strata Schemes Management Act places a mandatory duty on the Owners Corporation to repair and maintain all elements outside of this envelope or shared services that may pass through the unit, such as the building structure, waterproofing, external doors and windows, balcony doors, pipes and cabling as well as the general common property within the scheme.

When assessing the maintenance responsibilities for your scheme it is important that a detailed examination of your strata plan and by-laws be undertaken to determine the specific maintenance responsibilities associated with your property. Owners should also be familiar with the Building Insurance policy applicable to the scheme and the fixtures of their lot that are protected and NOT protected by the policy.

A copy of the Strata Plan, insurance information and By-laws applicable to your scheme are available via our website when you register as a WEBlink owner. Simply go to www.netstrata.com.au and follow the links.

Owners should also be familiar with any statutory or manufacturer warranties that may be applicable to apparatus and building structure at the property as well as the limitations, period and application of these warranties. We recommend that the Owners Corporation engages the services of a professional building defect consultant or engineer to assess any building defect claim or warranty items that may be applicable to the common property.

RE: NSW Fair Trading Reference (Geeves)

From:

To: sc@finance.nsw.gov.au

Date: Thursday, 2 February 2017, 8:49 pm AEDT

Lachlan, the waterproofing of the courtyard or fountain has nothing to do with the repairs to the fountain. All that was agreed to was a special levy to raise that money. Repairs won't be done for at least another year. So why would the contractor recommend turning anything off. It really isn't that difficult to understand is it?

From: sc@finance.nsw.gov.au
Sent: Monday, 30 January 2017 10:12 AM
To:
Subject: NSW Fair Trading Reference (Geeves)

Dear Mr

Reference is made to your email dated 26 January 2017. I can confirm that I discussed this matter with you on 12 January 2017.

As discussed in our conversation dated 19 January 2017 and noted within my email to you dated 19 January 2017, Mr Brell has advised NSW Fair Trading that the special levies being raised addressed the repairs to the waterproofing of the fountain and it was the recommendation of the contractors that the fountain be turned off whilst the repairs are occurring to prevent further issues. Should you provide information that conflicts with this response, NSW Fair Trading may be able to contact the Strata Manager again to seek further clarification.

Yours sincerely

Lachlan Geeves

NSW Fair Trading

RE: NSW Fair Trading Reference (Geeves)

From:

To: sc@finance.nsw.gov.au

Date: Tuesday, 14 February 2017, 6:45 pm AEDT

And can you provide me with the supporting documentation stating that the repairs to the fountain was discussed, excluding any waterproofing, at ANY TIME