



ACACIA GARDENS NEWSLETTER



Brought to you by your Strata Committee
October 2021

Dear Owners and Residents,

Now that Spring is upon us and we are starting to see eased restrictions from the NSW government, we hope that you are finding safe ways to enjoy the weather with friends and family. Just a reminder to all residents to be considerate of our neighbours when it comes to noise created in your home, on your balcony and in all common areas.

COVID-19: A reminder that, from 13 July 2021, residents, staff, and visitors must wear face masks when moving through common indoor areas of residential buildings in greater Sydney.

Please observe the request to only have 2 people in the lift at any time - sanitize, distance, mask.

The future is looking good as it seems the lockdown will be eased significantly for fully vaccinated people from 11 October. Let's keep up the good work and keep Acacia Gardens COVID free. #stophthespread

Please read on for all the latest updates from your strata committee.

LATEST NEWS

Your committee continue to hold regular informal meetings to keep things moving along. A lot of progress has been made towards the improvement of our homes.



Building Management

It is with mixed feelings that we announce that the contract for Meriton to provide building management services to Stage 2 has come to an end. As you know, Meriton has been involved in our building for more than 20 years and the strata committee has voted that it is time for a change.

Everyone in Stage 2 will miss Ali and the committee would like to thank him for his kindness, professionalism and his willingness to go above and beyond the call of duty for many of us. Thank you Ali and we wish you the best of luck for your next step.

The committee did not make this decision lightly and has spent a lot of time over the past months researching new building management companies. BCS conducted a formal tender process for the building management of Stage 2.

Three very reputable building management companies tendered (Kristal Building Management, Sydney BMP and BFMS). After an analysis of scope and price, the committee met with two (of the three) companies to discuss their offerings. The committee was impressed by both companies and their offerings.

Ultimately, the committee agreed to appoint Kristal Property Services on a month-to-month contract until the next AGM when all owners will all have the opportunity to review the tender documents and vote on what company will permanently manage Stage 2.

The new Stage 2 building manager, John Monro, will **commence on 17 October 2021** and will be located at the reception area at 71 Jones Street. John is a very experienced building manager with experience in large complexes like our home, as well as lots of good experience in hospitality as a concierge in hotels.

Kristal is an experienced company with an impressive portfolio of buildings they manage in and around the area. Established in 2005, they provide professional building management, concierge, cleaning and gardening services for residential and commercial buildings across Sydney. Kristal is a boutique company who will provide us with personalised service with one full time building manager and one part time building manager. We have a clearly defined scope for the building management duties and we expect that Stage 2 residents will see an improvement in the quality of service.

By appointing Kristal as our new building manager, the committee believes that the OC will receive a better overall service at a significantly reduced cost to owners.

We are very pleased to welcome Kristal property Services to work for us in our home. If you have any questions, please contact the strata committee.

There has been no change to the hours that Stage 2 building management will be onsite:

- 08:00 and 16:00 – Monday to Friday
- 10:00 and 13:00 – Saturday



Stage 2 Cleaning Contract:

The cleaning contract for Stage 2 will expire on 20 October 2021. BCS conducted a tender for the cleaning of Stage 2. Four companies submitted proposals (Clean Green Strata, Kristal Building Management, Sydney BMP and Havencab Cleaners). The committee was impressed by all submissions. The committee met with two companies to discuss their offerings. After an analysis of scope and price, the committee agreed to appoint Kristal Property Services to be engaged on a month-to-month contract until the next AGM when all owners will all have the opportunity to review the tender documents and vote on what company will permanently provide cleaning services to Stage 2. By appointing Kristal as the cleaner of Stage 2, the committee believes that the OC will receive a better overall service at a significantly reduced cost to owners.

Security – Increased Hours for 24/7 coverage

The committee has undertaken a full review of scope and hours for security services. A tender was conducted and five companies were invited to take part (Wilson, Prime, Holt, Paradigm and Guardcorp).



As part of the tender, the committee agreed to increase the hours that security is on site so that the building has either a building manager or security guard on site 24/7.

The committee was most impressed with the proposals from Holt and Guardcorp (in terms of both scope and pricing) and met with both companies. Ultimately, the committee agreed to reappoint Guardcorp for another 12 months because the guards know the building, the committee has not received any complaints from owners or residents about Guardcorp's service, and it was also the most cost-efficient proposal.

The tender process resulted in the OC obtaining a significant savings on security services. For example, despite the increase in overall hours, the cost of security going forward will be less than what the OC had been paying in previous years. This highlights the importance of conducting regular reviews of service contracts.

The new hours that security will be onsite:

- Monday to Friday – Midnight – 8:00, 16:00 – Midnight
- Saturday – Midnight – 8:00, 13:00 - Midnight
- Sunday - 24 Hours



Building Works

The painting and remedial façade work for stage 1 is progressing well, despite:

- all works having to stop for the last 2 weeks of July due to COVID restrictions; and
- government restrictions limiting the number of workers on site to no more than 5 people working on the building at any one time. All work also had to stop for the last 2 weeks of July due to COVID restrictions.

The painting and remedial works to the facade of Tower 3 & 4 on Jones Street, and Tower 1 & 2 elevations on Wattle Street are now complete. The work will continue on the façade opposite the school, then tower 1 & 2 facing the courtyard. At this stage, we are aiming to have the façade work completed by mid-November.

Once this work on stage 1 is complete, we will start a smaller project on stage 2 buildings, to repair a few cracks in render and joints. The building will then be washed by pressure hose. By the end of the year, both Stage 1 and Stage 2 should look great!

Cladding

We have received approval from the Sydney City Council to commence the project to remove the combustible cladding from Stage 1 and Stage 2. You will start to see scaffolding being erected on Jones Street and Wattle Street starting 6 October. The cladding will be removed as soon as possible and will be replaced by render and paint in some areas of the building and non-flammable cladding in other areas (mostly, small areas above the commercial lots).

Once the cladding is removed, we will let our insurer know and we should get some of the loading back, saving owners up to \$80,000 a year.

Waterproofing

All the waterproofing on the building roof has now been completed. This included tower E/4, Tower D and tower 1. Waterproofing work is continuing on a number of individual private units.



Gym/Swimming pool

We have obtained quotes to remedy some waterproofing issues between the swimming pool and the gym. We are hopeful this work will be completed before the anticipated re-opening, on 11 October. We will budget to renovate the swimming pool area next year... it is well overdue!

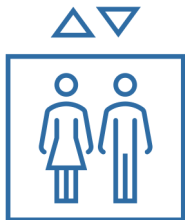
Trees on Wattle Street Wattle St 行道树

We have contacted the Sydney City council about the trees on Wattle Street which have branches dangerously close to the building. By the time this newsletter is published, these branches should have been trimmed.



Gardening

The committee has tendered for the monthly gardening services for Stage 1 and Stage 2. Four companies submitted proposals (Kascade, Gardenmakers, MLM and Creating Green). Following a review of the submissions, the committee agreed to enter into a monthly maintenance contract with Garden Makers for both Stage 1 and Stage 2. The committee has been forced to pay for the gardening of Stage 1 despite it being included in the scope of the caretaking agreement for Stage 1 because SunAust/CSR has refused to do the gardening (or pay for it to be done). However, the OC will seek to claim these expenses from SunAust/CSR in the proceedings that SunAust/CSR brought against the OC.



Elevators – Stage 1 and Stage 2

We continue our discussions with Otis and our lift consultant to work through the repairs, maintenance and ultimately replacement of some of the lifts in the complex. COVID has interrupted some of that progress however we hope to have some good news regarding the noisy lifts in Stage 2 soon.

LED Lighting upgrade LED

The LED lighting upgrade in the car parks and fire stairs has now been completed.

The light fittings above the car spots will need to have their setting adjusted at a later date, when the COVID restrictions have eased and there aren't as many cars in the car park.

If you have any questions in relation to the settings, please do not hesitate to contact the strata committee.

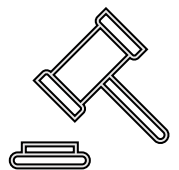


Smoke Alarm Replacement

The most recent fire audit conducted by AFT identified a significant number of smoke alarms in private units that need replacement. AFT will be contacting affected owners in both Stage 1 and Stage 2 in the coming weeks to make a time for them to attend these units and replace the smoke alarms. Ensuring all residents are kept safe from fire danger is a priority for our building. If your unit is affected, please allow AFT access as soon as possible.

WaterFix Strata Savings

The committee has agreed to permit Sydney Water to conduct a desktop water audit of Stage 1 and Stage 2. There is no cost associated with this audit and potentially significant savings in terms of water usage. Our building's water consumption currently averages \$13,000 per quarter. The committee is working to reduce this usage and expenditure. We will provide an update on this in our next newsletter.



Legal Proceedings commenced by SunAust Properties (Central Sydney Realty) in the NSW Supreme Court against the OC

As you may know, the OC is currently involved in defending court proceedings against SunAust (Central Sydney Realty) in the Supreme Court of NSW. The proceedings were commenced by SunAust (Central Sydney Realty) which seeks to recover building management fees that it says are owed to it by the OC.

The previous strata committees identified that SunAust (CSR) had been overcharging the Owners Corporation for many years. The previous committee told SunAust (CSR) that either it provide evidence that the Owners Corporation had agreed to the additional fees or re-submit invoices for the contractually agreed amount. Until such time as SunAust (CSR) did either of those things, the previous committee agreed to stop paying any invoices submitted by SunAust (CSR).

To give some flavour, the caretaking agreement between the OC and SunAust (Central Sydney Realty) allowed for total remuneration of \$75,000 for the management of Stage 1. SunAust (Central Sydney Realty) has been increasing its fees by 5% per annum (the contract only allows CPI) and has also been invoicing the OC for additional management fees. For example, last year, Central Sydney Realty invoiced the OC for more than \$280,000 for managing Stage 1 for a year.

To date, SunAust (CSR) has been unable or unwilling to re-submit correct invoices or provide evidence that the OC agreed to the additional costs. Instead, SunAust (CSR) commenced legal proceedings against all owners (the Owners Corporation) in the Supreme Court. The amount sought by SunAust (CSR) is disputed by the Owners Corporation for many reasons, including that all duties in the contract with SunAust (CSR) are not being carried out. Some examples include the following:

- Garden maintenance, cleaning and pool maintenance are included in the contract with SunAust (CSR). However, SunAust (CSR) has been submitting additional invoices for these works to be carried out by contractors. Essentially meaning that the Owners Corporation is paying twice for these works;
- SunAust (CSR) regularly refuses to follow the reasonable directions of the strata managing agent and strata committee;
- SunAust (CSR) is required to hold licenses, insurances, evidence of mandatory training, although it has refused to provide updated documentation to the strata managing agent and strata committee;
- SunAust (CSR) has submitted invoices to the Owners Corporation for payment which have no relation to this strata scheme;
- SunAust (CSR) has refused to provide the strata managing agent and strata committee with a weekly/monthly roster of its staff and the names of its representatives that are employed in the capacity of building manager for Acacia Gardens;
- SunAust (CSR) has refused to provide the DVR password to the strata committee and strata managing agent; and
- SunAust (CSR) were aware of black mould in the lift vestibule, although failed to address the matter which is a serious health and safety concern to the residents.

The Owners Corporation has engaged a solicitor and a barrister to defend the claim and protect the Owners Corporation’s interests.

Whilst the strata committee would prefer not to incur these costs and have attempted to work with SunAust (CSR), it does not believe that the Owners Corporation should continue to pay for duties agreed in the contract with SunAust (CSR) that are not being performed. Therefore, it believes the Owners Corporation has been left in a situation with no choice but to protect all owners from these claims by SunAust (CSR).

The hearing of this matter will take place in the NSW Supreme Court in February 2021.
If you have any evidence that you think may assist the OC with its defence, please contact the strata committee.



NCAT Application to terminate SunAust Properties (Central Sydney Realty)’s caretaking agreement

The OC’s application to NCAT to terminate the building manager contract held by SunAust (CSR) is scheduled to be heard on 17 November 2021 and may take up to 3 days to complete. If you have any evidence that you think may assist the OC with this application, please contact the strata committee.

Electronic Communications

If you have not already done so, please assist us with reducing the cost of notice mail outs by downloading **THIS FORM** and registering your email with our strata manager, BCS. You can complete the form in PDF and sign it electronically. Please return it by email to BCS at: stratamanager@acaciagardens.com.au.



SOCIAL & RECOMMENDATIONS

Hopefully with the warmer weather, festive season approaching and the easing of restrictions, our local area will have events and activities to offer. The best information on what we can do to fill our summer can be found on the City of Sydney website: <https://whatson.cityofsydney.nsw.gov.au>

The City of Sydney local government election has been moved to the 4th December. Voting is compulsory and registering as a local resident to vote closes on the 25th October. If you have recently moved to the building, please register to vote in your new area by going to the Australian Electoral Commission website: <https://www.aec.gov.au>

COOK UP A STORM

Spaghetti Vongole

(Serves 2 generously)

Ingredients:

- 500g spaghetti
- ¼ cup extra virgin olive oil, plus extra for drizzling
- 4 cloves garlic, chopped
- ½ teaspoon dried chilli flakes, more or less to taste
- ¾ cup dry white wine
- 1kg small vongole, purged
- ¼ cup chopped flat-leaf parsley

Instructions:

1. Bring a large saucepan of salted water to the boil.
2. Add the pasta and cook for 2 minutes less than the packet instructions so that it's not quite cooked.
3. 同 Meanwhile, heat the oil in a large frying pan or wok.
4. Add garlic and chilli and stir over medium heat for a minute or two until garlic softens
5. Increase heat, add the wine and vongole, stir and cover for a couple of minutes, shaking the pan occasionally, until the shells start to open
6. Remove the shells to a bowl as soon as they open, with a slotted spoon
7. Once they are all open, remove the pan from the heat and set aside
8. Once the pasta is ready, drain reserving 1 cup of the cooking water
9. Return the frying pan to medium heat, put the pasta and ½ a cup of cooking water and toss for a minute or two until just tender, adding more cooking water if required
10. Return the vongole to the pan, add parsley and mix through
11. Serve immediately with a green salad or side of your choice
12. Enjoy!



Ideas, Issues or Concerns? We want to hear from you

We want to encourage all residents and owners to reach out to the committee at any time with questions or concerns that they may have. In particular, if you have issues or concerns with the cleanliness or maintenance of the building, please contact us, we cannot help you if we do not know that there is a problem. If you have ideas about how we can make the building feel more like a home, please let us know and we will do what we can to make it happen. We are here and we want to help.



WHERE TO FIND HELP:

STAGE 1 BUILDING MANAGEMENT is located at 288 WATTLE STREET between the hours of:

08:00 and 18:00 – Monday to Friday

09:00 and 13:00 – Saturday

2 hours per day – on Sundays and Public holidays

Contact details: **02 9518 8088** and acacia@centralsydneyrealty.com.au

STAGE 2 BUILDING MANAGEMENT is located at the office in the reception area of 71 JONES STREET between the hours of:

08:00 and 16:00 – Monday to Friday

10:00 and 13:00 – Saturday

Contact details **John:** buildingmanager2@acaciagardens.com.au

The new Stage 2 Building Manager contact phone number will be advised in the next few days.

SECURITY FOR BOTH STAGE 1 AND 2 is located at the office in the reception area of 71 JONES STREET between the hours of:

16:00 and 08:00 – Monday to Friday

And then 13:00 Saturday until 08:00 Monday (weekend)

Contact details **Security: 0410 408 873**

ADDITIONAL CONTACT INFORMATION

The following are the best ways to contact the people you need:

BCS – Samantha Edwards (Strata Manager) Phone: 02 8216 0398 Email: stratamanager@acaciagardens.com.au

Strata Committee (all members) Email: stratacommittee@acaciagardens.com.au

Strata Committee Chairperson (Luming) Email: chair@acaciagardens.com.au

Strata Committee Secretary (Nick) Email: secretary@acaciagardens.com.au

Strata Committee Treasurer (Matthew) Email: treasurer@acaciagardens.com.au

Any other enquiries, Email: newsletter@acaciagardens.com.au

If you want to join the Acacia Gardens Owners groups on either WhatsApp or WeChat, or both, please email us with your phone number to be added. Email: newsletter@acaciagardens.com.au

You can find the Facebook page at: <https://www.facebook.com/groups/261530967880147>

The Acacia Gardens website is now up and running and has a lot of useful resources including new forms for renovations and pet applications. Check it out at: www.acaciagardens.com.au

QUESTIONS, FEEDBACK & SUGGESTIONS

If you would not like to receive the newsletter in the future, please email us on the same email address and we will remove you from the distribution list.

If you have any questions, feedback, requests or would like to make any suggestions, please get in touch!

Thanks for reading!

Acacia Gardens Strata Committee