

Report **Owners Management Company**
Building Life Cycle Report

Fassaroe, Bray, Co Wicklow

Issued by: Pearse McElroy
 Director
 WYSE Property Management

Date: 4th April 2022



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1. Introduction

Fassaroe, Bray, Co Wicklow is an exclusive residential development, comprising of 650 No. residential houses and apartments (with associated residential amenities including Concierge, Parcel delivery and collection facility, Meeting and Lounge Room, Residents Community Room, and Exclusive Residents Gym, two retail units, and a café, all within a 1875 sqm Neighbourhood “Village” Centre).

There are 409 apartments at Fassaroe, (99 no. 1 Bed Apartments. 279 no. 2 Bed Apartments, and 31 no. 3 Bed Apartments).

There are 241 houses, (50 no. 3 Bed Houses, 88 no. 4 Bed Houses, and 103 no. 5 Bed Houses).

We have been requested by the developer, Cosgrave Property Group, to prepare an OMC Building Life Cycle Report / Building Investment Fund Plan for the above development. This is prepared with reference to the requirements of **the Design Standards for New Apartments – Guidelines for Planning Authorities, Department of Housing, Planning and Local Government, 2018**. Paragraphs 6.12 and 6.13 of the Guidelines provide as follows:

6.12 In this regard, consideration of the long-term running costs and the eventual manner of compliance of the proposal with the Multi-Unit Developments Act, 2011 are matters which should be considered as part of any assessment of a proposed apartment development.

6.13 Accordingly, planning applications for apartment development shall include a building lifecycle report which in turn includes an assessment of long-term running and maintenance costs as they would apply on a per residential unit basis at the time of application, as well as demonstrating what measures have been specifically considered by the proposer to effectively manage and reduce costs for the benefit of residents.



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The Guidelines further advise that when granting permission for apartment developments, planning authorities should grant appropriate conditions that require:

- Compliance with the Multi-Use Development Act, 2011 (MUD Act),
- Establishment of an Owners Management Company (OMC) and,
- Establishment and ongoing maintenance of a sinking fund,
 - commensurate with the facilities in a development that require ongoing maintenance and renewal,

On foot of these recommendations of the Guidelines, this report sets out details on the proposed OMC and its governance under the MUD Act. It identifies key elements of the proposed apartment buildings that will generate long-term running and maintenance costs over their lifetime and which in turn, along with ongoing operational costs, will determine the service charges for each unit.

The report also sets out what measures have been incorporated into the proposed development to manage and reduce lifetime costs of the buildings for the benefit of residents.

2. The Owners Management Company, (“OMC”)

All the common areas (not taken in-charge by the Local Authority) within any residential housing and apartment development are vested in an Owners Management Company.

These “common areas” and related services comprise both “internal” and “external” communal areas.

An Owners Management Company, “OMC”, will be incorporated for Fassaroe by the Developer / Developers Solicitor.

Each Owner is a member (or shareholder) in the OMC.

The OMC has responsibilities to all the members to ensure that the common parts are maintained to a high standard for the enjoyment of all concerned.

This OMC for Fassaroe will be party to a long Lease Agreement to be granted to each owner purchasing into the scheme, and the developer will enter into an agreement with the OMC to convey the title for the common areas in the entire estate to the OMC.

The OMC, developer and individual owners will enter into legally binding covenants, including covenants on the part of the OMC to assume responsibility for the maintenance and upkeep of all open spaces, roads, parking and communal areas in the common areas and all services relating thereto.



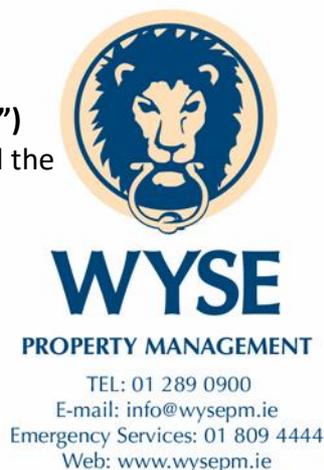
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The OMC is governed by the **Multi Unit Developments Act 2011, (“MUD Act”)** and must comply with the Constitution specific to the OMC for Fassaroe, and the Companies Act.

Within the **“MUDs Act”**, there are clearly defined rules of how every OMC should be governed; Approval of Service Charge Budgets, the formation of a Sinking Fund / Building Investment Fund, House Rules, Voting Rights, Dispute resolution, Conveyance of Common Areas, General Meetings, Annual Reports, and various other important OMC headings.



The 650 no. Residential Houses and Apartments, and Child Care Facility, at Fassaroe will pay a *fair & equitable* service charge based on their Area Size and Type of Unit. Similar to all Multi Unit Developments, services include, by way of example, Lift Maintenance, Waste Management, Landscaping services, etc.

As required under **Section 18 & Section 19 of the Multi Units Developments Act 2011**, all (shared) management services at Fassaroe are provided for within the annual Service Charge and Building Investment Fund Budget.

3. Building Investment Fund

In addition to the service charges for ongoing operational expenditures, there is a separate requirement for the owners to establish a Building Investment Fund / “Sinking Fund”.

These are crucial to ensure a multi-unit development has sufficient resources in the longer-term to refurbish its common areas and to ensure that investment projects can be made over time to improve the development.

Without a good Sinking Fund, a development can run into problems in replacing lifts, updating fire safety systems, replacing water pumps or gates, undertaking roof works, renewing carpets, repainting / decoration, and so on.

Each multi-unit development will have different areas of required Sinking Fund expenditure.

For example, some developments do not have lifts, some do not have underground car parks and so on. Housing estates are likely to have lower requirements than apartment developments.

Required expenditure over time will also be determined by the quality of original installation, the standard of ongoing maintenance and changes over time as regards technology or legislation.



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A “sinking fund” is a fund established by periodically setting aside money over time to fund the gradual replacement of all of the wasting/ depreciating assets in the development. In the case of an OMC, the future capital expenses will be all expenses relating to the common areas of a MUD. The list in Section 6 below shows some of the areas of expenditure that may require an OMC to build up a Sinking Fund.

4. The Multi Unit Developments Act 2011, (“MUD Act”)

Section 19 of the MUD Act, (Annex 1), sets out the obligation of OMCs in terms of Sinking Funds.

It states that an OMC is required to establish a Sinking Fund within three years following the first transfer of ownership of a unit, and should be held in a dedicated bank account.

It should be noted that the requirement for good Sinking Funds in MUDs is no different to the requirement for owners of houses that are not part of multi-unit developments to put money aside in a prudent way for long-run refurbishment works such as replacing boilers, replacing a flat roof, re-carpeting and so on. However, the requirements of communal living and owners’ management companies mean that the building of a Sinking Fund in a MUD needs to be coordinated across many owners and the details of the buildings and their equipment are more complex.

The MUD Act sets out guidelines on the permitted use of Sinking Fund monies.

These are limited to;

- The refurbishment of the multi-unit development,
- The improvement of the multi-unit development,
- Maintenance of a non-recurring nature,

Advice from a suitably qualified person relating to the above items is required.

In relation to what maintenance can be defined as ‘non-recurring’, the Act says that any such expenditure needs to be so certified by the OMC Board and approved by a meeting of members of the OMC.

The MUD Act does not set down any mandatory figure that should be contributed each year to the Sinking Fund by an OMC or per property and, given the wide variation in MUDs, it would not be possible to do so at national level. Section 19 notes; - *€200 or such other amount as may be agreed by a meeting of the members.*

As such, this is a matter for each owners’ management company to decide each year for its own MUD.



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The MUD Act sought to ring-fence Sinking Fund monies by requiring that all funds collected for the purpose of the Sinking Fund had to be held in a separate bank account and that such funds could only be used for certain works and may not be used for any non-Sinking Fund expenditure.

As such, based on the MUD Act:

- All OMCs must have established a Sinking Fund within three years.
 - (*Fassaroe OMC will commence their Sinking Fund in Year 1*)
- The Sinking Fund must be held in a stand-alone bank account and kept for specific categories of expenditure.
- It cannot be used for routine expenditure.

As mentioned, the MUDs Act sets out the obligation of all property owners in a MUD to make an annual contribution to a Sinking Fund. It does not set out how such contributions should be calculated.

Rather than simply setting a contribution amount (e.g. an average of €200 per unit per year), without considering the specific building long term maintenance requirements at Fassaroe, and indeed for any OMC, a suitably qualified professional has been appointed to prepare this a Building Life Cycle Report / Planned Preventative Maintenance Report. This initial report for the purposes of the Planning Application sets out aspects of the development which will generate operational and maintenance costs over the life of the development. An estimate of the costs can only be determined at construction stage when building elements are procured.

An “independent expert” can stand over the figures at that time and provide owners with a clear plan based on which the OMC can prioritise and undertake investment projects.

5. Service Charge Budget

Similar to all OMCs, and under the terms of the Lease Agreement, all Owners at Fassaroe will contribute to a Service Charge Budget, (and as noted above, a separate annual Sinking Fund).

There are five separate service charge budget classifications at Fassaroe which relate to the various types of units.

Fassaroe Service Charge Budget;

Part 1 Estate / General Service Charge

Part 2 Apartment External

Part 3 Apartment Internal



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Part 4 Management Suite Services

Part 5 Underground Car Park

Each of the above classifications (or categories) will have its own annual Sinking Fund provision, - ie there will be a sinking fund for the “Estate”, (Part 1) - such as the external gardens/grounds where Houses, Apartments, and Commercial units will all contribute towards.

Similarly, the service charge budget will include an annual sinking fund just for the apartment owners, (Part 3), - for services such as Lift Maintenance, where just the apartment owners will provide a sinking fund for the future upgrading and replacement of the lifts. House Owners would not contribute to this future sinking fund.

6. Planned Preventative Maintenance Report, “PPM”

A Planned Preventative Maintenance Report (“PPM” Report) is a report to highlight all communal depreciating services with any OMC.

In general, a PPM Report is set out for a projection of 20 - 25 year’ period.

The Building Investment Fund (“BIF”) informs the OMC of the amount of money it will need to maintain its building(s) and keep them in good and functional order into the future. It is commonly used by OMCs to establish an adequate estimated annual provision to contribute to their Sinking Fund so that the OMC is adequately funded for the necessary maintenance or replacement of their building elements.

As noted earlier, the MUD Act specifically allows the OMC to use Sinking Fund monies to seek advice from a ‘Suitably Qualified Person’. In relation to the preparation of a BIF report, such a person would be a construction professional with adequate experience of the lifespan and maintenance requirements of all construction materials and electrical and mechanical fittings and fixtures throughout a building is required. A Chartered Building Surveyor possesses the necessary expertise to undertake this type of work as they are trained in the maintenance and repair of existing buildings and have a firm grounding in the costs of all necessary work. Where there are complex mechanical and electrical installations, the Chartered Building Surveyor may augment their skills with those of a Chartered Mechanical and Electrical Engineer, etc.

At Fassaroe, the PPM Report will be updated every 5 years.

The appointed building surveyor when preparing the PPM will often focus on the following typical areas at Fassaroe to upgrade and/or modernise and/or replace;



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(a) External Areas

Roads, footpaths, kerbing, etc.
All landscape and grounds.
Drainage, outlets and underground services.

(b) Apartment Blocks

Roof Level,
Mechanical & Electrical
Fire Safety / Detection - Fire Alarm, Emergency Lighting, AOVs, and all safety equipment
Building façade, brickwork, render etc
Balconies
Lifts
Communal windows
Doors, - both internal & external (common areas)
Internal refurbishment/decoration
Gutters / down pipes, etc
Energy Emissions

(c) Underground Car Park

Mechanical & Electrical
Vehicle access gates, etc
Block access doors
District Heating System
All basement, - pumps, plant, tank rooms, boilers, ventilation, etc.
EV Charging

(d) Management Suite Services

Concierge / Meeting room upgrades
Replacement of Gym Equipment

7. Measures to Manage and Reduce Costs for the Benefit of Residents

Apartment Block Orientation and Separation

Where a number of apartment buildings are proposed the same area (Blocks 1 – 3), the separation distances and layout orientation have been designed to optimize the ingress of natural light, reducing the reliance on artificial lighting, thereby reducing on going costs.

Passive Surveillance

The scheme is designed to incorporate and enhance passive surveillance over communal spaces, helping to reduce potential security and management costs due to antisocial behaviour.



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BUILDING DESIGN ELEMENTS

Minimising the Number of Cores and Circulation Space

The apartment Blocks 1 – 4 have 8 and 9 apartments per core per floor. The neighbourhood centre blocks have 9 apartments per floor per core in one block and 6 per core in another (restricted due to the site layout / size of the block). This efficient use of cores and circulation throughout the scheme minimises maintenance costs for lifts and circulation space operational costs.

Maximising the Number of Dual Aspect Apartments and sizing of glazing

The apartment buildings have been laid out to maximise the number of dual aspect units thereby maximizing access to natural daylight and ventilation and saving on the need for artificial lighting and associated costs. Depending on the aspect of the building windows can deliver solar gain in terms of heating. Depending on aspect this has been balanced against the U values impact of the openings.

Building Fabric

The building fabric elements that will be used in the construction of the dwellings will achieve the following performance;

- Walls 0.18W/m²K
- Roof 0.16 W/m²K
- Windows 1.4 W/m²K
- Floors 0.16 W/m²K

The specified air tightness for the development is to achieve an air tightness level of 3 air changes an hour or better. While level of air tightness will limit heat loss and associated future running costs.

The proposed construction details will achieve a minimal thermal bridging factor of 0.08.

The net impact of these combined criteria is that the heat losses associated with the apartments will be below 25% of the total thermal demand.

Building Materials

Materials have been selected with a view to longevity, durability and low maintenance with Consideration given to Building Regulations and includes reference to BS 7543:2015 'Guide to Durability of Buildings and Building elements, Products and Components'.



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Windows

PVC framing is proposed at Fassaroe for its energy efficiency and low maintenance characteristics compared with aluminium windows. When assessing the energy efficiency of a window the frame has a bigger impact on the U value than the glass, effectively it is the weakest link in the thermal performance of the overall assembly. PVC framing material performs better than aluminium, having improved insulation qualities. At the point of manufacture the embodied energy of uPVC is 80 MJ/kg whereas the equivalent aluminium figure is 170 MJ/kg, a reduction of over 50%.

uPVC frames have a better noise attenuation property than aluminium. At Fassaroe, the main trafficked areas will be along the main spine road and the link road to the recycling centre, adjacent to Apartment Blocks 1 to 3. While the glass specified across the site is a separate component to the frame, uPVC will facilitate less sound transfer into apartments and houses than the equivalent aluminium frame.

The lifespan of both aluminium and PVC is similar at circa 35 years. Aluminium frames depend on their paint cover, minimum of 70 microns, for protection whereas the PVC frame material is designed to be exposed and does not require an outer protective layer.

There is an initial cost differential between aluminium and PVC windows. The aluminium units are more costly, but this is compounded over the lifetime of the units. It is important, especially this close to the coast (within 5 km), that the paint on the aluminium frames is kept intact and the colour as initially selected. Realistically the frames will have to be painted every 10 years. This maintenance cost is not associated with the PVC frames. PVC is genuinely maintenance free, and the colour of the frames is ingrained through the material.

Green Sedum Roof Strategy

It is proposed to provide a minimum of 60% green Sedum roof to all apartment buildings. This type of green roof requires little maintenance compared to other green roofs as sedum has shallow roots and only needs a small amount of rain water and nutrients to survive. Upkeeping is mostly related to periodic gutters and edge cleaning but the meadow itself requires little attention.

EFFICIENT ENERGY PROPOSALS

Space Heating and Controls

For the dwellings on site and in particular with regard to apartments, heat losses have nearly been eliminated, in as far as is practical. The external fabric U values proposed are at a Scandinavian level of performance but our climate is zoned temperate. In common parlance the dwellings will all achieve "Passive House" levels of performance. Over the course of a 12 month cycle the cost of heating the homes, to achieve comfort levels will be 25% of the



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thermal load in the apartments and circa 35% for the houses. The remainder of the heat energy is required for hot water generation.

The space heating controls allow comfort conditions to be delivered as efficiently as possible. Zone heating temperatures are located to ensure that they do not get a false read, such as being in a room with strong solar gain and not reflecting the general conditions being experienced in the unit.

Internal Lighting

All of the light fittings in the scheme will have low energy LED / CFL bulbs. These typically use 15% of the equivalent filament fitting and have a lifecycle of at least 10,000 hours. This reduces waste and minimizes the risk to the occupant associated with changing a bulb.

Building Energy Ratings

All of the proposed buildings within the OMC will have a Building Energy Rating (BER) rating of A2 / A3. With the fabric performance of the materials to be used in construction, energy reductions gains have been maximised.

Energy Labelled White Goods

The white-good package planned for provision in the apartments will be of a high standard and have a high energy efficiency rating. The provision of high rated appliances will reduce the amount of electricity required for occupants.

ECAR Charging Provisions

All car parking spaces serving houses and apartments will be provided with suitable cabling to allow easy future installation of charging points if a resident wishes to install a charge point at their space in the future. Providing an easy option for E-car charging points will allow occupants to avail of the ever-improving efficient electric car technologies in the future with associated cost savings.

EXTERNAL AREAS / LANDSCAPING

Hard Landscaping

The materials specified for hard landscaping and furniture within the common areas are of high quality and hard wearing materials to minimize ongoing maintenance and replacement costs in the future.

Planting Specifications

The palette of plant species used within the common areas, as with other areas of the development, shall be based on a range of largely native species.



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Native species will benefit availability and cost in the first instance and hardy species are proposed which will limit maintenance requirements and costs over-time.



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External Lighting

As part of the application the public lighting scheme of the scheme has been outlined in drawings and associated lighting reports. This is to ensure that safe movement through the site is provided for the vehicular and pedestrian transport. The public lighting scheme covers the main arteries through the site and is provided along the cycle path over the N11 bridge and down to the R918 road. Existing fittings will be replaced with new high efficiency LED lamp heads and the overall design will comply with the requirements of Wicklow Co. Co. Public Lighting Departments.

OPERATIONAL WASTE MANAGEMENT

The operational waste management for the entire development will be managed by the OMC for all houses, apartments, neighbourhood centre and creche. This will allow a single waste management operator to be appointed at Fassaroe which will minimize costs to residents in the short term. It will also improve ease of adoption of new waste management innovations in the future which may bring cost and other environmental benefits.

Should you have any queries regarding the above Building Investment Fund Plan for Fassaroe, Bray, Co Wicklow, please do not hesitate to contact our office.

Yours sincerely

Pearse McElroy
WYSE Property Management
Director
BComm, MSCSI, MRICS
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Appendix 1

19.— (1) An owners' management company shall establish a building investment fund (in this Act referred to as a "sinking fund") for the purpose of discharging expenditure reasonably incurred on—

- (a) the refurbishment,
- (b) improvement,
- (c) maintenance of a non-recurring nature, or
- (d) advice from a suitably qualified person relating to paragraphs (a) to (c),

of the multi-unit development in respect of which the owners' management company stands established.

(2) Expenditure shall be regarded as being expenditure on maintenance of a non-recurring nature where—

- (a) the expenditure relates to a matter in respect of which expenditure is not generally incurred in each year,
- (b) it is certified by the directors of the owners' management company as being expenditure on maintenance of a non-recurring nature, and
- (c) the expenditure is approved by a meeting of the members of the owners' management company as being expenditure of a non-recurring nature.

(3) The owner of each unit in a multi-unit development (including a person who is the developer or building contractor of the development) shall be obliged to make payment to the sinking fund of the amount of contribution fixed in respect of the unit concerned in accordance with this section.

(4) For the purposes of this section a developer or building contractor, as the case may be, shall be regarded to be the owner of a unit in a multi-unit development the first sale of which unit has not been completed, as and from the day on which the first sale of a residential unit in the relevant part of the development is closed.

(5) Subject to subsection (6) the amount of the contribution to be paid as respects a unit by each unit owner of such a unit to the sinking fund in respect of a particular year shall be the amount of €200 or such other amount as may be agreed by a meeting of the members as the contribution in respect of the year concerned.

(6) The obligation to establish a sinking fund and to make contributions to such fund shall apply on the happening of the later of—

- (a) the passing of a period of 3 years since the first transfer of the ownership of a unit in the multi-unit development concerned, or
- (b) the expiry of 18 months from the coming into operation of this section.



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(7) The contributions made to the sinking fund shall be held in a separate account and in a manner which identifies these funds as belonging to the sinking fund and such funds shall not be used or expended on matters other than expenditure of a type referred to in subsection (1).

(8) Where a dispute arises in relation to whether assets of an owners' management company should properly be applied to the sinking fund account or the annual service charges account the dispute may be the subject of an application under Section 24 .

(9) The Minister may, for the purpose of advancing the objective of the fair, prudent, effective and efficient operation of owners' management companies and the fair, prudent, efficient and effective management of the common areas of multi-unit developments, make regulations prescribing—

- (a) a class or classes of expenditure which may be incurred by a sinking fund,
- (b) the procedures to be followed in setting contributions to the sinking fund,
- (c) the matters to be taken into account in the setting of such contributions,
- (d) the arrangements for the levying and payment of such contributions, and
- (e) the thresholds of expenditure (by reference to amounts of expenditure or by reference to the proportion of the sinking fund) which necessitate approval of the members of the owners' management company.



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