

## Executive Summary

- Large strata scheme at Macquarie Park, NSW does not have firm maintenance contract for essential fire services maintenance agreement since March 2009,
- Raine & Horne Strata Sydney BCS fails to disclose many fire and Occupational Health & Safety issues in the complex for many years,
- Details of the comprehensive building report from Napier & Blakeley has been hidden from owners since July 2012, and even CTTT was deliberately prevented from having access to it, it spite of secretly organized Executive Committee meeting on 6<sup>th</sup> of July 2012 committing to do so, which did not comply with SSMA 1996. Raine & Horne Strata Sydney BCS ran a misleading campaign to void scrutiny by CTTT and Department of Fair Trading and continue to do so.
- For reoccurring fire safety issues, it took Raine & Horne Strata Sydney BCS two years to rectify them, and it was only because a concerned owner reported it to Ryde City Council in September 2014.

## Raine & Horne Strata Sydney BCS Poor Fire Safety Maintenance

- Since March 2009, large strata scheme at Macquarie Park, NSW does not have fully defined fire safety maintenance contract.

This is the email exchange between Chairperson of the Executive Committee and the Strata Manager at Raine & Horne Strata Sydney BCS which dealt with lost maintenance contract.



Thu 20/12/2012 12:47 PM

RE: SP - RE: Fire services contract

To [redacted]

Cc John Ward



You must insist that Eagle provide you a copy of the previous contract. They cannot bill unless they have a contract. How are the invoices being processed if they are not being checked against a contract? When did the previous contract expire? Is this the case that they have been continuing without a contract?

Do not sign a new contract until we have determined what services are legally required and what we commercially want to do on top of that. Due to the holiday break this may not be possible until after the break. In view of the probable overservicing it may be preferable to have a fire safety engineer draw up the requirements and go to tender.

I can organise this tender document (at a cost for the engineer) in late January but most companies are on leave till 15 Jan at this stage except for essential maintenance.

Needs to go on next committee agenda for review "Outcome of fire services maintenance tender".

Are you able to compare this new contract form with the previous invoices and determine whether it is mor or less expensive and by how much?

- This is the email from Chairperson of the Executive Committee in which it gives poor guidelines how to avoid fire safety maintenance contract, acknowledging that there are issues not attended to. In spite of the plan to run serious fire safety consultancy exercise, that never happened.

**From:** Chairperson of EC

**Sent:** Friday, 21 December 2012 3:57 PM

**To:** Raine & Horne Strata Sydney BCS Manager

**Subject:** RE: Eagle Fire

***It appears from the attached quotation and acceptance that there is currently no notice period to terminate (by either party) and no annual escalation of cost. We should probably therefore do nothing at present and until we check exactly what the requirements are and build a far better contract that specifies exactly what is to be done.***

***For example the townhouse fire alarms have not been tested in years (and I do not believe we require to do so). It may be that there is equally no requirement to do that in the towers and that owners are responsible for changing batteries etc. on their own.***

***The danger is that we may be missing other essential checks or over servicing equipment and I believe that using an independent consultant to prepare a tender document once and for all would be money well spent. Then we can seek tenders in a proper manner early next year.***

***My current understanding is that no essential services certificate is signed and supplied to council as none is required.***

***Caretaker tells me she checks the exit and fire signs as part of her duties so again we may be doubling up.***

***As managing agent you can authorise me to get a quote from a professional fire service engineer to prepare a requirements document. I'll action that on 15 Jan. In meantime I think we are safe to do nothing and let Eagle continue for a further quarter. If they try upping the price you can stick to the old contract and advise that new contract will have to go to tender.***

- These are minutes of secret EC meeting, without notice being sent to any owners, or even all members of the committee, held on 6<sup>th</sup> of July 2012, confirming the plan to provide building report to CTTT that was supposed to show quality of strata scheme maintenance.

However, due to serious findings for lack of proper maintenance of the complex, neither owners nor the CTTT ever received it from Raine & Horne Strata Sydney BCS:

1. The committee note that [redacted] may not have received email notice and we should mail her copies of minutes
2. 6 of 9 members being present a quorum was present.
3. Correspondence from CTTT regarding a directions hearing having been received last Friday urgent decisions regarding response and appearance were discussed.
4. It was unanimously resolved to appoint [redacted] to represent the Owners Corporation at the directions hearing and to enter into an appropriate costs agreement noting that this may incur costs up to \$12,000.
5. It was unanimously resolved to instruct Napier & Blakely to conduct both the building condition survey and the asbestos inspection.
6. The chairman is to ask the managing agent to issue the necessary orders to N&B and sign the appropriate costs agreements after review with the chairman.
7. The building condition report (as soon as available) and AGM minutes (1999) approving water & gas rebates are to be provided to solicitor for production at CTTT.
8. Consideration of the correspondence to owners as part of the AGM and special resolutions concerning legal fees was deferred until after the outcome of the directions hearing.

- Eagle Fire Protection tried to “renew” contract for five years in 2013 but it was neither signed by Raine & Horne Strata Sydney BCS, nor any other competitive quote obtained.



# EAGLE FIRE PROTECTION

PTY. LIMITED.

## Essential Services Maintenance Agreement

**Clients:** The Owners - Strata Plan [REDACTED] Macquarie Park

**Strata Co. & Manager:** Raine & Horne Strata-Sydney, Level2, 51 Rawson Street Epping NSW 2121 T: (02) 9868 2999 F: (02) 8216 0331

**Site name & Address:** [REDACTED] Macquarie Park

Period of contract: 5 years  
 Agreed Contract amount: \$6,779.00 +GST Per Annum  
 Agreement start date: 19/3 /2013  
 Billing terms: 3 monthly (Advance)  
 Annual Fire Safety Statement due date: 24/2/2013

Essential Services	Standard	Inspection Frequency
<u>Sprinkler System</u>		
Alarm Valves	AS1851.2 - 2005	Weekly-Monthly-Annually
<u>Hydrant System</u>		
Diesel Hydrant Pumpset	AS1851.3 - 2005	Monthly-Annually
Hydrant Landing valves	AS1851.4	Six monthly-Annually
<u>Hose reel System</u>		
Hose Reel	AS1851.14 - 2005 Six	monthly-Annually
<u>Detection Systems</u>		
Smoke Alarms- AS3786	AS1851.8	Annually
<u>Emergency Lighting</u>		
Emergency Lights	AS2293.2	Six monthly-Annually
Exit Lights	AS2293.2	Six monthly-Annually
<u>Fire Extinguishers</u>		
D.C.P. & CO2 & AFFF & H2O	AS1851.1	Six monthly-Annually
<u>Fire Doors</u>	AS1851.17 - 2005	Annually

- Here are examples of some of fire safety inspection issues in large strata scheme that took Raine & Horne Strata Sydney BCS two years to rectify

### Equipment Type: Emergency and Exit Lighting

<b>Equipment:</b>	Exit EC CM SS		
<b>Location:</b>	Adjacent unit 160, Level 2, Building A		
ITEM: 18	Exit Light Failed 90min Test	Supply and Install new Exit Light	\$185.00
<b>Equipment:</b>	Exit EC CM SS		
<b>Location:</b>	Adjacent unit 172, Level 4, Building A		
ITEM: 19	Exit Light Failed 90min Test	Supply and Install new Exit Light	\$185.00
<b>Equipment:</b>	EM 1x36 C Tag# 124		
<b>Location:</b>	Inside fire stairs, Level 7, Building A		
ITEM: 20	Failed 90min Test	Supply and Install new 36 Watt single LED	\$270.00
<b>Equipment:</b>	EM 1x36 C		
<b>Location:</b>	Inside fire stairs, Level 1, Building B		
ITEM: 21	Failed 90min Test	Supply and Install new 36 Watt single LED	\$270.00
<b>Equipment:</b>	Exit EC CM SS		
<b>Location:</b>	Adjacent unit 15, Level 2, Building B		
ITEM: 22	Exit Light Failed 90min Test	Supply and Install new Exit Light	\$185.00
<b>Equipment:</b>	Exit EC CM SS		
<b>Location:</b>	Adjacent unit 16, Level 2, Building B		
ITEM: 23	Exit Light Failed 90min Test	Supply and Install new Exit Light	\$185.00
<b>Equipment:</b>	Exit EC CM SS		
<b>Location:</b>	Adjacent unit 45, Level 7, Building B		
ITEM: 24	Exit Light Failed 90min Test	Supply and Install new Exit Light	\$185.00
<b>Equipment:</b>	Oyster		
<b>Location:</b>	Adjacent lift, Level 7, Building B		
ITEM: 25	Failed 90min Test	Supply and Install new Oyster light	\$285.00

- Reoccurring fire safety issues that Eagle Fire Protection submitted to owners corporation. Only through engagement of Ryde City Council owners corporation finally did some significant work in September 2014.

### **Macquarie Park, NSW, large strata scheme managed by Raine & Horne Strata Sydney BCS - Eagle Fire Protection inspections and quotes to rectify reoccurring deficiencies (all invoices GST exclusive)**

	<b>January 2013</b>	<b>July 2013</b>	<b>August 2014</b>
<b>Emergency and Exit Lights</b>	<b>\$17,955.00</b>	<b>\$22,145.00</b>	<b>\$9,485.00</b>
<b>Hose Reels</b>	<b>\$525.00</b>	<b>\$805.00</b>	<b>\$150.00</b>
<b>Fire Hydrants</b>	<b>\$270.00</b>	<b>\$1,350.00</b>	<b>\$3,680.00</b>
<b>Common Area Fire Doors</b>	<b>\$0.00</b>	<b>Not Reported</b>	<b>Not Reported</b>
<b>Unit Entry Doors, Unit Smoke Alarms and Equipment</b>	<b>\$0.00</b>	<b>Not Reported</b>	<b>Not Reported</b>
<b>Fire Extinguishers</b>	<b>Not Reported</b>	<b>\$135.00</b>	<b>\$1,042.00</b>
<b>Subtotal (GST-exclusive)</b>	<b>\$18,750.00</b>	<b>\$24,435.00</b>	<b>\$14,357.00</b>