

**Subject:** Re: 52948 - Unit 158 - Smoke detector advice - 8Mar2020  
**From:** SP52948 owner  
**Date:** 8/3/20, 10:07 am  
**To:** Frank Tallaridi <frank@waratahstrata.com.au>

Good morning,

Please do not waste our time.

**It is duty of Waratah Strata Management and Uniqueco Property Services to organize replacement of all smoke alarms in units. Lot 158 does not need to take any action and will provide access to the property when provided with the details of the visit. The cost of the replacement belongs to common funds, not Lot 158.**

- For 20 years (including 2018), all smoke alarms were replaced from common funds. That includes actions by Waratah Strata Management, which were deliberately not disclosed to owners at EC meeting in March 2019 or ever since. Repeated requests to correct such statements in the subsequent meetings were ignored by Waratah Strata Management.
- Waratah Strata Management prevented Motion to ratify events related to smoke alarms for Lot 158 and others at AGM 2019. Very serious matter affecting personal safety and well-being of not only Lot 158 tenants but others as well.
- Ryde Council gave owners corporation till January 2020 to deal with number of fire safety issues, including smoke alarms and this is almost mid-March.
- The only reason why suddenly smoke alarms are allegedly not common property is due to fact that lot of money will need to be spent on it from common funds. But that is reality and we need to plan for it.
- One of the smoke alarms in Lot 158 was replaced by owners corporation in 2009 so it does not belong to Lot 158 anyway. It is already confirmed as common property.

a) We repeat for the third time in one week: please provide the full fire safety report for 2020 to Lot 158 immediately and details of the regulations.

We note that such report for 2018 and 2019 was not found in document searches on:

31 May 2019 and

20 September 2019

and not available on Waratah website for SP52948 owners (verified again today).

**By the same token, the alleged letter for all owners about smoke detectors is not available at Waratah website or on notice boards too.**

b) Waratah Strata Management provided details of the smoke alarms in Lot 158 only in the third email. The two emails dated 5 March 2020 contained no such information and under pressure from Lot 158, Waratah Strata Management added it belatedly.

In addition, full fire safety report for other owners is NOT DISCLOSED.

History of fire safety abuses in SP52948 are well known. Some of the examples are enclosed.

Some examples of warnings by Ryde Council are provided too.

c) We contacted Fire NSW and got the information first hand.

The floor snake can be put on the inside of the property but must not be on the external side of the door (on common property). Lot 158 is already compliant in that regard.

What is the direct relevance of door snake (primarily designed for smell, smoke, and draft prevention) in regards to BCA Spec C3.4 & AS 1905.1:

#### 4. Fire Shutters

*A required fire shutter must—*

*(a) be a shutter that -*

*(i) is identical with a tested prototype that has achieved the required FRL; and*

*(ii) is installed in the same manner and in an opening that is not larger than the tested prototype; and*

*(ii) did not have a rise in average temperature on the side remote from the furnace of more than 140 K during the first 30 minutes of the test; or*

*(b) be a steel shutter complying with AS 1905.2 if metallic fire shutter is not prohibited by C3.5.*

In any case, Lot 158 is compliant with Fire NSW recommendations, apart from smoke alarms, which are common property.

Thank you.

On 7/3/20 1:35 pm, Frank Tallaridi wrote:

Dear Lot 158,

Please find attached a letter in relation to the need to replace your smoke alarm following a recent inspection by Eagle Fire.

The letter provided 2 options as follows;

1. You may engage your own contractor to replace the detector and provide me, or the building manager a copy of the compliance certificate, or
2. The Owners Corporation may engage Eagle Fire to replace your smoke detector for a fee as stated on the attached letter and that fee will be added to your strata account. Should you select this option you will need to provide access to your unit on a future installation date to be advised. Failure to do so will attract a further site attendance fee which will be additionally charged to your account.

Please advise by no later than Friday 13 March 2020 which of the above 2 options you select in order for an installation date to be arranged and finalised in preparation for the Annual Fire Safety Statement to be lodged with City of Ryde Council.

Eagle Fire report states the following

Unit 158 Level 2 Building A

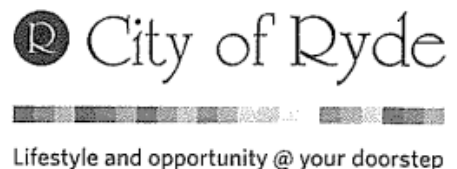
Item # 121	Smoke Alarm	10 Year Replacement	Replace old/expired smoke alarm with new. The quoted amount is for a straight swap only and does not include any unforeseen circumstances.	
Item # 122	Unit Smoke Alarm	10 Year Replacement	Replace old/expired smoke alarm with new. The quoted amount is for a straight swap only and does not include any unforeseen circumstances.	

Regards,

**Frank Tallaridi**

Waratah Strata Management  
P.O. Box 125, Eastwood NSW 2122  
Ph (02) 9114 9599  
Fx (02) 9114 9598  
[www.waratahstrata.com.au](http://www.waratahstrata.com.au)

SP52948-Ryde-Council-warnings-to-Peter-Bone-BCS-Strata-Management-about-improperly-submitted-fire-safety-statement-2Apr2014.png



Mr P Bone  
B.C.M.S  
Locked Bag 22  
HAYMARKET NSW 1238

2 April 2014

Our ref: FSS2014/7

Dear Mr Bone

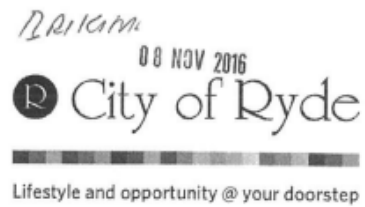
**1-15 Fontenoy Rd Macquarie Park  
Annual Fire Safety Statement**

Thank you for the annual fire safety statement dated 1 April 2014 in respect to the abovementioned premises. I note however that the name and address of the certifying officer has not been provided and the statement has not been signed.

You are therefore requested to submit an amended statement with these anomalies rectified.

SP52948-Ryde-Council-complaining-to-BCS-Strata-Management-about-repeatedly-not-responding-to-fire-safety-issues-3Nov2016.png

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The Owners Strata Plan 52948  
C/- Body Corporate Services  
Locked Bag 22  
Haymarket NSW 1238

3 November 2016

Dear Sir/Madam

1 Fontenoy Road Macquarie Park  
Fire Safety Issue

I refer to Council's letter dated 9 August 2016 advising of an alleged serious fire safety breach and requesting comment from your service contractor.

To date Council has not received a response to this request.

You are therefore requested to advise Council, by 21 November 2016, the present position in this matter.

Should you require further information or wish to discuss this matter, please contact me on 9952 8184 or by e-mail (details below).

Yours faithfully

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SP52948-Ryde-Council-repeated-warnings-to-Peter-Bone-BCS-Strata-Management-about-fire-safety-with-threat-of-penalties-15Dec2014.png

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Mr P Bone  
BCMS  
Locked Bag 22  
Haymarket NSW 1238

15 December 2014

Our ref: FSS2014/7

Dear Mr Bone

**1-15 Fontenoy Road Macquarie Park  
Fire Safety issues**

I refer to Council's letter dated 2 April 2014 (copy attached) advising that the annual fire safety statement submitted in respect to the above premises was incomplete and requesting that an amended statement be submitted.

I note that the amended statement has not yet been received and the building owners are therefore liable to substantial penalties – see schedule below.

I further have to advise that Council is in receipt of reports indicating that in January 2013 there were 197 defects with the installed fire safety measures and 52 units were not inspected and in July 2013 there were 118 defects. Would you please advise the present status of rectification of the reported defects and whether all units have now been inspected.

You are again requested to submit a fully completed annual fire safety statement in respect to the above premises;

**Note:** The statement is to be signed by the building owner or agent and considering the abovementioned 2013 inspection reports your attention is directed to Clause 283( False or misleading statements) of the Environmental Planning and assessment Regulation 2000 which states "A person is guilty of an offence if the person makes any statement, knowing it to be false or misleading in an important respect, in or in connection with any document lodged with the Director-General or a consent authority or certifying authority for the purposes of the Act or this Regulation."

Should the required statement not be received by 3 February 2015 penalty notices will be issued in accordance with the schedule below.

—SP52948-Motion-about-smoke-alarms-prevented-by-Waratah-Strata-Management-from-voting-AGM-page-1-Oct2019.png—

**Motion: Ratify events related to Waratah Strata Management and Uniqueco Property Services refusal to maintain smoke alarms in Lot 158, discrimination against Lot 158, failure to comply with fire safety standards, and providing misconstrued information to owners**

**The Owners Corporation SP52948 by ORDINARY RESOLUTION confirms the following:**

- Lot 158 orally complained to Waratah Strata Management and Uniqueco Property Services multiple times in 2017 and 2018 about expired smoke alarms in their unit.

Waratah Strata Management and Uniqueco Property Services did not take corrective actions.

- Lot 158 sent email to Waratah Strata Management and Uniqueco Property Services on 1<sup>st</sup> of March 2019 with reminder about expired smoke alarms in Lot 158.

Waratah Strata Management and Uniqueco Property Services did not respond.

- Waratah Strata Management provided the following misleading statement to owners in minutes of EC meeting on 21<sup>st</sup> of March 2019:

*Smoke alarms in units - It is noted that the smoke alarms inside each unit are the lot owners responsibility to service and replace as required. It is further noted that a small number of smoke alarms within units were replaced during the BCS management period, but that was incorrect practice and has not continued under Waratah Strata's management.*

- Lot 158 provided Waratah Strata Management with the following examples of smoke alarms being replaced for owners from common funds in recent times, including three replacements directly authorized by Waratah Strata Management in FY 2018:
  - Essential Services Management – charged common funds for visit to Unit 110 to replace smoke detector when owner did not provide access – 10 October 2013
  - Essential Services Management – replaced smoke detector Unit 162 – 6 December 2010
  - Essential Services Management – replaced smoke detector Unit 117 – 15 November 2013
  - Essential Services Management – replaced smoke detector Unit 146 – 9 December 2013
  - Essential Services Management – replaced faulty smoke detector Unit 79 – 31 October 2014
  - Essential Services Management – replaced smoke detector Unit 79 – 20 November 2014
  - Essential Services Management – replaced faulty smoke detector Unit 145 – 6 May 2015
  - Essential Services Management – replaced faulty smoke detector Unit 106 – 4 August 2015
  - Essential Services Management – replaced faulty smoke detector Units 108 and 159 – 12 May 2015
  - Essential Services Management – replaced smoke detector Townhouse 200 – 31 August 2015
  - Essential Services Management – replaced faulty smoke detector Townhouse 198 – January 2016
  - Essential Services Management – replaced second faulty smoke detector Unit 183 – February 2016
  - Essential Services Management – replaced faulty smoke detector Unit 182 – 12 February 2016
  - Essential Services Management – replaced second faulty smoke detector Townhouse 198 – April 2016
  - Essential Services Management – replaced faulty smoke detector Unit 68 – 19 May 2016
  - Essential Services Management – replaced faulty smoke detector Unit 180 – 9 August 2016
  - Essential Services Management – replaced second smoke detector Townhouse 200 – 24 August 2016

—SP52948-Motion-about-smoke-alarms-prevented-by-Waratah-Strata-Management-from-voting-AGM-page-2-Oct2019.png—



Lot 139, 23<sup>rd</sup> of April 2018, at cost of \$150.00 (GST exclusive)  
Lot 8, 14<sup>th</sup> of May 2018, at cost of \$150.00 (GST exclusive)  
Lot 198, 4<sup>th</sup> of June 2018, at cost of \$160.00 (GST exclusive)  
Lot 83, 30<sup>th</sup> of July 2018, at cost of \$160.00 (GST exclusive)

Lot 158 also documented number of owners failing to provide entry to their units for annual fire safety and smoke alarm inspections in 2018 and 2019.

Lot 158 requested that Waratah Strata Management share information with all owners about common funds being used for replacing smoke alarms for 22 years and amend the minutes of EC meeting on 21<sup>st</sup> of March 2019.

Waratah Strata Management did not inform the owners and did not update the minutes of the meeting with correct information.

- On 17<sup>th</sup> of June 2019, Lot 158 sent email to Waratah Strata Management and Uniqueco Property Services documenting misleading and misconstrued statements by Waratah Strata Management for owners at EC meeting on 21<sup>st</sup> of March 2019.

Waratah Strata Management and Uniqueco Property Services did not respond.

- Lot 158 sent email to Waratah Strata Management and Uniqueco Property Services on 7<sup>th</sup> of July 2019 with photos showing:

Smoke alarm in one bedroom expired in 2005  
Smoke alarm near second bedroom expired in 2018

Lot 58 also provided a report on "SP52948-random-check-of-fire-safety-late-June-and-early-July-2019".

Waratah Strata Management and Uniqueco Property Services did not respond.

- On 21<sup>st</sup> of May 2019, Uniqueco Property Services provided misleading and inaccurate information to Ryde Council in regards to fire safety issues, which Lot 158 refuted with evidence:

*a) Uniqueco Property Services implicitly confirmed they had never put yearly fire safety statements on notice boards and deliberately ignored them. They very well knew the regulations (as provided by Lot 158 on many occasions).*

*b) Fire safety reports documented problems every year but they were always partially ignored or delayed. An example:*

*On 6 June 2013, Lot 158 submitted the request with the following subject:*

*SUBMISSION FOR GENERAL MEETING: Maintenance in the complex and compliance with the State and Federal Regulations on 6 June 2013*

*No response was ever received.*

*In July 2013, Eagle Fire Protection conducted a second inspection (reports for January 2013 and July 2013) are enclosed herewith.*

*Due to lack of maintenance, our cost to rectify fire protection issues increased by 30.32% in just six-month period in 2013.*

*As of July 2013, Eagle Fire Protection's assessment gave total cost of \$26,878.50 (GST inclusive) to rectify all issues.*

*Attachment "SP52948-Eagle-Fire-Protection-Inspection-Reports-and-Quotes-to-Rectify-Problems-31Jul2013.pdf".*

*c) Uniqueco Property Services and Waratah Strata Management knew very well the regulations about notices on fire doors but decided to ignore them. They very well knew the regulations (as provided by Lot 158 on many occasions).*

*d) Smoking near Fire Door 2 was facilitated by Uniqueco Property Services and Waratah Strata Management for almost nine months. Repeated complaints were ignored.*

*Attachment "SP52948-FINAL-WARNING-FOR-IMMEDIATE-ACTION-SP52948-providing-illegal-smoking-facility-behind-fire-door-2-in-Block-A-on-9May2019.pdf".*

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Attachments:

SP52948-Ryde-Council-warnings-to-Peter-Bone-BCS-Strata-Management-about-improperly-submitted-fire-safety-statement-2Apr2014.png	100 KB
SP52948-Ryde-Council-complaining-to-BCS-Strata-Management-about-repeatedly-not-responding-to-fire-safety-issues-3Nov2016.png	129 KB
SP52948-Ryde-Council-repeated-warnings-to-Peter-Bone-BCS-Strata-Management-about-fire-safety-with-threat-of-penalties-15Dec2014.png	544 KB

20190708-Read_SUMMARY_Smoke alarm - deliberately misleading and misconstrued statements by Waratah Strata Management to owners in March 2019-24068.html	2.4 KB
20190707-Re_SUMMARY_Smoke alarm - deliberately misleading and misconstrued statements by Waratah Strata Management to owners in March 2019-24057.html	3.8 KB
20190617-SUMMARY_Smoke alarm - deliberately misleading and misconstrued statements by Waratah Strata Management to owners in March 2019-23757.html	4.9 KB
20190617-Read_SUMMARY_Smoke alarm - deliberately misleading and misconstrued statements by Waratah Strata Management to owners in March 2019-23761.html	2.6 KB
20190630-Read report_SUMMARY_Additional fire safety and other issues on 29Jun2019-23941.html	1.5 KB
20190629-SUMMARY_Additional fire safety and other issues on 29Jun2019-23935.html	19.4 KB
20190519-REQUEST FOR IMMEDIATE REPLY AND ACTION_Fire door safety risks and some lots still not checked for fire safety as of 19May2019-23367.html	4.5 KB
20190301-FOR OFFICIAL RESPONSE AND ACTION_SP52948 Replacement of obsolete smoke detectors in Lot 158-22685.html	8.4 KB
20190319-Re_FOR OFFICIAL RESPONSE AND ACTION_SP52948 Replacement of obsolete smoke detectors in Lot 158-22898.html	8.5 KB
20190513-Read_FINAL REQUEST FOR OFFICIAL RESPONSE AND ACTION_SP52948 Replacement of obsolete smoke detectors in Lot 158-23278.html	3.4 KB
20190509-FINAL REQUEST FOR OFFICIAL RESPONSE AND ACTION_SP52948 Replacement of obsolete smoke detectors in Lot 158-23240.html	11.1 KB
20200213-UPDATED SUMMARY_Strata Plan 52948 Expired smoke detectors in Lot 158 and possibly many other lots as of 23Jan2020-26736.html	9.0 KB
20160425-Re_REQUEST FOR OFFICIAL RESPONSE - FIRE DOOR SP529487 Lot 158 NON-COMPLIANCE WITH 1905.1 and AS1530.4-8033.html	8.4 KB
SP52948-Motion-about-smoke-alarms-prevented-by-Waratah-Strata-Management-from-voting-AGM-page-1-Oct2019.png	405 KB
SP52948-Motion-about-smoke-alarms-prevented-by-Waratah-Strata-Management-from-voting-AGM-page-2-Oct2019.png	430 KB
SP52948-Waratah-Strata-Management-confirming-deadline-till-Jan-2020-to-fix-fire-safety-issues-20Sep2019.pdf	385 KB