

The Owners Strata Plan 53855  
1-15 Fontenoy Road  
MACQUARIE PARK NSW 2113

And by e-mail to [russell.young@bcssm.com.au](mailto:russell.young@bcssm.com.au)

8 May 2015

Our Ref: CRM 1706193

**EMERGENCY ORDER 21  
LOCAL GOVERNMENT ACT 1993**

**Premises: Strata Plan 53855, No. 1-15 Fontenoy Road, Macquarie Park**

Pursuant to section 124 of the Local Government Act 1993 ("**the Act**"), the Council of the City of Ryde ("**Council**") orders you, being the owner of Strata Plan 53855, No. 1-15 Fontenoy Road, Macquarie Park ("**the Premises**"), to carry out the work set out in the following **SCHEDULE** within **TWO (2) DAYS** of the date of service of the Order to ensure that the Premises is placed in a healthy condition.

**SCHEDULE**

- 1. Repair the broken cast iron sewerage pipe adjacent to the north-western boundary of the Premises.**

**Reasons for Order:**

A recent inspection found that:

- A tree has fallen over and has broken the cast iron sewerage pipe adjacent to the north-western side boundary of the Premises, causing sewage to discharge onto the ground.
- Sewage may contain pathogenic micro-organisms and poses a danger to health if not disposed of appropriately.

**Appeals:**

You may appeal to the Land and Environment Court against the Order or a specified part of the Order within twenty-eight (28) days of the date of service of the Order.

**Offences and Enforcement:**

It is an offence not to comply with the Order.

If the Order is not complied with, Council may:

1. Prosecute you in the Local Court for an offence against section 628(2) of the Act.
2. Bring proceedings in the Land and Environment Court to remedy or restrain a breach of the Act.
3. Do all things necessary or convenient to give effect to the terms of the Order, including the carrying out of any work required by the Order, and recover the cost of doing so from you irrespective of whether you have been prosecuted for an offence.

Alternatively, an authorised person may serve a penalty notice pursuant to section 679(1) of the Act for failing to comply with the Order (Penalty amount: **\$330**).

The maximum penalty that a Court may impose under section 628(2) of the Act for failure to comply with the Order is **20 penalty units [\$2,200]**.

**Further Information:**

For further enquiries please telephone me on 9952 8273



Craig Redfern  
Team Leader - Environmental Health

The Owners Strata Plan 53855  
1-15 Fontenoy Road  
MACQUARIE PARK NSW 2113

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8 May 2015

Our Ref: CRM 1706193

**EMERGENCY ORDER 22  
LOCAL GOVERNMENT ACT 1993**

**Premises: Strata Plan 53855, No. 1-15 Fontenoy Road, Macquarie Park**

Pursuant to section 124 of the Local Government Act 1993 ("**the Act**"), the Council of the City of Ryde ("**Council**") orders you, being the owner of Strata Plan 53855, No. 1-15 Fontenoy Road, Macquarie Park ("**the Premises**") and the person responsible for the waste, to carry out the work set out in the following **SCHEDULE** within **TWO (2) DAYS** of the date of service of the Order to ensure that waste generated on the Premises is dealt with satisfactorily.

**SCHEDULE**

- 1. Remove the accumulation of sewage solids and dispose of the waste in a lawful manner.**
- 2. Cover the affected area with a layer of top soil or mulch.**

**Reasons for Order:**

A recent inspection found that:

1. A tree has fallen over and has broken the cast iron sewerage pipe adjacent to the north-western side boundary of the Premises, causing sewage to discharge onto the ground..

2. There is an accumulation of sewage solids on the ground beneath the broken pipe and extending downslope into Tasman Park.
3. Sewage may contain pathogenic micro-organisms and poses a danger to health if not disposed of appropriately.

### **Appeals:**

You may appeal to the Land and Environment Court against the Order or a specified part of the Order within twenty-eight (28) days of the date of service of the Order.

### **Offences and Enforcement:**

It is an offence not to comply with the Order.

If the Order is not complied with, Council may:

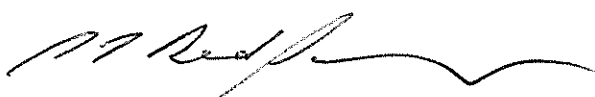
1. Prosecute you in the Local Court for an offence against section 628(2) of the Act.
2. Bring proceedings in the Land and Environment Court to remedy or restrain a breach of the Act.
3. Do all things necessary or convenient to give effect to the terms of the Order, including the carrying out of any work required by the Order, and recover the cost of doing so from you irrespective of whether you have been prosecuted for an offence.

Alternatively, an authorised person may serve a penalty notice pursuant to section 679(1) of the Act for failing to comply with the Order (Penalty amount: **\$330**).

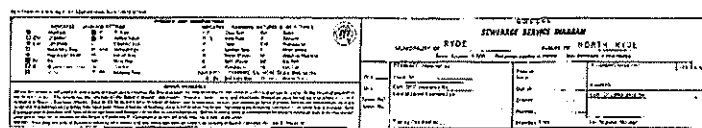
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### **Further Information:**

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Team Leader - Environmental Health



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