



Government Gazette

of the State of

New South Wales

Number 601–Compulsory Acquisitions

Friday, 26 November 2021

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Each notice in the Government Gazette has a unique reference number that appears in parentheses at the end of the notice and can be used as a reference for that notice (for example, (n2019-14)).

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PUBLIC WORKS AND PROCUREMENT ACT 1912
LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991
NOTICE OF COMPULSORY ACQUISITION OF LAND

The Minister for Regional New South Wales, with the approval of Her Excellency the Governor, declares that the land described in the schedule below, is acquired by compulsory process under the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991* for the purposes of the *Public Works and Procurement Act 1912*.

The land is, on publication of this notice, vested in the Minister for Regional New South Wales.

Dated at 1 Monaro St, Queanbeyan NSW 2620 this 22nd day of November 2021



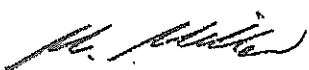
.....
Gary Barnes
Secretary, Department of Regional New South Wales

Schedule

All that piece or parcel of land situated at Wilcannia in the Local Government Area of Central Darling Shire, Parish of Wilcannia, County of Young being land known as Lot 2 of Section 13 in Deposited Plan 759091, being described as 42 Reid Street, Wilcannia and said to be in the ownership of Sorohan Holdings Pty Ltd

Approved by the
Executive Council

MIN No. - 41 - - 17 NOV 2021



Clerk of the Council

TRANSPORT ADMINISTRATION ACT 1988

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land for the Purposes of the Transport Administration Act 1988

Sydney Metro by its delegate declares, with the approval of Her Excellency the Governor, that the easement described in the Schedules below is acquired by compulsory process under the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991* as authorised by section 38C and clause 11 of Schedule 1 of the *Transport Administration Act 1988* for the purposes of the *Transport Administration Act 1988*.

PETER REGAN
Chief Executive
Sydney Metro

SCHEDULE 1

An easement for rock anchors on the terms set out in Schedule 2, and over that part of that piece or parcel of land situated at North Sydney, in the Local Government Area of North Sydney, Parish of Willoughby and County of Cumberland, being that part of Lot 2 in Deposited Plan 792740, shown marked "(A)" in Drawing No. NWRLSRT-RPS-SVC-SR-DWG-000045-B 105 Miller St Rock Anchors, a copy of which is set out in Schedule 3.

SCHEDULE 2

1. EASEMENT FOR ROCK ANCHORS

1.1 Easement summary

This Easement provides the Authority Benefited with:

- (a) access to the Easement Site for the purpose of installing Rock Anchors; and
- (b) subject to clause 1.3(f), the right to have the Rock Anchors remain on the Easement Site at all times until the expiry of the Easement under clause 1.4.

1.2 Terms of the easement

- (a) The Owner of the Lot Burdened grants to the Authority Benefited full, free and unimpeded right for the Authority Benefited to:
 - (i) enter on, pass and repass over the Easement Site at all times with or without Equipment for the Permitted Purpose and do anything reasonably necessary for that purpose including:
 - (A) entering the Easement Site; and
 - (B) taking anything on to the Easement Site; and
 - (ii) subject to clause 1.3(f), have the Rock Anchors remain on the Easement Site at all times until the expiry of the Easement under clause 1.4, where the Rock Anchors were installed on the Easement Site by the Authority Benefited or its Authorised Users:
 - (iii) pursuant to this Easement; or
 - (iv) prior to the acquisition of this Easement.
- (b) In exercising its rights under this Easement, the Authority Benefited must:
 - (i) make good any damage to the Easement Site, Lot Burdened and the Building to the extent caused by the Authority Benefited;
 - (ii) carry out all activities so as to cause as little inconvenience as is reasonably practicable to the Owner of the Lot Burdened or any Occupier;
 - (iii) take all necessary steps to minimise any adverse interference caused by the Authority Benefited to the Owner of the Lot Burdened or any Occupier; and
 - (iv) comply with all relevant laws relating to the exercise of those rights.
- (c) On written request from the Owner of the Lot Burdened, the Authority Benefited will provide to the Owner of the Lot Burdened as-built drawings showing the location of the Rock Anchors within the Easement Site.

1.3 De-stressing Rock Anchors

- (a) If the Owner of the Lot Burdened proposes to carry out Redevelopment Works, the Owner of the Lot Burdened may give the Authority Benefited notice of:

- (i) the proposed Redevelopment Works (including details of the extent of demolition of any part of the Building and the extent of any excavation of the Lot Burdened); and
 - (ii) the proposed date on which the Owner of the Lot Burdened anticipates that it will commence the Redevelopment Works.
- (b) Following receipt of the notice referred to in paragraph (a) (along with any additional information regarding the proposed Redevelopment Works reasonably requested by the Authority Benefited), the Authority Benefited will promptly notify the Owner of the Lot Burdened of the Rock Anchors (if any) within the Easement Site that will be rendered redundant as a result of the carrying out of the Redevelopment Works including any stressed Rock Anchors that may be de-stressed as a result of the carrying out of the Redevelopment Works.
 - (c) If the Owner of the Lot Burdened makes any changes to the proposed Redevelopment Works which may impact on the Rock Anchors after the date of the notice referred to in paragraph (b), the Owner of the Lot Burdened must promptly give the Authority Benefited notice of those changes, and the Authority Benefited will promptly notify the Owner of the Lot Burdened of any changes to the notice referred to in paragraph (b) as a consequence of the changes to the proposed Redevelopment Works.
 - (d) If the Owner of the Lot Burdened changes the proposed date on which the Owner of the Lot Burdened anticipates that it will commence the Redevelopment Works, the Owner of the Lot Burdened must promptly give the Authority Benefited notice of the proposed change in date.
 - (e) Subject to paragraph (g) and granting of any required access rights over the Lot Burdened, the Authority Benefited must at its cost, de-stress the stressed Rock Anchors set out in the notice provided by the Authority Benefited under paragraph (b) (as amended under paragraph (c)) following receipt of a written direction from the Owner of the Lot Burdened to do so provided that, at the relevant time, the stressed Rock Anchors have in fact been made redundant by the Redevelopment Works. The Authority Benefited has no obligation to remove the Rock Anchors from the Easement Site once de-stressed.
 - (f) The Owner of the Lot Burdened may cut any redundant or de-stressed Rock Anchors at any location within the Easement Site and otherwise deal with any part of any redundant or de-stressed Rock Anchors within the Easement Site as the Owner of the Lot Burdened sees fit.
 - (g) The earliest date on which the Authority Benefited is required to de-stress any Rock Anchors installed on the Easement Site by the Authority Benefited or its Authorised Users is 27 August 2022.

1.4 **Expiry of the Easement**

- (a) This Easement will expire on the date on which the Authority Benefited gives the Owner of the Lot Burdened notice that it has de-stressed all stressed Rock Anchors installed on the Easement Site by the Authority Benefited or its Authorised Users and that all other Rock Anchors installed on the Easement Site are redundant and may be cut through by the Owner of the Lot Burdened as the Owner of the Lot Burdened sees fit.
- (b) If this Easement has expired under paragraph (a), the Owner of the Lot Burdened and the Authority Benefited (if requested by the Owner of the Lot Burdened) must take all reasonable steps to remove this Easement from the title of the Lot Burdened as soon

as practicable, including preparing and executing all necessary documents and producing the relevant certificates of title at Land Registry Services NSW.

1.5 Incorporation of definitions and interpretation clauses

The provisions of clause 2 apply to this Easement to the extent relevant.

The name of the persons empowered to release, vary or modify this easement:

The Authority Benefited.

2. GENERAL

2.1 Exercise of the benefit of the Easement

The Authority Benefited may, in its discretion, permit any of its Authorised Users to exercise its rights and perform its obligations under any Easement from time to time.

2.2 Conditions

Each of the Conditions constitute and are covenants and agreements by and between the Authority Benefited and the Owner of the Lot Burdened for themselves and their respective successors, assigns and transferees with the intention and agreement that the benefit and burden of such covenants and agreements must pass with the benefit and burden of the Easement.

2.3 Definitions

Acquisition Notice means the acquisition notice effecting the acquisition of this Easement published in the Government Gazette.

Authorised Users means the agents, employees, contractors (and each of their subcontractors at any level) and consultants of the Authority Benefited and any other person authorised by the Authority Benefited to exercise the rights and perform the obligations of an Authorised User under this Easement.

Authority Benefited means Sydney Metro (ABN 12 354 063 515), a New South Wales Government agency constituted by section 38 of the *Transport Administration Act 1988* (NSW).

Building means the building and other structures (or any part of the building or other structures) on the Lot Burdened from time to time.

Conditions means the conditions contained in each Easement, excluding the section entitled "Easement summary" and including the general provisions set out in this clause 2.

Government Gazette means the official journal published by the NSW Government containing proclamations and notifications, including land acquisition notices.

Easement means each easement in this instrument and includes the Conditions in relation to that easement.

Easement Site means the easement site described in Schedule 1 of the Acquisition Notice.

Equipment means all necessary tools, implements, materials, machinery and vehicles.

Lot Burdened means the Lot described in Schedule 1 of the Acquisition Notice.

Occupier means any person who is legally entitled and authorised to occupy any part of Lot Burdened from time to time.

Owner of the Lot Burdened means every person who is at any time entitled to an estate or interest in the Lot Burdened, including without limitation any freehold or leasehold estate or interest in possession in the Lot Burdened and each part of the Lot Burdened and any Owners Corporation in relation to the Lot Burdened.

Owners Corporation means an owners corporation constituted under the *Strata Schemes Management Act 2015* (NSW) or community association constituted under the *Community*

Land Development Act 1989 (NSW) and any similar body corporate serving the same functions and purposes as an owners corporation or a community association.

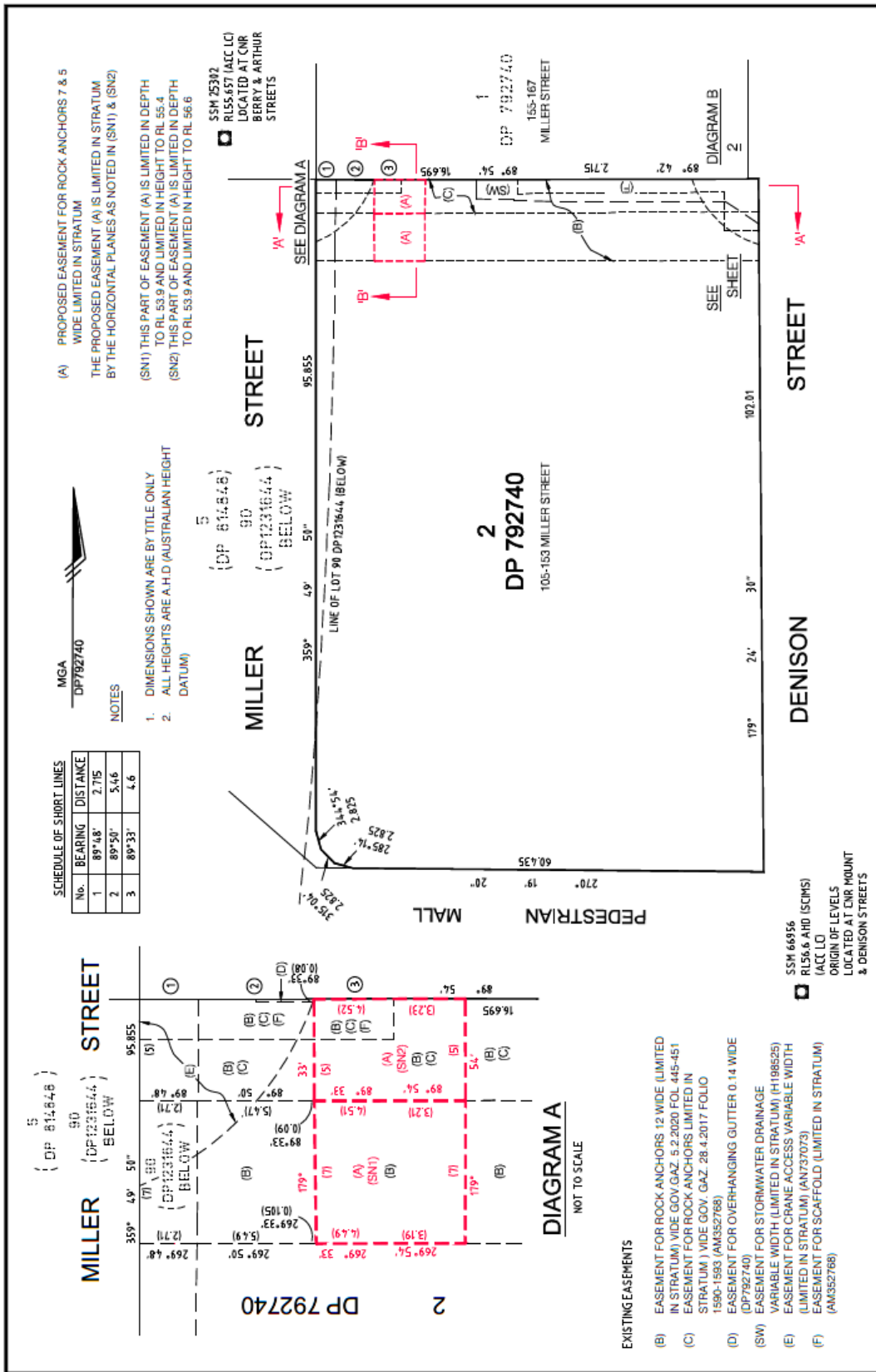
Permitted Purpose means installing Rock Anchors within the Easement Site and all works and activities associated with such installation, including maintenance, replacement, de-stressing and/or removal of the Rock Anchors.

Project means the design, construction (including any demolition required to enable construction to proceed or as a necessary part of any construction), operation and maintenance of the Sydney Metro City & Southwest project on land adjoining or in the vicinity of the Lot Burdened.

Redevelopment Works means any works on the Lot Burdened which include demolition of any part of the Building and/or excavation of any part of the Lot Burdened.

Rock Anchors means ground anchors, rock anchors, rock bolts, rock pinning, soil nails, rock dowels and other structures or equipment for the purpose of supporting or protecting the works on land owned by the Authority Benefited or underpinning and supporting improvements erected on the Lot Burdened.

SCHEDULE 3



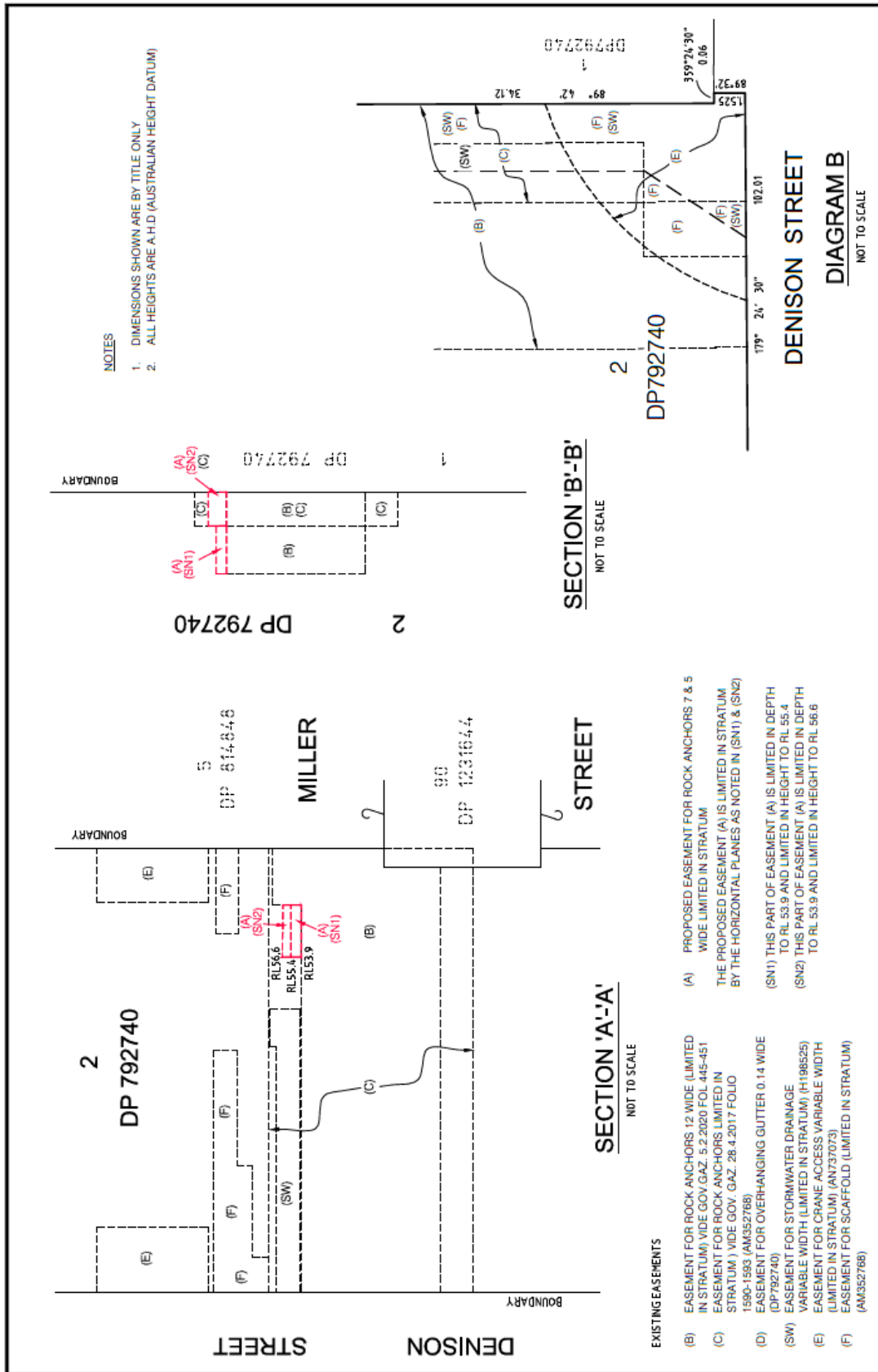
PLAN SHOWING PROPOSED EASEMENT FOR ROCK ANCHORS AFFECTING PART OF LOT 2 IN DP792740, 105-153 MILLER STREET, NORTH SYDNEY

NSW METRO

89° AUSTRALIA EAST PTY LTD
 10/11-13/15 MILLER STREET, NORTH SYDNEY NSW 1585
 (ABN 44 140 282 762)
 www.arpjpa.com.au

THIS IS A COLOURED PLAN. REPRODUCTION IN COLOUR ONLY.

P:\P1142446_MillerStMCC2017-105_Miller_St_Long_Term_easement\03_Drafting\03_Creation\WML\01_RPS-SVC-SR-DWG-00045-8_105_Miller_St_Rock_Anchors.dwg 18.03.2021 4:01 PM



- NOTES**
1. DIMENSIONS SHOWN ARE BY TITLE ONLY
 2. ALL HEIGHTS ARE A.H.D. (AUSTRALIAN HEIGHT DATUM)

SECTION 'B'-'B'
NOT TO SCALE

SECTION 'A'-'A'
NOT TO SCALE

EXISTING EASEMENTS

- (B) EASEMENT FOR ROCK ANCHORS 12 WIDE (LIMITED IN STRATUM) VIDE GOV.GAZ. 5.2.2020 FOL 445-451
- (C) EASEMENT FOR ROCK ANCHORS LIMITED IN STRATUM) VIDE GOV. GAZ. 28.4.2017 FOLIO 1590-1593 (AM352766)
- (D) EASEMENT FOR OVERHANGING GUTTER 0.14 WIDE (DP792740)
- (SW) EASEMENT FOR STORMWATER DRAINAGE VARIABLE WIDTH (LIMITED IN STRATUM) (H198525)
- (E) EASEMENT FOR CRANE ACCESS VARIABLE WIDTH (LIMITED IN STRATUM) (AN737073)
- (F) EASEMENT FOR SCAFFOLD (LIMITED IN STRATUM) (AM352768)
- (A) PROPOSED EASEMENT FOR ROCK ANCHORS 7 & 5 WIDE LIMITED IN STRATUM
- THE PROPOSED EASEMENT (A) IS LIMITED IN STRATUM BY THE HORIZONTAL PLANES AS NOTED IN (SN1) & (SN2)
- (SN1) THIS PART OF EASEMENT (A) IS LIMITED IN DEPTH TO RL 53.9 AND LIMITED IN HEIGHT TO RL 55.4
- (SN2) THIS PART OF EASEMENT (A) IS LIMITED IN DEPTH TO RL 53.9 AND LIMITED IN HEIGHT TO RL 56.6

PROJECT NO: P/19/142446 PROJECT NAME: ROCK ANCHORS AFFECTING PART OF LOT 2 IN DP792740, 105-153 MILLER STREET, NORTH SYDNEY PROJECT LOCATION: MILLER ST, NORTH SYDNEY NSW 1585 PROJECT DATE: 2020	CLIENT: NSW METRO DESIGNER: RPS PROJECT MANAGER: [Name] PROJECT ENGINEER: [Name]	TITLE: PLAN SHOWING PROPOSED EASEMENT FOR ROCK ANCHORS AFFECTING PART OF LOT 2 IN DP792740, 105-153 MILLER STREET, NORTH SYDNEY DRAWN BY: [Name] CHECKED BY: [Name] DATE: 2020	PROJECT NO: P/19/142446 PROJECT NAME: ROCK ANCHORS AFFECTING PART OF LOT 2 IN DP792740, 105-153 MILLER STREET, NORTH SYDNEY PROJECT LOCATION: MILLER ST, NORTH SYDNEY NSW 1585 PROJECT DATE: 2020

RPS AUSTRALIA EAST PTY LTD (ABN 44 345 292 783)
 LEVEL 13 233 HMT STREET SYDNEY NSW 2000
 T: 02 270 8100 F: 02 238 8930 www.rps.com.au
 P/19/142446 - MetroSMC3W207-105 Miller St Loop Term echnical03 Drawing03 CasuarinaNWRLSHT-RPS-SVC-SH-DWG-00045-B 105 Miller St Rock Anchors.dwg 18.03.2021 4:57 PM

(Sydney Metro Document Number: SM/21-001411)

ROADS ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land at Ryde in the Ryde City Council Area

Transport for NSW by its delegate declares, with the approval of Her Excellency the Governor, that the land described in the schedule below is acquired by compulsory process under the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991* for the purposes of the *Roads Act 1993*.

K DURIE
Statutory Land Transactions Manager
Transport for NSW

Schedule

All that piece or parcel of land situated in the Ryde City Council area, Parish of Hunters Hill and County of Cumberland, shown as Lot 5 Deposited Plan 860174, being the whole of the land in Certificate of Title 5/860174; excluding any existing easements from the compulsory acquisition of the said Lot 5.

The land is said to be in the possession of Ryde City Council.

(TfNSW Papers: SF2021/117408; RO SF2020/136780)

ROADS ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land at Parkes in the Parkes Shire Council Area

Transport for NSW by its delegate declares, with the approval of Her Excellency the Governor, that the land described in the schedule below is acquired by compulsory process under the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991* for the purposes of the *Roads Act 1993*.

K DURIE
Statutory Land Transactions Manager
Transport for NSW

Schedule

All those pieces or parcels of land situated in the Parkes Shire Council area, Parishes of Parkes and Currajong and County of Ashburnham, shown as:

Lot 60 Deposited Plan 1267417, being part of the land in Certificate of Title 1/1249958 and said to be in the possession of the Crown and Central West Local Land Services (Crown land manager);

Lot 61 Deposited Plan 1267417, being part of the land in Certificate of Title 7073/1077021 and said to be in the possession of the Crown and Central West Local Land Services (Crown land manager);

Lot 7071 Deposited Plan 1058313, being the whole of the land in Certificate of Title 7071/1058313 and said to be in the possession of the Crown;

Lot 7330 Deposited Plan 1147447, being the whole of the land in Certificate of Title 7330/1147447 and said to be in the possession of the Crown;

Lot 44 Deposited Plan 1264986, being part of the land in Certificate of Title 7328/1147447 and said to be in the possession of the Crown and Parkes Shire Council (Crown land manager);

Lots 46 and 48 Deposited Plan 1264986, being parts of the land in Certificate of Title 7329/1147447 and said to be in the possession of the Crown and Parkes Shire Council (Crown land manager);

Lot 45 Deposited Plan 1264986, being part of the land in Certificate of Title 7332/1147355 and said to be in the possession of the Crown and Central West Local Land Services (Crown land manager);

Lots 47 and 49 Deposited Plan 1264986, being parts of the land in Certificate of Title 7333/1147355 and said to be in the possession of the Crown and Central West Local Land Services (Crown land manager);

Lot 50 Deposited Plan 1265315, being part of the land in Certificate of Title 7045/1059946 and said to be in the possession of the Crown and Central West Local Land Services (Crown land manager);

Lot 54 Deposited Plan 1265316, being part of the land in Certificate of Title 7044/1059946 and said to be in the possession of the Crown and Central West Local Land Services (Crown land manager);

Lot 55 Deposited Plan 1265316, being part of the land in Certificate of Title 7008/1030636 and said to be in the possession of the Crown and Central West Local Land Services (Crown land manager); and

Lot 56 Deposited Plan 1265316, being part of the land in Certificate of Title 7303/1143523 and said to be in the possession of the Crown and Central West Local Land Services (Crown land manager);

excluding any existing easements from the compulsory acquisition of the land listed above.

(TfNSW Papers: SF2021/051044; RO SF2019/019556)

ROADS ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land at Cecil Park in the Liverpool City Council Area

Transport for NSW by its delegate declares, with the approval of Her Excellency the Governor, that the land described in the schedule below is acquired by compulsory process under the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991* for the purposes of the *Roads Act 1993*.

K DURIE

Statutory Land Transactions Manager

Transport for NSW

Schedule

A lease for a specified period of four years and nine months as described in Memorandum AQ120616 recorded at NSW Land Registry Services, of all those pieces or parcels of land situated in the Liverpool City Council area, Parish of Melville and County of Cumberland, shown as:

Lot 19 Deposited Plan 1268721, being the whole of the land in Certificate of Title 19/1268721; and

Lot A in TfNSW Sketch SR5270-CAL, being part of the land in Certificate of Title 18/1268721.

The land is said to be in the possession of Western Sydney Town Centre Pty Limited (registered proprietor) and Australia and New Zealand Banking Group Limited (mortgagee).

(TfNSW Papers: SF2021/162465; RO SF2019/026856)