



Government Gazette

of the State of

New South Wales

Number 70—Compulsory Acquisitions

Friday, 17 February 2023

The New South Wales Government Gazette is the permanent public record of official NSW Government notices. It also contains local council, non-government and other notices.

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To submit a notice for gazettal, see the Gazette page.

LOCAL GOVERNMENT ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

NOTICE OF COMPULSORY ACQUISITION OF LAND

Blacktown City Council declares with the approval of Her Excellency the Governor that the land described in the Schedule below, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purpose of a drainage basin.

Dated at Blacktown this 1st day of February 2023

Kerry Robinson
General Manager

Schedule

25/39341

TRANSPORT ADMINISTRATION ACT 1988

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land in the Local Government Area of Sydney

Sydney Metro 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* 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

1. All that piece of land situated in the Local Government Area of Sydney, Parish of St James and County of Cumberland, comprising Lot 1 in DP1003818, being the whole of land in Folio of the Register Folio Identifier 1/1003818.
2. All that piece of land situated in the Local Government Area of Sydney, Parish of St James and County of Cumberland, comprising Lot 10 in Plan of Acquisition 1288881.

(Sydney Metro Document Number: [BN-SM-22-001763])

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 electrical earthing system on the terms set out in Schedule 2, and over that part of that piece or parcel of land situated at Waterloo, in the Local Government Area of Sydney, Parish of Alexandria and County of Cumberland, being that part of the land described in Conveyance dated 14 May 1847 Book 13 Numbers 703 and 706 shown as "(E)" on PPN DP1288575, a copy of which is set out in Schedule 3.

SCHEDULE 2

1. EASEMENT FOR ELECTRICAL EARTHING SYSTEM

1.1 Commencing date

The rights under this easement will commence operation on and from 1 June 2023.

1.2 Easement summary

This Easement provides the Authority Benefited with:

- (a) access to the Lot Burdened for the purpose of installing an Electrical Earthing System; and
- (b) the right to have the Electrical Earthing System remain on the Easement Site at all times.

1.3 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 Lot Burdened at all times with or without Equipment for the Permitted Purpose and do anything reasonably necessary for that purpose including:
 - (A) entering the Lot Burdened; and
 - (B) taking anything on to the Lot Burdened; and
 - (C) carrying out any work; and
 - (ii) have the Electrical Earthing System remain on the Easement Site at all times.
- (b) In exercising its rights under this Easement, the Authority Benefited must:
 - (i) keep the Electrical Earthing System in good repair and safe condition;
 - (ii) ensure all work is done properly;
 - (iii) cause as little inconvenience as is practicable to the Owner of the Lot Burdened and any Occupier;
 - (iv) restore the Lot Burdened as nearly as is practicable to its former condition; and
 - (v) make good any collateral damage.

1.4 Obligations of Owner of the Lot Burdened

The Owner of the Lot Burdened must not do or allow anything to be done to damage or interfere with the Electrical Earthing System.

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 the Easement from time to time.

2.2 Conditions

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 the Easement, excluding the section titled "Easement summary" and including the general provisions set out in this clause 2.

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

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

Electrical Earthing System means any structures or equipment for the purpose of discharging electric currents generated by or on behalf of the Authority Benefited.

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

Existing Building Structures means any improvements located within the Easement Site at the commencement of the Easement.

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

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

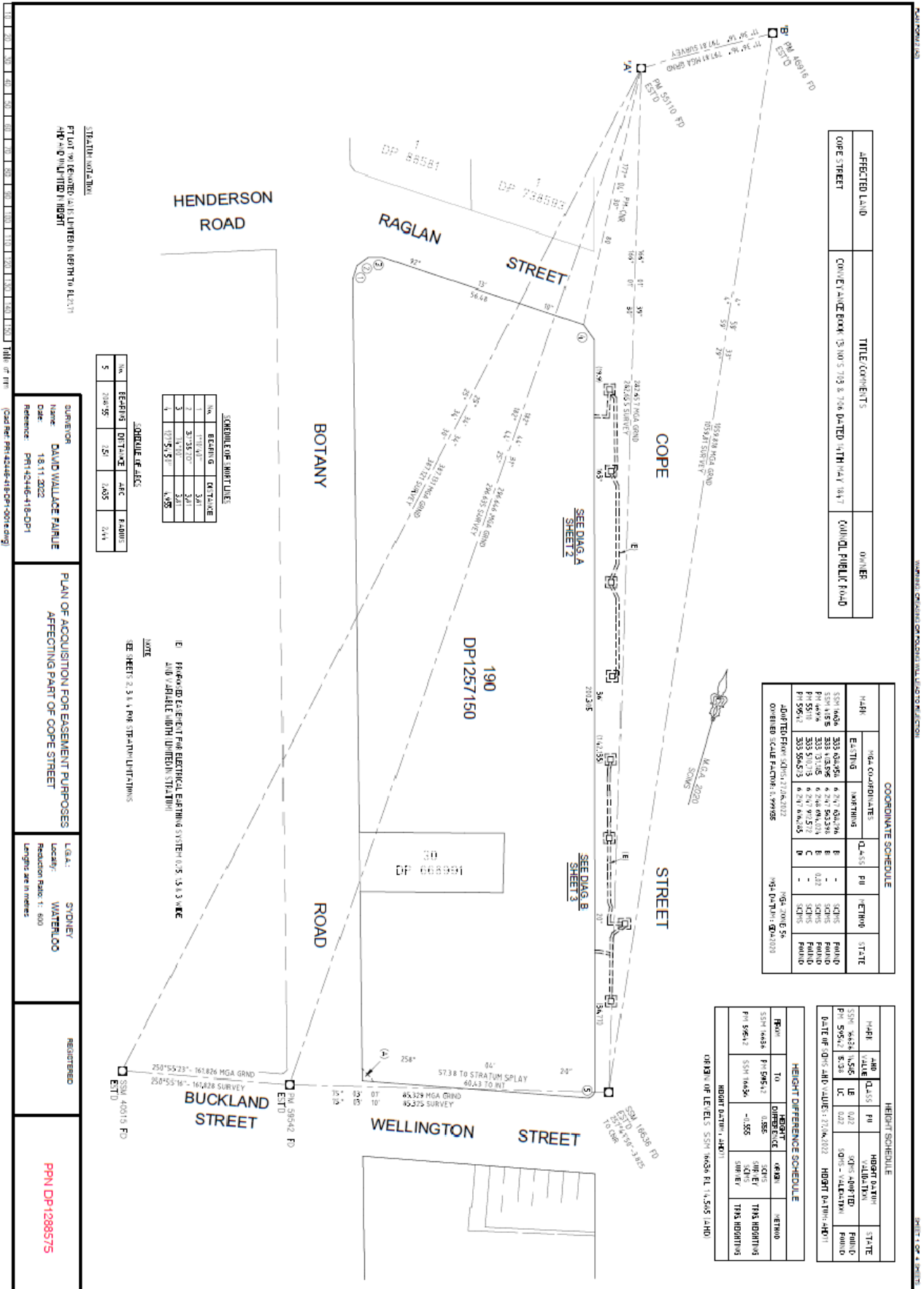
Occupier means any person who is legally entitled and authorised to occupy any part of the Lot Burdened from time to time.

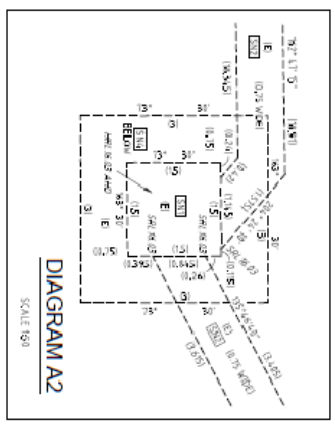
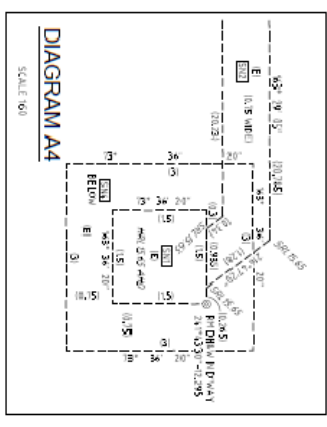
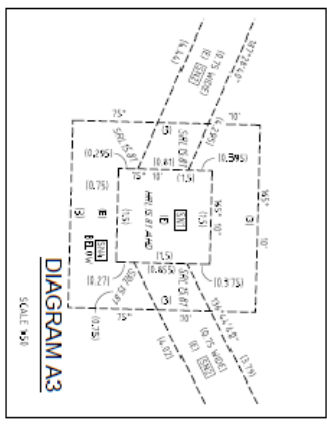
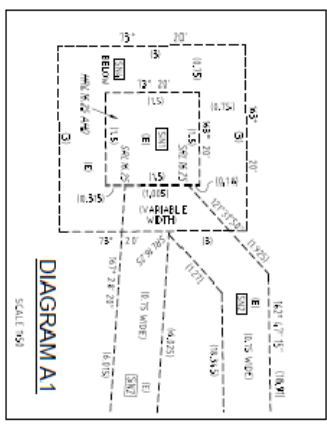
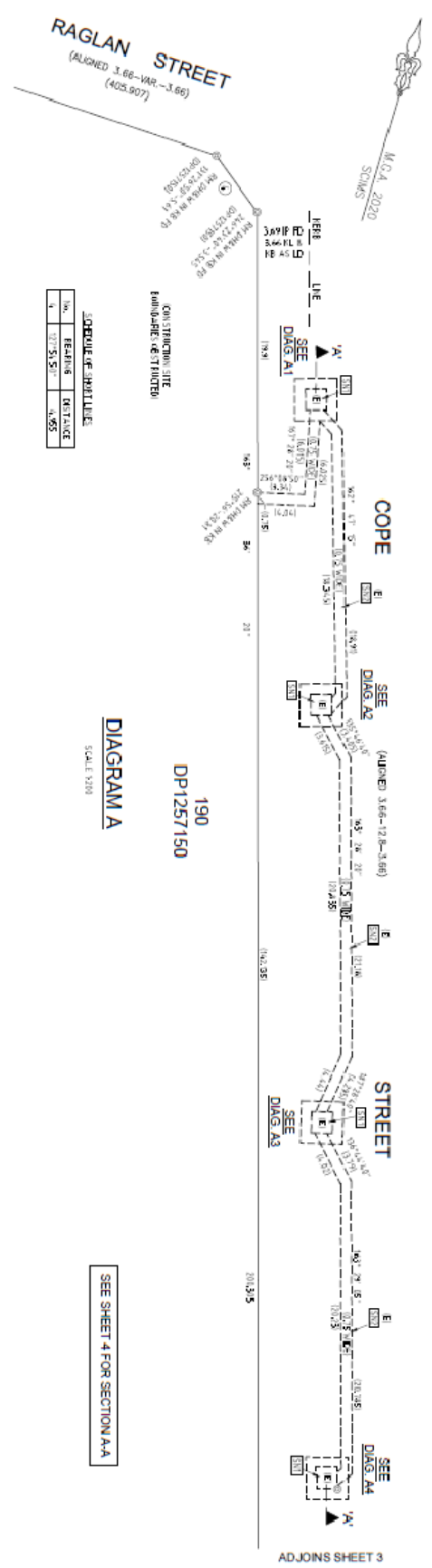
Owner of the Lot Burdened means every person who is at any time entitled to an estate or interest in the Lot Burdened, including without limitation any freehold or leasehold estate or interest in possession in the Lot Burdened and each part of the Lot Burdened and any Owners Corporation in relation to 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, maintaining and operating an Electrical Earthing System within the Easement Site and all works and activities associated with such installation, maintenance and operation, including replacement or removal of the Electrical Earthing System.

SCHEDULE 3





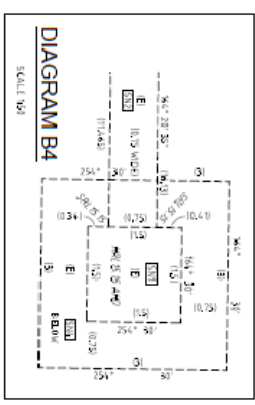
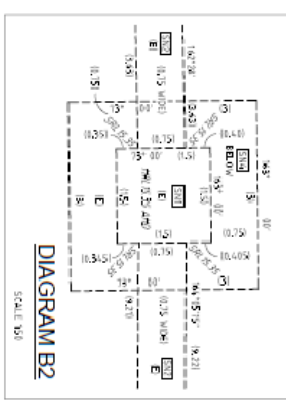
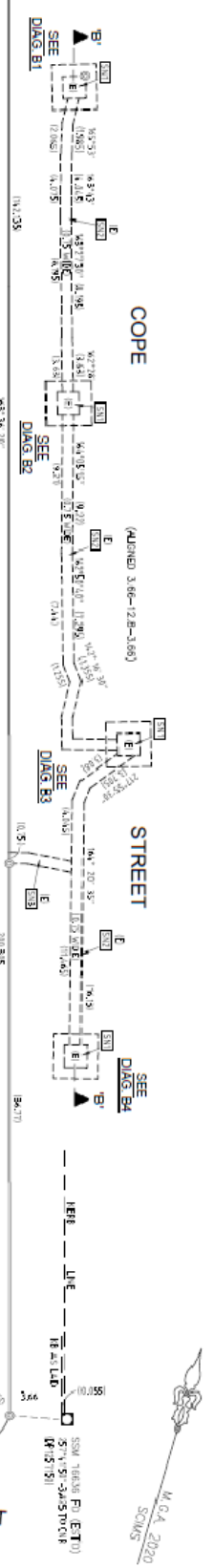
REMARKS:
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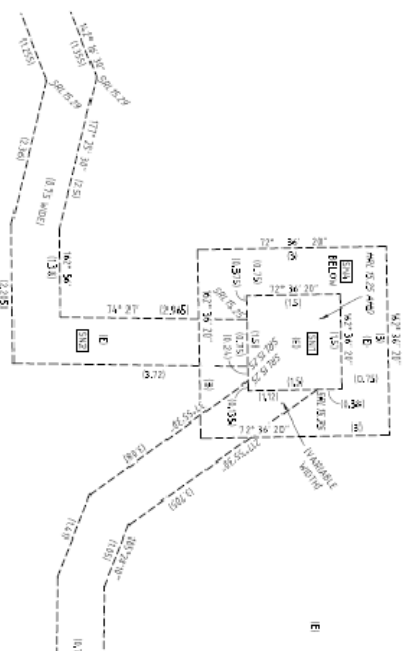
IT IS INTENDED TO ACQUIRE THE EASEMENT FOR ELECTRICAL EARTHING SYSTEM 0.75, 1.5 & 3 WIDE AND VARIABLE WIDTH (LIMITED IN STRATHUM) FOR RAILWAY PURPOSES

SUBMITTER Name: DAVID WALLACE FAIRLIE Date: 18/11/2022 Reference: PPT142446-18DP1	PLAN OF ACQUISITION FOR EASEMENT PURPOSES AFFECTING PART OF COPE STREET	L.G.A.: STODLEY Locality: WATERLOO Reduction Ratio: 1:200 Lengths: are in metres	REGISTERED	PPN DP1288575
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ADJOINS SHEET 2



SEE SHEET 4 FOR SECTION B-B



IT IS INTENDED TO ACQUIRE THE EASEMENT FOR ELECTRICAL EARTHING SYSTEM 0.25 1.5 x 3 WIDE AND VARIABLE WIDTH (LIMITED IN STRAIGHT) FOR RAILWAY PURPOSES

STANDARD NOTE:

THE PROPOSED EASEMENT FOR ELECTRICAL EARTHING SYSTEM (REGENERATED SOW 15.15 WIDE LIMITED IN DEPTH TO THE HORIZONTAL PLANE AT FULL DEPTH) OF 0.25 1.5 x 3 WIDE @ 0 VARIABLE WIDTH UNDERON STRAIGHT IS LIMITED IN DEPTH TO 5m BELOW THE UPPER UNIT.

THE PROPOSED EASEMENT FOR ELECTRICAL EARTHING SYSTEM (REGENERATED SOW 15.15 WIDE @ 0 VARIABLE WIDTH UNDERON STRAIGHT) IS LIMITED IN DEPTH TO 5m BELOW THE UPPER UNIT.

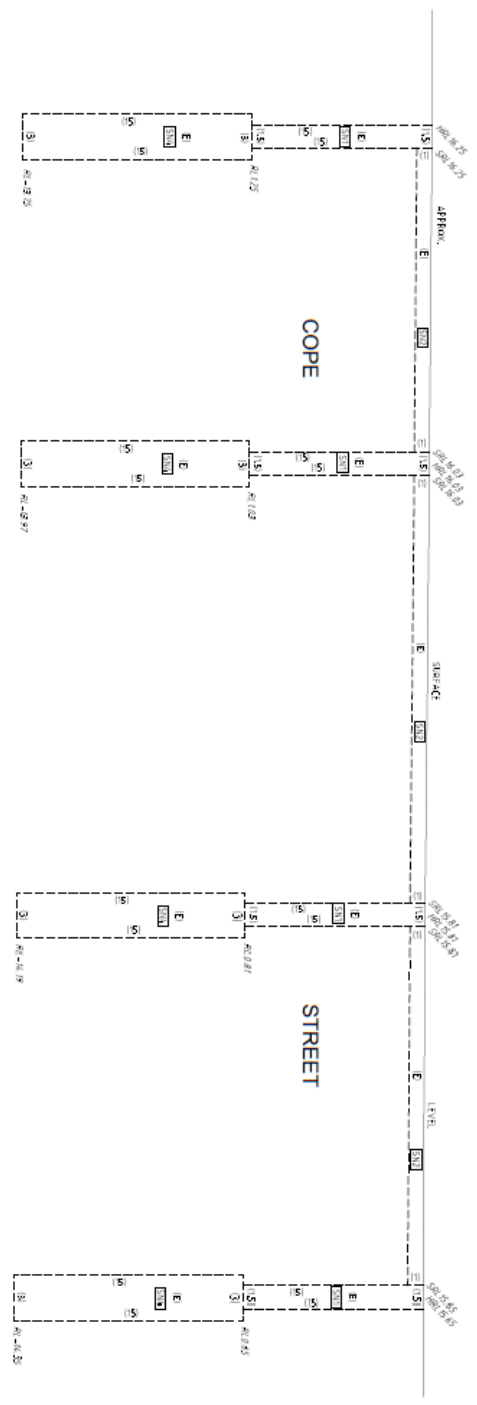
THE PROPOSED EASEMENT FOR ELECTRICAL EARTHING SYSTEM (REGENERATED SOW 15.15 WIDE @ 0 VARIABLE WIDTH UNDERON STRAIGHT) IS LIMITED IN DEPTH TO 5m BELOW THE UPPER UNIT.

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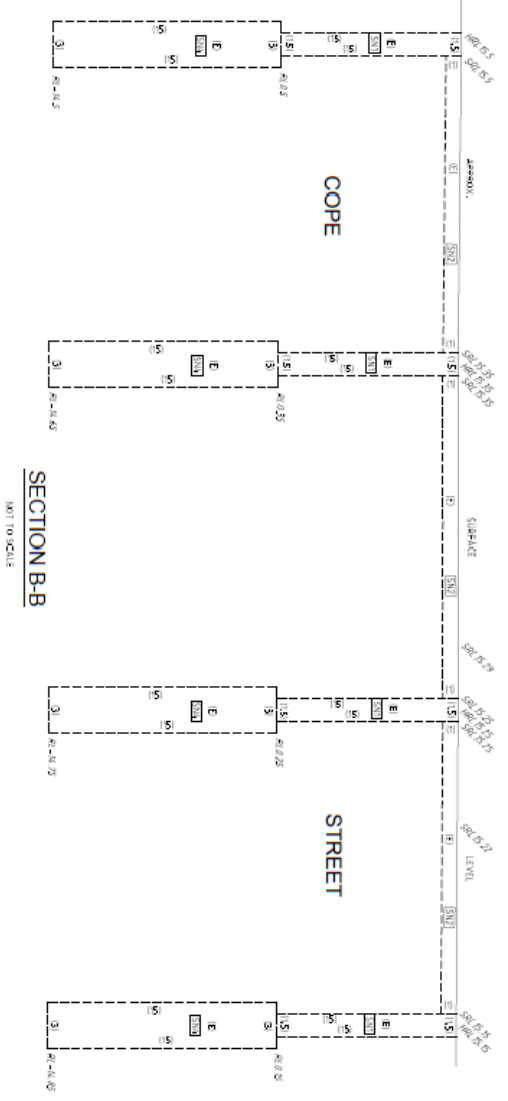
DIAGRAM B3



<p>QUANTITY: DAVID WALLACE PARTNERS NAME: 18/11/2022 DATE: 18/11/2022 REFERENCE: PPN-1288575-118-DP1</p>	<p>PLAN OF ACQUISITION FOR EASEMENT PURPOSES AFFECTING PART OF COPE STREET</p>	<p>L.G.A.: STONEY LOCATION: WATERLOO PRODUCTION DATE: 1/200 LENGTHS ARE IN METRES</p>	<p>REGISTRATION</p>	<p>PPN DP-1288575</p>
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SECTION AA
NOT TO SCALE



SECTION B-B
NOT TO SCALE

E PROPOSED ELECTRICAL EARTHING SYSTEM (1.5, 1.5 & 3 WIDE AND VARIABLE WIDTH LIMITED IN STRATUM)

STRAITUM NOTE
THE PROPOSED ELECTRICAL EARTHING SYSTEM (1.5, 1.5 & 3 WIDE AND VARIABLE WIDTH LIMITED IN STRATUM) IS LIMITED TO THE HEIGHT TO THE MECHANICAL FLOOR AT THE MECHANICAL FLOOR LEVEL IN THE UPPER UNIT.
THE PROPOSED ELECTRICAL EARTHING SYSTEM (1.5, 1.5 & 3 WIDE AND VARIABLE WIDTH LIMITED IN STRATUM) IS LIMITED TO THE HEIGHT TO THE MECHANICAL FLOOR AT THE MECHANICAL FLOOR LEVEL IN THE UPPER UNIT.
THE PROPOSED ELECTRICAL EARTHING SYSTEM (1.5, 1.5 & 3 WIDE AND VARIABLE WIDTH LIMITED IN STRATUM) IS LIMITED TO THE HEIGHT TO THE MECHANICAL FLOOR AT THE MECHANICAL FLOOR LEVEL IN THE UPPER UNIT.

IT IS INTENDED TO ACQUIRE THE EASEMENT FOR ELECTRICAL EARTHING SYSTEM 0.75, 1.5 & 3 WIDE AND VARIABLE WIDTH (LIMITED IN STRATUM) FOR RAILWAY PURPOSES

SURVEYOR Name: DAVID WALLACE FAIRLIE Date: 18.11.2022 Reference: PR14246-419-OP1	PLAN OF ACQUISITION FOR EASEMENT PURPOSES AFFECTING PART OF COPE STREET	L.G.A. Name: SYDNEY WATERLOO Reference: PR14246-419-OP1 Lengths are in metres	REGISTERED Reference: PPN DP1288575
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(Sydney Metro Document Number: SM-22-001750)

ESSENTIAL ENERGY

ELECTRICITY SUPPLY ACT 1995 (NSW)

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991 (NSW)

NOTICE OF COMPULSORY ACQUISITION OF EASEMENTS FOR ELECTRICITY PURPOSES OVER LOT 7017 DP 1031321 AT HARDEN RACECOURSE, BURLEY GRIFFIN WAY, HARDEN

Essential Energy declares, with the approval of Her Excellency the Governor, with the advice of the Executive Council, that the Interests in Land described in Schedule 1 of this notice, the terms of which are described in Schedule 2 of this notice, are compulsorily acquired in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991 (NSW)*, for the purposes of the *Electricity Supply Act 1995 (NSW)*.

Dated at Port Macquarie day of 2023

Martin English
Head of Legal
Essential Energy
PO Box 5730
PORT MACQUARIE NSW 2444

SCHEDULE 1

No	Interests in Land	Locality	LGA	Parish	County
1	Easement for overhead powerlines 20 wide over Lot 7017 DP1031321 shown as " <i>(A) proposed easement for overhead powerlines 20 wide (8736m²)</i> " in DP1265007	HARDEN	HILLTOPS	MURRIMBOOLA	HARDEN
2	Easement for underground powerlines 2 wide over Lot 7017 DP1031321 shown as " <i>(B) proposed easement for underground powerlines 2 wide (198.4m²)</i> " in DP1265007	HARDEN	HILLTOPS	MURRIMBOOLA	HARDEN

SCHEDULE 2

The easement described in Schedule 1, No. 1 is on the terms set out in Part A of Memorandum AG189384.

The easement described in Schedule 1, No. 2 is on the terms set out in Part B of Memorandum AG189384.

The acquisition of the easements is a future act to which section 24MD(3) of the *Native Title Act 1993* (Cth) applies. In so far as any Native Title rights and interests may exist over the Crown Land affected by the easements, the "non-extinguishment principle" applies.

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 scaffolding 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 1230458, shown marked:

- (a) "(C)" on DP1287470; and
- (b) "(D)" on DP1287474,

but excluding from the acquisition:

- (a) Easement for scaffolding affecting part of Lot 2 in Deposited Plan 1230458, pursuant to Government Gazette Number 567 dated 5 November 2021 Reference Number n2021-2363.

SCHEDULE 2

1. EASEMENT FOR SCAFFOLDING

1.1 Easement summary

This Easement provides the Authority Benefited with a right to install and use scaffolding in each Easement Site at all times from the Commencement Date until the expiry of the Easement pursuant to clause 1.3(b).

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 and to encroach on each Easement Site at all times with or without Equipment for the Permitted Purpose from the Commencement Date until expiry of this Easement under clause 1.3; and
 - (ii) do anything reasonably necessary for that purpose including:
 - (A) entering the relevant Easement Site; and
 - (B) taking anything on to the relevant Easement Site.
- (b) In exercising its rights under this Easement, the Authority Benefited must:
 - (i) prior to installing Scaffolding in an Easement Site, provide the Owner of the Lot Burdened with details of the extent of the Scaffolding, including access paths through and around the Scaffolding where there may be an impact on access to the Lot Burdened;
 - (ii) ensure that the Scaffolding installed in the Easement Site is maintained in good repair and in a safe condition;
 - (iii) maintain adequate safety arrangements in respect of the Easement Site to:
 - (A) mitigate risk of harm to members of the public caused by the activities of the Authority Benefited; and
 - (B) maintain adequate safety arrangements in respect of the Scaffolding to secure any relevant building from being accessed from any part of the Scaffolding;
 - (iv) make good any damage to the Easement Site, Lot Burdened and Building to the extent caused by the Authority Benefited;
 - (v) 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;
 - (vi) 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
 - (vii) comply with all relevant laws relating to the exercise of those rights.
- (c) Any Existing Building Structures and services on or in the Easement Site must not be removed or damaged by the Authority Benefited or its Authorised Users and must be

protected by the Authority Benefited and its Authorised Users from damage caused by the exercise of any rights pursuant to the Easement.

1.3 **Expiry of the Easement**

- (a) As soon as practicable after the date on which the Authority Benefited no longer requires the rights under this Easement in respect of an Easement Site, the Authority Benefited must:
 - (i) remove the Scaffolding from that Easement Site; and
 - (ii) notify the Owner of the Lot Burdened in writing.
- (b) This Easement will expire on the earlier to occur of:
 - (i) the relevant Expiry Date in respect of that Easement Site; and
 - (ii) the date on which the Authority Benefited gives the Owner of the Lot Burdened notice under paragraph (a)(ii) in respect of that Easement Site.
- (c) The Owner of the Lot Burdened may at any time after the expiry of the Easement pursuant to paragraph (b) do anything in that Easement Site without the consent of the Authority Benefited, as if the relevant Easement is no longer required by the Authority Benefited.
- (d) The Owner of the Lot Burdened and the Authority Benefited must as soon as practicable after all of the Easements have expired under paragraph (b) 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.

1.4 **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.

Commencement Date means 5 May 2023.

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

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

Easement Site means each of the easement sites described in Schedule 1 of the Acquisition Notice, being those parts of the Lot Burdened shown marked:

- (a) "(C)" on DP1287470; and
- (b) "(D)" on DP1287474.

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

Existing Building Structures means any improvements located within the Easement Site at the commencement of the Easement.

Expiry Date means 5 August 2023.

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

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, maintaining, replacing, dismantling and removing Scaffolding.

Scaffolding means a temporary structure (including access platforms, working platforms, catch platforms, landing platforms, chainmesh, shade cloth mesh and plywood or similar materials) incorporating elements of scaffolding systems as detailed using the principles of engineering design supported on:

- (a) the ground;
- (b) a class B hoarding structure;
- (c) a cantilevered support structure;
- (d) adjacent property roof structure(s); or
- (e) any combination of the above,

as may be applicable, and braced as required using scaffold ties, anchorages and components as determined by relevant principles of engineering design.

(Sydney Metro Document Number: SM-22-001708)

GROWTH CENTRES (DEVELOPMENT CORPORATIONS) ACT 1974

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 *Growth Centres (Development Corporations) Act 1974* and the Moree Special Activation Precinct.

The land is, on publication of this notice, vested in Regional Growth NSW Development Corporation.

Dated at Wagga Wagga on the 16th day of February 2023.



.....
James Bolton
Chief Executive
Regional Growth NSW Development Corporation

Schedule

All that piece or parcel of land situated at Moree in the Local Government Area of Moree Plains, Parish of Tycannah, County of Courallie, comprising:

Lot 7 in Deposited Plan 736826, said to be in the possession of Jarrad Kevin Hayes and Ella Louise Dudley (registered proprietors) and Beyond Bank Australia Limited (Mortgagee)

GROWTH CENTRES (DEVELOPMENT CORPORATIONS) ACT 1974

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 *Growth Centres (Development Corporations) Act 1974* and the Moree Special Activation Precinct.

The land is, on publication of this notice, vested in Regional Growth NSW Development Corporation.

Dated at Wagga Wagga NSW on the 16th day of February 2023



.....
James Bolton
Chief Executive
Regional Growth NSW Development Corporation

Schedule

All that piece or parcel of land situated at Moree in the Local Government Area of Moree Plains, Parish of Tycannah, County of Courallie, comprising:

Lot 3 in Deposited Plan 736826, said to be in the possession of John Desmond Taylor and Alexis Ann Taylor (registered proprietors), Greater Bank Limited (mortgagee) and Westpac Banking Corporation (mortgagee).