



Government Gazette

of the State of

New South Wales

Number 553—Compulsory Acquisitions

Friday, 29 October 2021

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LOCAL GOVERNMENT ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

NOTICE OF COMPULSORY ACQUISITION OF LAND

Wentworth Shire Council declares with the approval of Her Excellency the Governor that the land and interest described in Schedule 1 below, excluding the interest described in Schedule 2 below, are acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purpose of the Buronga River Boat Sewer Pump Out Station and to provide access to the Buronga River Boat Sewer Pump Out Station.

Dated at *WENTWORTH* this *21* day of *OCTOBER* 2021



General Manager

Schedule 1

Lot 200 DP1252696 being part of land comprised in 4/1032974 and part of the bed of the Murray River which adjoins part of land comprised in 4/1032974 and part of land comprised in 101/1232718

Right of carriageway 8 wide marked (H) and shown over Lot 201 DP1252696 being part of the land comprised in 4/1032974

Schedule 2

Easement for water supply 5.5 wide (DP706705) marked (G) and shown over Lot 201 DP1252696 being part of the land comprised in 4/1032974

TRANSPORT ADMINISTRATION ACT 1988

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land at Riverwood in the Georges River 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 *Transport Administration Act 1988*.

Mark Slater
Executive Director, Property Group
Commercial, Performance & Strategy
Infrastructure and Place
Transport for NSW

Schedule

All those pieces or parcels of land situated in the Georges River Council area, Parish of St George and County of Cumberland, shown as:

Lot 5 Deposited Plan 23676, being the whole of the land in Certificate of Title 5/23676 and said to be in the possession of Vineh Shailendra Charan (registered proprietor), Westpac Banking Corporation (mortgagee), and Sachendra Ram Charan and Monika Renuka Devi Charan (occupants);

Lot 6 Deposited Plan 23676, being the whole of the land in Certificate of Title 6/23676 and said to be in the possession of Zhuo Xing Zhou and Jing He (registered proprietors) and Westpac Banking Corporation (mortgagee); and

Lot 7 Deposited Plan 23676, being the whole of the land in Certificate of Title 7/23676 and said to be in the possession of Chang Sun (registered proprietor), Westpac Banking Corporation (mortgagee), and Mohammed Raihan Shahriar Munshi and Sadia Afroz Zahan (tenants).

(TfNSW Papers: SF2021/059571)

ELECTRICITY SUPPLY ACT 1995

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

**NOTICE OF COMPULSORY ACQUISITION OF EASEMENTS FOR THE PURPOSES OF THE
ELECTRICITY SUPPLY ACT 1995 AS MODIFIED BY THE ELECTRICITY NETWORK ASSETS
(AUTHORISED TRANSACTIONS) ACT 2015**

Electricity Transmission Ministerial Holding Corporation declares, with the approval of Her Excellency the Governor, that the easements described in column 2 of the Table in Schedule 1 below are acquired over the land described in the corresponding row of column 1 of the Table in Schedule 1 below by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Electricity Supply Act 1995, as modified by the Electricity Network Assets (Authorised Transactions) Act 2015.

Brian Salter

Executive Manager, Legal Governance and Risk

NSW Electricity Networks Assets Pty Limited

ACN 609 169 922 on behalf of **Electricity Transmission**

Ministerial Holding Corporation pursuant to s.36 of the

Electricity Network Assets (Authorised Transactions) Act 2015.

C/o TransGrid, PO Box A1000, Sydney South 1235

SCHEDULE 1

TABLE

| Column 1 Description of Land | Column 2 Description of Easement |
|---|--|
| <p>That part of the Darling River located between and immediately east of Lot 2 DP 1189519 in the Local Government Area of Wentworth, Parish of Tugima, County of Wentworth, and west of Lot 6 DP 756969 in the Local Government Area of Wentworth, Parish of Palinyewah, and County of Wentworth. The land is in the possession of the State of New South Wales.</p> <p>TransGrid Ref - Holding #10a</p> | <p>An EASEMENT FOR TRANSMISSION LINE 80 WIDE burdening that part of the Darling River located between and immediately east of Lot 2 DP 1189519 in the Local Government Area of Wentworth, Parish of Tugima, County of Wentworth, and west of Lot 6 DP 756969 in the Local Government Area of Wentworth, Parish of Palinyewah, and County of Wentworth within the site of the PROPOSED EASEMENT FOR TRANSMISSION LINE 80 WIDE marked "A", as shown in Deposited Plan 1266212, on the terms contained in Memorandum AJ633767C registered at NSW Land Registry Services.</p> <p>The acquisition of the easement described above does not include the extinguishment of any native title rights or interests to the land burdened by the easement.</p> |
| <p>That part of the Murray River immediately south and adjacent to Lot 2 DP 530098 and Lot 2 DP 1165843 in the</p> | <p>An EASEMENT FOR TRANSMISSION LINE 50 WIDE burdening that part of the Murray River immediately south and adjacent to Lot 2 DP 530098 and Lot 2 DP 1165843 in the</p> |

| <p style="text-align: center;">Column 1 Description of Land</p> | <p style="text-align: center;">Column 2 Description of Easement</p> |
|---|---|
| <p>Local Government Area of Wentworth, Parish of Paringi and County of Wentworth. The land is in the possession of the State of New South Wales.</p> <p>TransGrid Ref - Holding #24a</p> | <p>Local Government Area of Wentworth, Parish of Paringi and County of Wentworth comprised within the site of the PROPOSED EASEMENT FOR TRANSMISSION LINE 50 WIDE marked "B", as shown in Deposited Plan 1272508, on the terms contained in Memorandum AJ633767C registered at NSW Land Registry Services.</p> <p>The acquisition of the easement described above does not include the extinguishment of any native title rights or interests to the land burdened by the easement.</p> |
| <p>All those pieces or parcels of land situated in the Local Government Area of Wentworth, Parish of Palinyewah, County of Wentworth, comprised in Lot 6 DP 756969 being part of the land contained in Certificate of Title Folio Identifier Auto Consol 1417-96, and Lot 1 DP 1173863 being the land contained in Certificate of Title Folio Identifier 1/1173863. The land is in the possession of Brownedog Racing Pty Ltd, Todd Evan Kelly, Rick Adam Kelly, John Eric Kelly, Margaret Kelly, Lindsay Emmet Anderson and Glenys Joyce Anderson.</p> <p>TransGrid Ref - Holding #11 & #11a</p> | <p>An EASEMENT FOR TRANSMISSION LINE 80 WIDE burdening that part of Lot 6 DP 756969 being part of the land contained in Certificate of Title Folio Identifier Auto Consol 1417-96, and Lot 1 DP 1173863 being the land contained in Certificate of Title Folio Identifier 1/1173863 comprised within the site of the PROPOSED EASEMENT FOR TRANSMISSION LINE 80 WIDE marked "A", as shown in Deposited Plans 1266211 and 1266212, on the terms as described in Memorandum of Energy Transmission Easement - Horticulture and Viticulture Activities (Version A) in Schedule 2 below.</p> |
| <p>All those pieces or parcels of land situated in the Local Government Area of Wentworth, Parishes of Cliffs and Gol Gol, County of Wentworth, State of New South Wales comprised in Lot 2 DP 1182353 being the land contained in Certificate of Title Folio Identifier 2/1182353. The land is in the possession of Boundary Bend Assets Pty Ltd.</p> <p>TransGrid Ref - Holding #14</p> | <p>An EASEMENT FOR TRANSMISSION LINE 50 WIDE burdening that part of Lot 2 DP 1182353 being the land contained in Certificate of Title Folio Identifier 2/1182353 comprised within the site of the PROPOSED EASEMENT FOR TRANSMISSION LINE 50 WIDE marked "E", as shown in Deposited Plan 1272499, on the terms as described in Memorandum of Energy Transmission Easement - Horticulture and Viticulture Activities (Version B) in Schedule 3 below.</p> <p>An EASEMENT FOR TRANSMISSION LINE 80 WIDE burdening that part of Lot 2 DP 1182353 being the land contained in Certificate of Title Folio Identifier 2/1182353 comprised within the site of the PROPOSED EASEMENT FOR TRANSMISSION LINE 80 WIDE marked "D", as shown in Deposited Plan 1272499, on the terms as described in Memorandum of Energy Transmission Easement - Horticulture and Viticulture Activities (Version B) in Schedule 3 below.</p> |
| <p>All those pieces or parcels of land situated in the Local Government Area of Wentworth, Parishes of Cliffs and Gol Gol, County of Wentworth, State of New</p> | <p>An EASEMENT FOR TRANSMISSION LINE 50 WIDE burdening that part of Lot 2 DP 1233260 being the land contained in Certificate of Title Folio Identifier 2/1233260 comprised within the site of the PROPOSED EASEMENT FOR</p> |

| <p style="text-align: center;">Column 1 Description of Land</p> | <p style="text-align: center;">Column 2 Description of Easement</p> |
|--|--|
| <p>South Wales comprised in Lot 2 DP 1233260, being the land contained in Certificate of Title Folio Identifier 2/1233260. The land is in the possession of Desmond George Lush, Joyce Olive Lush and Grand Junction Pty Ltd.</p> <p>TransGrid Ref - Holding #15</p> | <p>TRANSMISSION LINE 50 WIDE marked "D", as shown in Deposited Plan 1272500, on the terms contained in Memorandum AJ633767C registered at NSW Land Registry Services.</p> <p>An EASEMENT FOR TRANSMISSION LINE 80 WIDE burdening that part of Lot 2 DP 1233260 being the land contained in Certificate of Title Folio Identifier 2/1233260 comprised within the site of the PROPOSED EASEMENT FOR TRANSMISSION LINE 80 WIDE marked "C", as shown in Deposited Plan 1272500, on the terms contained in Memorandum AJ633767C registered at NSW Land Registry Services.</p> |
| <p>All those pieces or parcels of land situated in the Local Government Area of Wentworth, Parish of Cliffs, County of Wentworth, State of New South Wales comprised in Lot 5 DP 1256363 (being the land contained in Certificate of Title Folio Identifier 5/1256363) and Lot 6 DP 1256363 (being the land contained in Certificate of Title Folio Identifier 6/1256363). The land is in the possession of Qualia Wine Company Pty Ltd.</p> <p>TransGrid Ref - Holding #16a</p> | <p>An EASEMENT FOR TRANSMISSION LINE 50 WIDE burdening that part of Lot 5 DP 1256363 (being the land contained in Certificate of Title Folio Identifier 5/1256363) and Lot 6 DP 1256363 (being the land contained in Certificate of Title Folio Identifier 6/1256363) comprised within the site of the PROPOSED EASEMENT FOR TRANSMISSION LINE 50 WIDE marked "C", as shown in Deposited Plan 1272502, on the terms as described in Memorandum of Energy Transmission Easement - Horticulture and Viticulture Activities (Version B) in Schedule 3 below.</p> |
| <p>All those pieces or parcels of land situated in the Local Government Area of Wentworth, Parish of Paringi, County of Wentworth, State of New South Wales comprised in Lot 2 DP 1035269, being the land contained in Certificate of Title Folio identifier 2/1035269. The land is in the possession of Simon Vincent Ribarits and Adrian Anthony Ribarits.</p> <p>TransGrid Ref - Holding #21</p> | <p>An EASEMENT FOR TRANSMISSION LINE 50 WIDE burdening that part of Lot 2 DP 1035269, being the land contained in Certificate of Title Folio Identifier 2/1035269 comprised within the site of the PROPOSED EASEMENT FOR TRANSMISSION LINE 50 WIDE marked "C", as shown in Deposited Plan 1272505, on the terms contained in Memorandum AJ633767C registered at NSW Land Registry Services.</p> |

Schedule 2

MEMORANDUM OF ENERGY TRANSMISSION EASEMENT - HORTICULTURE AND VITICULTURE ACTIVITIES (Version A)

The Transferor grants the Transferee the easement for the transmission and acknowledges and agrees that any lessee of the Transferee's transmission system, and any nominee of such lessee (which may include a sublessee of the Transferee's transmission system from that lessee), may exercise the rights and perform the obligations of the Transferee as if the lessee or nominee were the Transferee, but only for so long as the lessee leases the Transferee's transmission system from the Transferee.

A reference in this Memorandum to 'Authorised Persons' of the Transferee means employees, agents, contractors, visitors, invitees, licensees and lessees of, and other persons claiming by, through or under, the Transferee, any lessee of the Transferee's transmission system, or any nominee of such lessee (but does not include such lessee or nominee).

- a) The Transferor grants FULL AND FREE right at all times to the Transferee and its successors, assigns and Authorised Persons, to do all things reasonably necessary or appropriate to establish, construct, maintain and operate overhead transmission lines, structures to support overhead transmission lines, telecommunications facilities attached to the structures, cables, buried earth straps and monitoring equipment and things for the transmission of electricity and telecommunications in, on or under the land burdened, including but not limited to:
- (i) the removal, re-erection, re-construction, replacement, re-installation, upgrade, alteration, repair and renewal of such structures and things; and
 - (ii) the placement and operation of vehicles, machinery, plant and equipment; and
 - (iii) the establishment, construction, maintenance, removal, re-erection, re-construction, replacement, re-installation, upgrade, alteration, repair and renewal of gates, roads (to a maximum width of 5 metres), bridges, culverts, piped crossings and the like; and
 - (iv) the removal, trimming, cutting, lopping and maintenance of trees and other vegetation, including the removal of any tree, shrub or plant greater than 4 metres in height or which inhibits the Transferee's access to such structures and things (the cost of which may be recovered from the Transferor).
- b) Subject to (c) below, the Transferor, its successors, assigns, occupiers, lessees and licensees must not do, or knowingly permit or suffer to be done, any of the following acts, things or activities without the prior written approval of the Transferee:
- (i) place, erect, construct or install any buildings, structure or thing in, on or under on the land burdened;
 - (ii) excavate the land burdened;
 - (iii) operate any plant, equipment, machinery or thing, having a height or capable of extending above a height of 4.3 metres or use any such things above a height of 4.3 metres, in, on or under the land burdened;
 - (iv) pass across or through the land burdened with any fixed-height mobile plant having a height greater than 4.6 metres;
 - (v) plant or place any trees, shrubs, vines or bushes in, on or under the land burdened;
 - (vi) place or use any flammable material, explosives, waste products or refuse in, on or under the land burdened;
 - (vii) start or allow any fires on the land burdened;

- (viii) install, use or operate above-ground or mobile irrigation systems on the land burdened or irrigation systems which direct water on the land burdened.
- c) Despite (b) above, the Transferor, its successors, assigns and occupiers may for the purpose of carrying on horticultural activities on the land burdened undertake the following acts, things or activities:
- (i) plant or place trees, vines, shrubs or bushes on the land burdened provided that:
- 1) those trees, vines, shrubs or bushes must not:
 - i. exceed the height of 4.0 metres at any time;
 - ii. be planted or placed within 30 metres of any of the Transferee's structures; and
 - 2) the Transferor must:
 - i. ensure that at all times the Transferee has uninhibited access to the Transferee's structures by way of a clear 5 metre wide track; and
 - ii. regularly maintain any trees, vines, shrubs or bushes to ensure that they do not exceed the height of 4.0 metres at any time;
- (ii) place, erect, construct or install trellising and irrigation infrastructure on the land burdened provided that:
- 1) any such trellising must:
 - i. not exceed the height of 2.5 metres measured from natural ground level;
 - ii. be non-metallic or if metallic, the Transferor must:
 1. before placing, erecting, constructing or installing the trellising on the land burdened obtain from the Transferee a safety assessment by giving to the Transferee plans and specifications of the proposed trellising and such other information as the Transferee may reasonably require to undertake the safety assessment; and
 2. comply with any conditions imposed by the Transferee under the safety assessment in connection with the placing, erecting, constructing or installing the trellising on the land burdened; and
 - iii. not be installed within 30 metres of the Transferee's structures; and
 - 2) any such irrigation infrastructure must:
 - i. be non-metallic;
 - ii. not be installed within 30 metres of the Transferee's structures;

- iii. not direct water within 4 metres of the Transferee's facilities and structures and things for the transmission of electricity including overhead conductors;
- iv. if above-ground, must not restrict the Transferee's access under c)(i)(2) or rights under a);
- v. not be a mobile irrigation system; and
- vi. if buried:
 - 1. must be able to sustain a 40 tonne weight bearing rolling load traversing or crossing such buried infrastructure;
 - 2. must not require excavation exceeding a depth of 2 metres;
 - 3. any warning/tracer tape to mark the location of the buried infrastructure must be non-metallic within the land burdened; and
 - 4. service markers are required to be placed at the entry and exit of the land burdened and at any change of direction of the buried infrastructure.

The Transferor must seek the prior written approval of the Transferee if the irrigation infrastructure does not meet the above criteria;

(iii) operate:

- (i) any plant, equipment, machinery or thing, capable of extending above a height of 4.3 metres or use above a height of 4.3 metres; or
- (ii) any fixed-height mobile plant, equipment or machinery having a height greater than 4.6 metres,

if:

- 1) such plant, equipment, machinery or thing is operated in accordance with *WorkCover NSW Work Near Overhead Power Lines Code of Practice 2006* (https://www.safework.nsw.gov.au/_data/assets/pdf_file/0020/52832/Work-near-overhead-power-lines-code-of-practice.pdf) as varied or replaced from time to time; and
- 2) before operating any such plant, equipment, machinery or thing the Transferor obtains and complies with the Transferee's safety advice.

d) In exercising rights under this easement, the Transferee and its successors and assigns must:

- (i) take such precautions to minimise disturbance to the land burdened as is reasonably practicable; and
- (ii) make good any damage to restore the land burdened as nearly as is practicable to its former condition.

Schedule 3

MEMORANDUM OF ENERGY TRANSMISSION EASEMENT - HORTICULTURE AND VITICULTURE ACTIVITIES (Version B)

The Transferor grants the Transferee the easement for the transmission and acknowledges and agrees that any lessee of the Transferee's transmission system, and any nominee of such lessee (which may include a sublessee of the Transferee's transmission system from that lessee), may exercise the rights and perform the obligations of the Transferee as if the lessee or nominee were the Transferee, but only for so long as the lessee leases the Transferee's transmission system from the Transferee.

A reference in this Memorandum to 'Authorised Persons' of the Transferee means employees, agents, contractors, visitors, invitees, licensees and lessees of, and other persons claiming by, through or under, the Transferee, any lessee of the Transferee's transmission system, or any nominee of such lessee (but does not include such lessee or nominee).

- a) The Transferor grants FULL AND FREE right at all times to the Transferee and its successors, assigns and Authorised Persons, to do all things reasonably necessary or appropriate to carry out its functions under any legislation to establish, construct, maintain and operate all facilities and structures and things for the transmission of electricity and telecommunications in, on or under the land burdened, including but not limited to:
- (i) the removal, re-erection, re-construction, replacement, re-installation, upgrade, alteration, repair and renewal of such facilities, structures and things; and
 - (ii) the placement and operation of vehicles, machinery, plant and equipment; and
 - (iii) the establishment, construction, maintenance, removal, re-erection, re-construction, replacement, re-installation, upgrade, alteration, repair and renewal of gates, roads (to a maximum width of 5 metres), bridges, culverts, piped crossings and the like; and
 - (iv) the removal, trimming, cutting, lopping and maintenance of trees and other vegetation, including the removal of any tree, shrub or plant greater than 4 metres in height or which inhibits the Transferee's access to such facilities, structures and things (the cost of which may be recovered from the Transferor).
- b) Subject to (c) below, the Transferor, its successors, assigns, occupiers, lessees and licensees must not do, or knowingly permit or suffer to be done, any of the following acts, things or activities without the prior written approval of the Transferee:
- (i) place, erect, construct or install any buildings, structure or thing in, on or under on the land burdened;
 - (ii) excavate the land burdened;
 - (iii) operate any plant, equipment, machinery or thing, having a height or capable of extending above a height of 4.3 metres or use any such things above a height of 4.3 metres, in, on or under the land burdened;
 - (iv) pass across or through the land burdened with any fixed-height mobile plant having a height greater than 4.6 metres;
 - (v) plant or place any trees, shrubs, vines or bushes in, on or under the land burdened;
 - (vi) place or use any flammable material, explosives, waste products or refuse in, on or under the land burdened;
 - (vi) start or allow any fires on the land burdened;

- (viii) install, use or operate above-ground or mobile irrigation systems on the land burdened or irrigation systems which direct water on the land burdened.
- c) Despite (b) above, the Transferor, its successors, assigns and occupiers may for the purpose of carrying on horticultural activities on the land burdened undertake the following acts, things or activities:
- (i) plant or place trees, vines, shrubs or bushes on the land burdened provided that:
- 1) those trees, vines, shrubs or bushes must not:
 - i. exceed the height of 4.0 metres at any time;
 - ii. be planted or placed within 30 metres of any of the Transferee's structures; and
 - 2) the Transferor must:
 - i. ensure that at all times the Transferee has uninhibited access to the Transferee's structures by way of a clear 5 metre wide track; and
 - ii. regularly maintain any trees, vines, shrubs or bushes to ensure that they do not exceed the height of 4.0 metres at any time;
- (ii) place, erect, construct or install trellising and irrigation infrastructure on the land burdened provided that:
- 1) any such trellising must:
 - i. not exceed the height of 2.5 metres measured from natural ground level;
 - ii. be non-metallic or if metallic, the Transferor must:
 1. before placing, erecting, constructing or installing the trellising on the land burdened obtain from the Transferee a safety assessment by giving to the Transferee plans and specifications of the proposed trellising and such other information as the Transferee may reasonably require to undertake the safety assessment; and
 2. comply with any conditions imposed by the Transferee under the safety assessment in connection with the placing, erecting, constructing or installing the trellising on the land burdened;
 - iii. not be installed within 30 metres of the Transferee's structures; and
 - 2) any such irrigation infrastructure must:
 - i. be non-metallic;
 - ii. not be installed within 30 metres of the Transferee's structures;

- iii. not direct water within 4 metres of the Transferee's facilities and structures and things for the transmission of electricity including overhead conductors;
- iv. not be above-ground or mobile irrigation systems; and
- v. if buried:
 - 1. must be able to sustain a 40 tonne weight bearing rolling load traversing or crossing such buried infrastructure;
 - 2. must not require excavation exceeding a depth of 2 metres;
 - 3. any warning/tracer tape to mark the location of the buried infrastructure must be non-metallic within the land burdened;
 - 4. service markers are required to be placed at the entry and exit of the land burdened and at any change of direction of the buried infrastructure; and

(iii) operate:

- (i) any plant, equipment, machinery or thing, capable of extending above a height of 4.3 metres or use above a height of 4.3 metres; or
 - (ii) any fixed-height mobile plant, equipment or machinery having a height greater than 4.6 metres,
- if:
- 1) such plant, equipment, machinery or thing is operated in accordance with *WorkCover NSW Work Near Overhead Power Lines Code of Practice 2006* (https://www.safework.nsw.gov.au/_data/assets/pdf_file/0020/52832/Work-near-overhead-power-lines-code-of-practice.pdf) as varied or replaced from time to time; and
 - 2) before operating any such plant, equipment, machinery or thing the Transferor obtains and complies with the Transferee's safety advice.

d) In exercising rights under this easement, the Transferee and its successors and assigns will take such precautions to minimise disturbance to the land burdened as is reasonably practicable.