



# *Government Gazette*

of the State of

New South Wales

**Number 589—Compulsory Acquisitions**

**Friday, 23 December 2022**

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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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**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 Strathfield, in the Local Government Area of Canada Bay, Parish of Concord and County of Cumberland, being that part of Certificate of Title Volume 2313 Folio 161, shown marked "(RA)" on the Plan of Acquisition, 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) the right to have the Rock Anchors remain on the Easement Site at all times.

#### **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) have the Rock Anchors remain on the Easement Site.
- (b) In exercising its rights under this Easement, the Authority Benefited must:
  - (i) make good any damage to the Easement Site, Lot Burdened and 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.

#### **1.3 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 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 the easement site described in Schedule 1 of the Acquisition Notice.

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

**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.

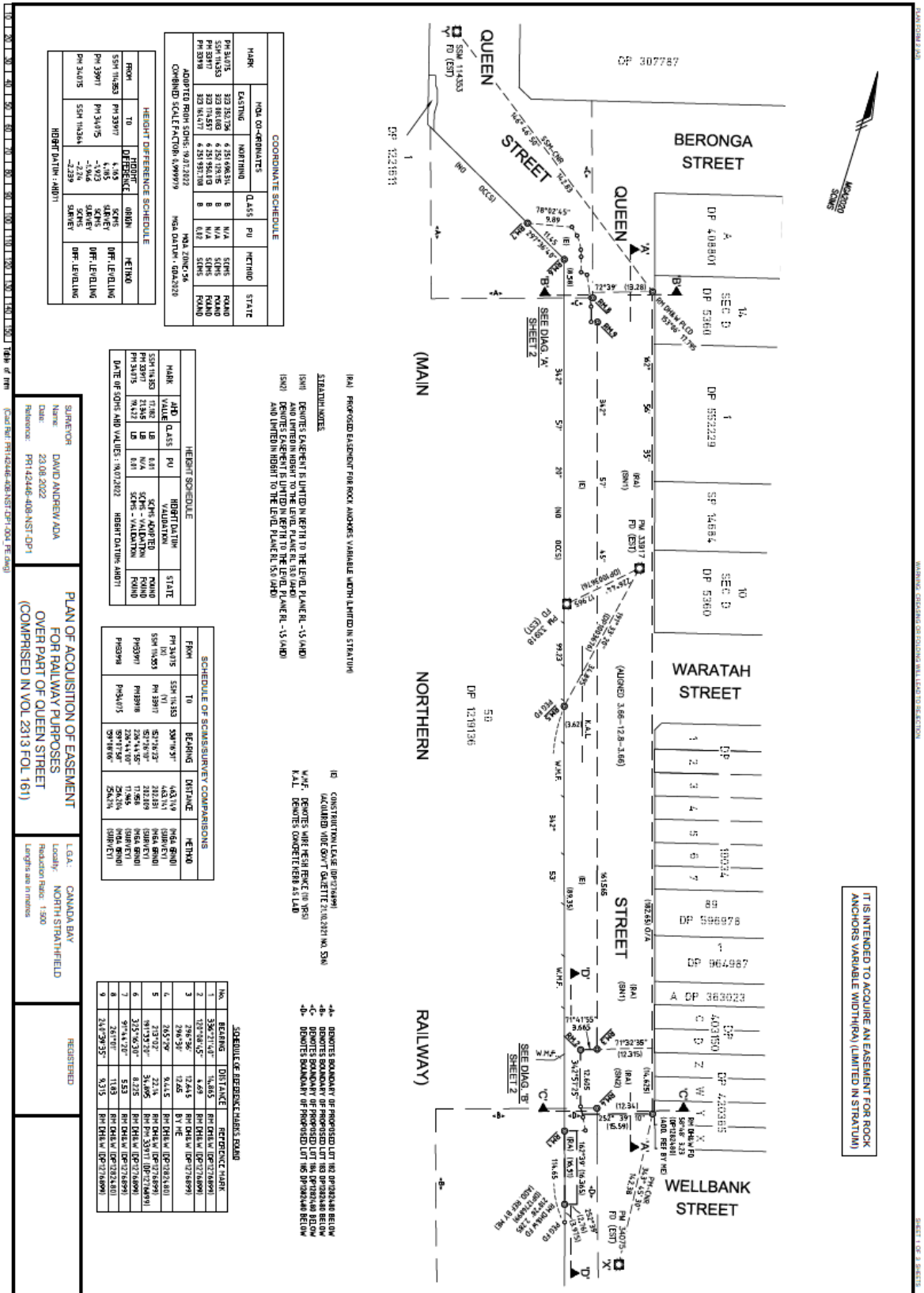
**Owners Corporation** means an owners corporation constituted under the *Strata Schemes Management Act 2015* (NSW) or community association constituted under the *Community Land Development Act 1989* (NSW) and any similar body corporate serving the same functions and purposes as an owners corporation or a community association.

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

**Rock Anchors** means ground anchors, rock anchors, rock bolts, rock pinning, soil nails, rock dowels and other structures or equipment for the purpose of temporarily supporting or

temporarily protecting the works on land owned by the Authority Benefited or temporarily underpinning and supporting improvements erected on the Lot Burdened.

SCHEDULE 3



IT IS INTENDED TO ACQUIRE AN EASEMENT FOR ROCK ANCHORS (VALUABLE WIDTH) (LIMITED IN STATION)

COORDINATE SCHEDULE

MARK	NGA CO-ORDINATES	CLASS	PU	HEIGHT	STATE
PM 34103	323 34374	B	N/A	SCMS	ROAD
SM 11433	6 351 0851	B	N/A	SCMS	ROAD
PM 33917	323 11451	B	N/A	SCMS	ROAD
PM 33918	323 11451	B	N/A	SCMS	ROAD
PM 33919	323 11451	B	N/A	SCMS	ROAD

ADMITTED FROM SCMS: 0/21/2022  
 NGA DATUM: OMA2020  
 COMBINED SCALE FACTOR: 0.999979

ROOM	TO	HEIGHT	DIFFERENCE	METHOD
PM 34103	PM 33917	4.105	SCMS	DIFF. LEVELLING
PM 33917	PM 34105	-1.012	SCMS	DIFF. LEVELLING
PM 34105	SM 11434	-2.216	SCMS	DIFF. LEVELLING
PM 34105	SM 11434	-2.289	SCMS	DIFF. LEVELLING

HEIGHT DATUM: AHD11

HEIGHT SCHEDULE

MARK	HT	CLASS	PU	HEIGHT DATUM	STATE
SM 11433	11.815	N/A	N/A	SCMS - VALDATION	ROAD
PM 33917	11.815	N/A	N/A	SCMS - VALDATION	ROAD
PM 34103	14.122	N/A	N/A	SCMS - VALDATION	ROAD

DATE OF SCMS AND VALUES: 14/01/2022 HEIGHT DATUM: AHD11

SCHEDULE OF SCMS SURVEY COMPARISONS

FROM	TO	BEARING	DISTANCE	METHOD
PM 34103	SM 11433	329°16'31"	423.114	IND. (RND)
PM 33917	SM 11433	52°14'23"	202.810	IND. (RND)
PM 33917	PM 33918	52°14'23"	202.810	IND. (RND)
PM 33917	PM 34105	209°17'34"	254.714	IND. (RND)

SCHEDULE OF EASEMENT MARKS

NO.	BEARING	DISTANCE	REFERENCE MARK
1	336°21'14"	1.405	PM 34103 (DP 2718491)
2	103°04'05"	1.405	PM 34103 (DP 2718491)
3	298°30'	17.65	BY THE (DP 2718491)
4	245°29'	64.5	PM 34103 (DP 2718491)
5	213°02'	22.1	PM 34103 (DP 2718491)
6	191°35'23"	34.095	PM 33917 (DP 2718491)
7	315°36'30"	8.225	PM 34103 (DP 2718491)
8	97°14'21"	53.3	PM 34103 (DP 2718491)
9	241°29'25"	13.3	PM 34103 (DP 2718491)

(M) PROPOSED EASEMENT FOR ROCK ANCHORS VARIABLE WIDTH LIMITED IN STATION

STANDARD NOTES:  
 (M) DENOTES EASEMENT IS LIMITED IN HEIGHT TO THE LEVEL PLANE RL -15 (MND) AND LIMITED IN HEIGHT TO THE LEVEL PLANE RL 53 (MND)  
 (MND) DENOTES EASEMENT IS LIMITED IN HEIGHT TO THE LEVEL PLANE RL -15 (MND) AND LIMITED IN HEIGHT TO THE LEVEL PLANE RL 53 (MND)

(I) CONSTRUCTION LEASE (DP 2718491) (ACQUIRED) (MDE GOV'T) (SHEETS 2, 10, 20, 21) (M. SWM)

(M) DENOTES WIRE FENCE (IN 1950)  
 (M) DENOTES CONCRETE PIER (AS LAD)

4+ DENOTES BOUNDARY OF PROPOSED LOT NO 39 (P282448) BELOW  
 4- DENOTES BOUNDARY OF PROPOSED LOT NO 39 (P282448) BELOW  
 4- DENOTES BOUNDARY OF PROPOSED LOT NO 39 (P282448) BELOW

SURVEYOR  
 Name: DAVID ANDREW ADA  
 Date: 23.08.2022  
 Reference: PP142446-408-VST-CP1

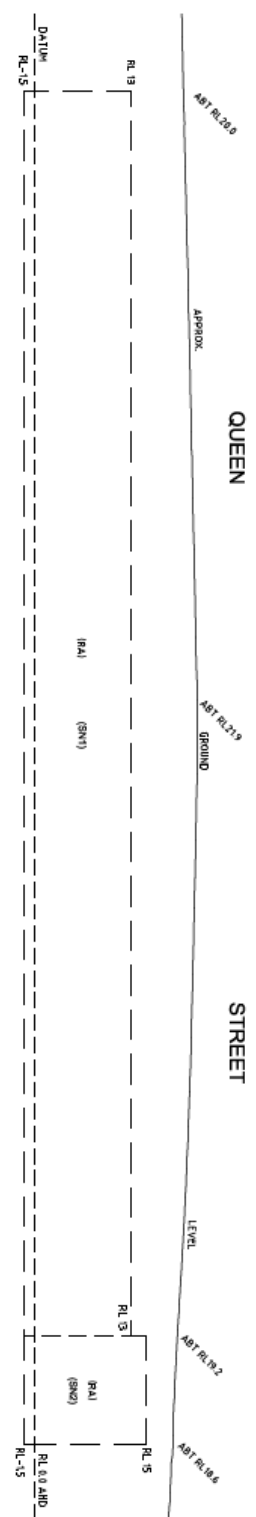
PLAN OF ACQUISITION OF EASEMENT FOR RAILWAY PURPOSES OVER PART OF QUEEN STREET (COMPISED IN VOL 2913 FOL 161)

L.G.A.: CANNADA BAY  
 Locality: NORTH STRATHFIELD  
 Production Date: 15/00  
 Lengths are in metres

REGISTERED



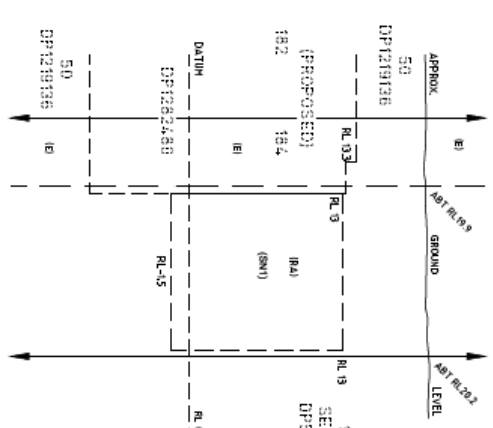
ALL LEVELS RELATE TO AUSTRALIAN HEIGHT DATUM (A.H.D.)



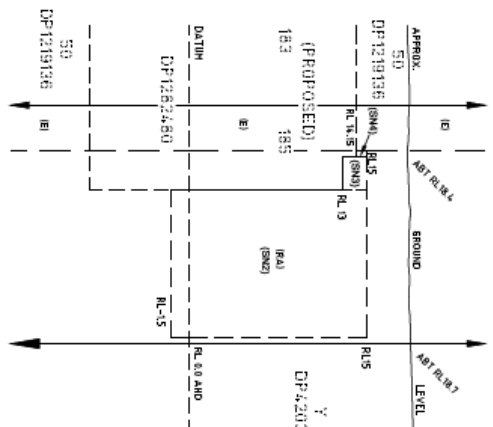
QUEEN STREET

QUEEN STREET

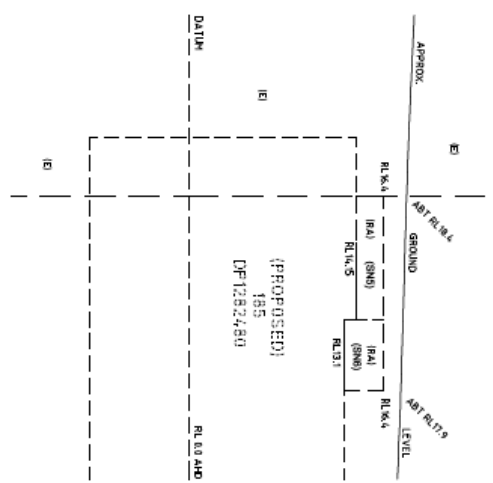
QUEEN STREET



SECTION 'B'-B'



SECTION 'C'-C'



SECTION 'D'-D'

- STRATUM NOTES**
- (SNI) ABOVE'S EASEMENT IS LIMITED IN DEPTH TO THE LEVEL R.L. AME R.L. -1.5 (MAD)
  - (SND) ABOVE'S EASEMENT IS LIMITED IN DEPTH TO THE LEVEL R.L. AME R.L. -1.5 (MAD)
  - (SNE) ABOVE'S EASEMENT IS LIMITED IN DEPTH TO THE LEVEL R.L. AME R.L. -1.5 (MAD)
  - (SNF) ABOVE'S EASEMENT IS LIMITED IN DEPTH TO THE LEVEL R.L. AME R.L. -1.5 (MAD)
  - (SNG) ABOVE'S EASEMENT IS LIMITED IN DEPTH TO THE LEVEL R.L. AME R.L. -1.5 (MAD)
  - (SNH) ABOVE'S EASEMENT IS LIMITED IN DEPTH TO THE LEVEL R.L. AME R.L. -1.5 (MAD)
  - (SNI) ABOVE'S EASEMENT IS LIMITED IN DEPTH TO THE LEVEL R.L. AME R.L. -1.5 (MAD)
  - (SNJ) ABOVE'S EASEMENT IS LIMITED IN DEPTH TO THE LEVEL R.L. AME R.L. -1.5 (MAD)
  - (SNK) ABOVE'S EASEMENT IS LIMITED IN DEPTH TO THE LEVEL R.L. AME R.L. -1.5 (MAD)
  - (SNL) ABOVE'S EASEMENT IS LIMITED IN DEPTH TO THE LEVEL R.L. AME R.L. -1.5 (MAD)
  - (SNM) ABOVE'S EASEMENT IS LIMITED IN DEPTH TO THE LEVEL R.L. AME R.L. -1.5 (MAD)
  - (SNN) ABOVE'S EASEMENT IS LIMITED IN DEPTH TO THE LEVEL R.L. AME R.L. -1.5 (MAD)
  - (SNO) ABOVE'S EASEMENT IS LIMITED IN DEPTH TO THE LEVEL R.L. AME R.L. -1.5 (MAD)
  - (SNP) ABOVE'S EASEMENT IS LIMITED IN DEPTH TO THE LEVEL R.L. AME R.L. -1.5 (MAD)
  - (SNQ) ABOVE'S EASEMENT IS LIMITED IN DEPTH TO THE LEVEL R.L. AME R.L. -1.5 (MAD)
  - (SNR) ABOVE'S EASEMENT IS LIMITED IN DEPTH TO THE LEVEL R.L. AME R.L. -1.5 (MAD)
  - (SNS) ABOVE'S EASEMENT IS LIMITED IN DEPTH TO THE LEVEL R.L. AME R.L. -1.5 (MAD)
  - (SNT) ABOVE'S EASEMENT IS LIMITED IN DEPTH TO THE LEVEL R.L. AME R.L. -1.5 (MAD)
  - (SNU) ABOVE'S EASEMENT IS LIMITED IN DEPTH TO THE LEVEL R.L. AME R.L. -1.5 (MAD)
  - (SNV) ABOVE'S EASEMENT IS LIMITED IN DEPTH TO THE LEVEL R.L. AME R.L. -1.5 (MAD)
  - (SNW) ABOVE'S EASEMENT IS LIMITED IN DEPTH TO THE LEVEL R.L. AME R.L. -1.5 (MAD)
  - (SNX) ABOVE'S EASEMENT IS LIMITED IN DEPTH TO THE LEVEL R.L. AME R.L. -1.5 (MAD)
  - (SNY) ABOVE'S EASEMENT IS LIMITED IN DEPTH TO THE LEVEL R.L. AME R.L. -1.5 (MAD)
  - (SNZ) ABOVE'S EASEMENT IS LIMITED IN DEPTH TO THE LEVEL R.L. AME R.L. -1.5 (MAD)

IB1A) PROPOSED EASEMENT FOR ROCK ANCHORS VARIABLE WIDTH LIMITED IN STRATUM  
 CONSTRUCTION PERMITS (PROPOSED)  
 ACQUIRED VON BOMPT GAZETTE 21/04/2021 NO. 534

NAME: DAVID ANDREW ADA  
 DATE: 23.08.2022  
 REFERENCE: PR1142446-008-NST-CP17

PLAN OF ACQUISITION OF EASEMENT  
 FOR RAILWAY PURPOSES  
 OVER PART OF QUEEN STREET  
 (COMPRISED IN VOL. 2313 FOL. 161)

L.G.A.: CANANDA BAY  
 LOCALITY: NORTH STRATHFIELD  
 REDUCTION FACTOR: AS SHOWN  
 LENGTHS ARE IN METRES

IT IS INTENDED TO ACQUIRE AN EASEMENT FOR ROCK ANCHORS VARIABLE WIDTH (LIMITED IN STRATUM)

SCALE 1:200

SCALE 1:200

SCALE 1:200

(Sydney Metro Document Number: SM-22-001460)