



# *Government Gazette*

of the State of

New South Wales

**Number 531–Compulsory Acquisitions**

**Friday, 17 November 2023**

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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 Schedules 1 and 2 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 Pyrmont, in the Local Government Area of Sydney, Parish of St Andrew and County of Cumberland, being that part of:

- (a) Lot 10 in Deposited Plan 1082970; and
- (b) the land held in Government Gazette 7 October 1881 Folio 5093,

shown marked "(R)" on DP1296597.

## 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 until expiry of the Easement under clause 1.3.

#### 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 Lot Burdened to gain access to the Easement Site; and
    - (B) taking anything on to the Lot Burdened; and
  - (ii) have the Rock Anchors remain on the Easement Site until expiry of the Easement under clause 1.3.
- (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 **De-stressing of Rock Anchors and 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 (and by no later than the date in paragraph 1.3(b)(i)), the Authority Benefited must:
  - (i) de-stress any stressed Rock Anchors but is not required to remove any Rock Anchors installed on the Easement Site pursuant to this Easement; and
  - (ii) notify the Owner of the Lot Burdened in writing.
- (b) This Easement will expire on the earlier to occur of:
  - (i) 31 October 2035; and

- (ii) the date on which the Authority Benefited gives the Owner of the Lot Burdened notice under paragraph (a)(ii).
- (c) If this Easement has expired under paragraph (b), the Owner of the Lot Burdened may, at its risk and cost, cut the Rock Anchors at any location within the Easement Site and otherwise deal with any part of the Rock Anchors within the Easement Site as the Owner of the Lot Burdened sees fit.

#### 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.

**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 the easement in this instrument and includes the Conditions in relation to this 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.

**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 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.

(Sydney Metro Document Number: SM-23-001130)

**TRANSPORT ADMINISTRATION ACT 1988**  
**LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991**

**Sydney Metro**

**ERRATUM**

The Notice of Compulsory Acquisition of Land published in the *New South Wales Government Gazette, Special Gazette* No 115 of 11 October 2017 ISSN 2201-7534 (as amended by Erratum published in NSW Government Gazette No 123 of 10 November 2017) contained errors. The following corrects those errors and the Gazettal date remains 11 October 2017.

**SCHEDULE 1**

The following part of Schedule 1, Folio 5855 of Government Gazette No 115 of 11 October 2017 [ISSN 2201-7534]:

“All that piece of land situated in the Local Government Area of Sydney, Parish of St James and County of Cumberland, comprising Lot 140 in PPN DP1231660 (a copy of which is attached to this notice)

Excepting from the acquisition:

- Easement for support, registered at the LPI under dealing E812900 affecting folio identifier 1/34666
- Easement for support, registered at the LPI under dealing E812899 appurtenant to folio identifier 1/34666
- Easement for support, 0.01 metres wide, affecting folio identifier 1/1111875”

Should have read:

“All that piece of land situated in the Local Government Area of Sydney, Parish of St James and County of Cumberland, comprising Lot 140 in DP1231660

Excepting from the acquisition:

- DP577984 Easement for Railway Transit created by Gazette Notification 21 Folio 592 dated 13.2.76 as shown in DP577984 affecting Crown Reserve 88065 and 5/984182”.

The following part of Schedule 1, Folio 5855 of Government Gazette No 115 of 11 October 2017 [ISSN 2201-7534]:

“All that piece of land situated in the Local Government Area of Sydney, Parish of St James and County of Cumberland, comprising Lot 141 in PPN DP1231660 (a copy of which is attached to this notice)

Excepting from the acquisition:

- Easement for support, registered at the LPI under dealing E812900 appurtenant to folio identifier 1/1182754
- Easement for support, 0.61 metres wide, registered at the LPI under dealing E812899 affecting folio identifier 1/1182754
- Easement for support, registered at the LPI under dealing E812898 appurtenant to folio identifier 1/1182754
- Easement for support, 0.61 metres wide, registered at the LPI under dealing E812897 affecting folio identifier 1/1182754
- Easement for support, registered at the LPI under dealing I385991 affecting folio identifier 1/598704
- Easement for support, 0.455 metres wide affecting folio identifier 1/598704”

Should have read:

“All that piece of land situated in the Local Government Area of Sydney, Parish of St James and County of Cumberland, comprising Lot 141 in DP1231660

Excepting from the acquisition:

- DP577984 Easement for Railway Transit created by Gazette Notification 21 Folio 592 dated 13.2.76 as shown in DP577984 affecting Crown Reserve 88065 and 5/984182”.

The following part of Schedule 1, Folio 5855 of Government Gazette No 115 of 11 October 2017 [ISSN 2201-7534]:

“All that piece of land situated in the Local Government Area of Sydney, Parish of St Lawrence and County of Cumberland, comprising Lot 153 in PPN DP1232510 (a copy of which is attached to this notice)

Excepting from the acquisition:

- Easement for support shown on deposit plan DP854342 and affecting the whole of the land in folio identifier 1/854342
- Easement for support appurtenant to folio identifier 1/854342
- Easement for support affecting folio identifier 1/854342
- Easement for support and shelter as shown on deposited plan DP1085830 affecting the whole of the land in folio identifier CP/SP85263”

Should have read:

“All that piece of land situated in the Local Government Area of Sydney, Parish of St Lawrence and County of Cumberland, comprising Lot 153 in DP1232510 (a copy of which is attached to this notice)”

The following part of Schedule 1, Folio 5856 of Government Gazette No 115 of 11 October 2017 [ISSN 2201-7534]:

“All that piece of land situated in the Local Government Area of Sydney, Parish of St Lawrence and County of Cumberland, comprising Lot 153 in PPN DP1232510 (a copy of which is attached to this notice)

Excepting from the acquisition:

- Easement for support and shelter affecting folio identifier CP/SP85263
- Easement for support appurtenant to folio identifier CP/SP85263
- Easement for support of encroaching wall appurtenant to folio identifier CP/SP56725
- Easement for support, 0.1 metres wide, affecting folio identifier CP/SP56725
- Easement for support appurtenant to folio identifier 1/80969
- Easement for support and shelter affecting folio identifier CP/SP92304
- Easement for support and shelter shown on deposit plan DP1208975 and affecting the whole of the land in folio identifier CP/SP92304
- Easement for support and shelter appurtenant to folio identifier CP/SP92304
- Easement for support, registered at the LPI under dealing U150199 affecting folio identifier 11/1048658
- Easement for support, 0.22 metres wide, registered at the LPI under dealing U150199 affecting folio identifier 11/1048658
- Easement for support, registered at the LPI under dealing U150198 appurtenant to folio identifier 11/1048658
- Easement for support, 0.8 metres wide, registered at the LPI under dealing U150198 appurtenant to folio identifier 11/1048658
- Easement for support, registered at the LPI under dealing U150199 appurtenant to folio identifier 1/535299
- Easement for support, 0.22 metres wide, registered at the LPI under dealing U150199 appurtenant to folio identifier 1/535299
- Easement for support, registered at the LPI under dealing U150198 affecting folio identifier 1/535299
- Easement for support, 0.8 metres wide, registered at the LPI under dealing U150198 affecting folio identifier 1/535299

Should have read:

“All that piece of land situated in the Local Government Area of Sydney, Parish of St Lawrence and County of Cumberland, comprising Lot 153 in DP1232510 (a copy of which is attached to this notice)”



## SCHEDULE 2

The following part of Schedule 2, Folio 5890 of Government Gazette No 115 of 11 October 2017 [ISSN 2201-7534]:

“Lot1 in Plan 6010 412 SS 0004 – Property: Park St, Sydney, 2000 Affected by Plan of Acquisition Lot 153 in PPN DP1232510”

Should have read:

“Government Gazette dated 7th January 1835 Folios 9 & 10 – Property: Park St, Sydney, 2000 Affected by Plan of Acquisition Lot 153 in DP1232510”.

The following part of Schedule 2, Folio 5884 of Government Gazette No 115 of 11 October 2017 [ISSN 2201-7534]:

“Lot 1 in DP345272 – Property: 2/6030 Maddox St, Alexandria NSW 2015, Affected by Plan of Acquisition Lot 201 in PPN DP1231704”

Should have read:

“Part of Reserve No. 752011 Government Gazette dated 29th June 2007 Folios 4182 & 4191, affected by Plan of Acquisition Lot 201 in DP1231704”.

The following part of Schedule 2, Folio 5885 of Government Gazette No 115 of 11 October 2017 [ISSN 2201-7534]:

“Lot 6 in DP628960 – Property: 15-51 Maddox St, Alexandria NSW 2015, Affected by Plan of Acquisition Lot 201 in PPN DP1231704”

Should have read:

“Part of Reserve No. 752011 Government Gazette dated 29th June 2007 Folios 4182 & 4191, affected by Plan of Acquisition Lot 201 in DP1231704”.

### SCHEDULE 3

Schedule 3, Folios 5907

The following part of Schedule 3, Folio 5909 of Government Gazette No 115 of 11 October 2017 [ISSN 2201-7534]:

Park St	Lot 1 in Plan 6010 412 SS 0004	Roads and Maritime Services???
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Should have read:

Park St	Government Gazette dated 7th January 1835 Folios 9 & 10	Sydney City Council
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Peter Regan  
Chief Executive  
Sydney Metro

ROADS ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

NOTICE OF COMPULSORY ACQUISITION OF LAND

Dubbo Regional Council declares with the approval of Her Excellency the Governor that the land described in Schedule 1 below, excluding the interest described in Schedule 2 below, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for road purpose.

Dated at DUBBO this 15th day of November 2023



Mr Murray Wood  
Chief Executive Officer

**Schedule 1**

Lot 2 DP1292095 being part of the land comprised in folio 2508/1093568

**Schedule 2**

DP1288166 Right of carriageway 10 metre(s) wide and variable width appurtenant to the land above described in folio 2508/1093568