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Number 39—Compulsory Acquisitions

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ROADS ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land at Heatherbrae in the Port Stephens 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*.

S A WEBB

Statutory Land Transactions Manager

Transport for NSW

Schedule

All that interest in land situated in the Port Stephens Council area, Parish of Eldon and County of Gloucester, being the interest of United Rentals Australia Pty Ltd (formerly known as Royal Wolf Trading Australia Pty Ltd) (lessee) in Lot B Deposited Plan 163470, being the whole of the land in Certificate of Title B/163470.

(TfNSW Papers: SF2022/005975)

ROADS ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land
at Rockdale and Kogarah in the Bayside 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 Bayside Council area, Parish of St George and County of Cumberland, shown as:

Lots 7 and 13 Deposited Plan 1285065, being parts of the land in Certificate of Title 11/4/1677;

Lots 8 and 14 Deposited Plan 1285065, being parts of the land in Certificate of Title 10/4/1677;

Lots 9 and 15 Deposited Plan 1285065, being parts of the land in Certificate of Title 1/118805;

Lots 10 and 16 Deposited Plan 1285065, being parts of the land in Certificate of Title 1/937259;

Lots 11 and 17 Deposited Plan 1285065, being parts of the land in Certificate of Title 1/118806;

Lots 12 and 18 Deposited Plan 1285065, being parts of the land in Certificate of Title 7/4/1677;

Lots 71 and 72 Deposited Plan 1285497, being parts of the land in Certificate of Title CP/SP87686;

Lots 73 and 74 Deposited Plan 1285498, being parts of the land in Certificate of Title 101/800929;

Lots 2 and 3 Deposited Plan 1285516, being parts of the land in Certificate of Title 64/15412;

Lots 7 and 9 Deposited Plan 1285520, being parts of the land in Certificate of Title 1/88933;

Lots 8 and 10 Deposited Plan 1285520, being parts of the land in Certificate of Title B/378693;

Lots 21 and 22 Deposited Plan 1285521, being parts of the land in Certificate of Title 67/1079811;

Lots 31 and 32 Deposited Plan 1285522, being parts of the land in Certificate of Title 1/137116;

Lots 6 and 11 Deposited Plan 1285546, being parts of the land in Certificate of Title 1/120176;

Lots 7 and 12 Deposited Plan 1285546, being parts of the land in Certificate of Title 4/121406;

Lots 8 and 13 Deposited Plan 1285546, being parts of the land in Certificate of Title 5/121406;

Lots 9 and 14 Deposited Plan 1285546, being parts of the land in Certificate of Title 6/4/1547;

Lots 10 and 15 Deposited Plan 1285546, being parts of the land in Certificate of Title 7/4/1547;

Lots 4 and 7 Deposited Plan 1285548, being parts of the land in Certificate of Title 1/795753;

Lots 5 and 8 Deposited Plan 1285548, being parts of the land in Certificate of Title 25/4/1547;

Lots 6 and 9 Deposited Plan 1285548, being parts of the land in Certificate of Title 23/4/1547;

Lots 3 and 5 Deposited Plan 1285550, being parts of the land in Certificate of Title 1/723687;
Lots 4 and 6 Deposited Plan 1285550, being parts of the land in Certificate of Title 38/1070212;
Lots 13 and 16 Deposited Plan 1285588, being parts of the land in Certificate of Title 16/2/1547;
Lots 14 and 17 Deposited Plan 1285588, being parts of the land in Certificate of Title 17/2/1547;
Lots 15 and 18 Deposited Plan 1285588, being parts of the land in Certificate of Title 18/2/1547;
Lots 25 and 29 Deposited Plan 1285873, being parts of the land in Certificate of Title 15/4/1677;
Lots 26 and 30 Deposited Plan 1285873, being parts of the land in Certificate of Title 114/1056558;
Lots 27 and 31 Deposited Plan 1285873, being parts of the land in Certificate of Title 13/963055;
Lots 28 and 32 Deposited Plan 1285873, being parts of the land in Certificate of Title 12/4/1677;
Lots 3 and 5 Deposited Plan 1285877, being parts of the land in Certificate of Title 16A/409361;
Lots 4 and 6 Deposited Plan 1285877, being parts of the land in Certificate of Title 16B/409361;
Lots 13 and 16 Deposited Plan 1286010, being parts of the land in Certificate of Title A/329459;
Lots 14 and 17 Deposited Plan 1286010, being parts of the land in Certificate of Title B/329459;
Lots 15 and 18 Deposited Plan 1286010, being parts of the land in Certificate of Title C/329459;
Lots 11 and 17 Deposited Plan 1286031, being parts of the land in Certificate of Title 19/4/1677;
Lots 12 and 18 Deposited Plan 1286031, being parts of the land in Certificate of Title 18/4/1677;
Lots 13 and 19 Deposited Plan 1286031, being parts of the land in Certificate of Title 17/4/1677;
Lots 14 and 20 Deposited Plan 1286031, being parts of the land in Certificate of Title 20/4/1677;
Lots 15 and 21 Deposited Plan 1286031, being parts of the land in Certificate of Title 21/4/1677;
Lots 16 and 22 Deposited Plan 1286031, being parts of the land in Certificate of Title 22/4/1677;
Lots 11 and 21 Deposited Plan 1286041, being parts of the land in Certificate of Title 18/C/2099;
Lots 12 and 22 Deposited Plan 1286041, being parts of the land in Certificate of Title 19/C/2099;
Lots 13 and 23 Deposited Plan 1286041, being parts of the land in Certificate of Title 20/C/2099;
Lots 14, 15, 24 and 25 Deposited Plan 1286041, being parts of the land in Certificate of Title Auto Consol 6723-225;
Lots 16 and 26 Deposited Plan 1286041, being parts of the land in Certificate of Title 23/C/2099;
Lots 17 and 27 Deposited Plan 1286041, being parts of the land in Certificate of Title 24/C/2099;
Lots 18 and 28 Deposited Plan 1286041, being parts of the land in Certificate of Title 25/C/2099;
Lots 19 and 29 Deposited Plan 1286041, being parts of the land in Certificate of Title 26/C/2099;
Lots 5 and 9 Deposited Plan 1286043, being parts of the land in Certificate of Title CP/SP132;
Lots 6 and 10 Deposited Plan 1286043, being parts of the land in Certificate of Title 1/324363;

Lots 7 and 11 Deposited Plan 1286043, being parts of the land in Certificate of Title 7/1082132;
Lots 8 and 12 Deposited Plan 1286043, being parts of the land in Certificate of Title 8/C/2099;
Lots 4 and 7 Deposited Plan 1286266, being parts of the land in Certificate of Title 11/3/1547;
Lots 5 and 8 Deposited Plan 1286266, being parts of the land in Certificate of Title 12/312580;
Lots 6 and 9 Deposited Plan 1286266, being parts of the land in Certificate of Title 13/312580;
Lots 4 and 7 Deposited Plan 1286540, being parts of the land in Certificate of Title 41/2/1547;
Lots 5 and 8 Deposited Plan 1286540, being parts of the land in Certificate of Title 40/2/1547;
Lots 6 and 9 Deposited Plan 1286540, being parts of the land in Certificate of Title 39/2/1547;
Lots 72 and 74 Deposited Plan 1286558, being parts of the land in Certificate of Title 1/508859;
Lots 73 and 75 Deposited Plan 1286558, being parts of the land in Certificate of Title 2/508859;
Lots 14 and 18 Deposited Plan 1286585, being parts of the land in Certificate of Title 52/320346;
Lots 15 and 19 Deposited Plan 1286585, being parts of the land in Certificate of Title 48/15412;
Lots 16 and 20 Deposited Plan 1286585, being parts of the land in Certificate of Title 47/15412;
Lots 17 and 21 Deposited Plan 1286585, being parts of the land in Certificate of Title 58/15412;
Lots 22 and 24 Deposited Plan 1286587, being parts of the land in Certificate of Title 11/1153864;
Lots 23 and 25 Deposited Plan 1286587, being parts of the land in Certificate of Title 10/1153864;
Lots 24 and 28 Deposited Plan 1286595, being parts of the land in Certificate of Title 17/C/2099;
Lots 25 and 29 Deposited Plan 1286595, being parts of the land in Certificate of Title 14/C/2099;
Lots 26 and 30 Deposited Plan 1286595, being parts of the land in Certificate of Title 13/C/2099;
Lots 27 and 31 Deposited Plan 1286595, being parts of the land in Certificate of Title 12/C/2099;
Lots 9 and 13 Deposited Plan 1286596, being parts of the land in Certificate of Title D/438338;
Lots 10 and 14 Deposited Plan 1286596, being parts of the land in Certificate of Title C/438338;
Lots 11 and 15 Deposited Plan 1286596, being parts of the land in Certificate of Title B/438338;
Lots 12 and 16 Deposited Plan 1286596, being parts of the land in Certificate of Title A/438338; and
Lots 6, 7, 8 and 9 Deposited Plan 1286626, being parts of the land in Certificate of Title Auto Consol 4230-243.

(TfNSW Papers: SF2022/151037; RO SF2021/083951)

ROADS ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land at Orchard Hills in the Penrith 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*.

S A WEBB
Statutory Land Transactions Manager
Transport for NSW

Schedule

All those pieces or parcels of land situated in the Penrith City Council area, Parish of Melville and County of Cumberland, shown as:

Lot 6 Deposited Plan 1280432, being part of the land in Certificate of Title 216/1013539 and said to be in the possession of MKB Contracting Pty Limited (registered proprietor) and Westpac Banking Corporation (mortgagee); and

Lot 7 Deposited Plan 1280432, being part of the land in Certificate of Title 215/1013539 and said to be in the possession of Michael D'Angola and Antonina D'Angola (registered proprietors) and Westpac Banking Corporation (mortgagee);

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

(TfNSW Papers: SF2021/221859)

ROADS ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land at Medlow Bath in the Blue Mountains 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 those pieces or parcels of land situated in the Blue Mountains City Council area, Parishes of Megalong and Blackheath and County of Cook, shown as:

Lot 178 Deposited Plan 751657, being the whole of the land in Certificate of Title 178/751657;

Lot 208 Deposited Plan 1218075, being the whole of the land in Certificate of Title 208/1218075;
and

Lot 452 Deposited Plan 751627, being the whole of the land in Certificate of Title 452/751627.

The land is said to be in the possession of The State of New South Wales.

(TfNSW Papers: SF2022/105873; RO SF2021/041318)

TRANSPORT ADMINISTRATION ACT 1988

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

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

Sydney Metro by its delegate declares, with the approval of Her Excellency the Governor, that the land described in the schedules below are 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

All the pieces of substratum land situated in the Local Government Area of Ryde, Parish of Hunters Hill and County of Cumberland, comprising of the following lot:

1. Lot 107 in DP1115606 being part of the land in Folio of the Register 397/752035

BN-SM-22-001618

TRANSPORT ADMINISTRATION ACT 1988

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land in the Local Government Areas of Cumberland City Council and City of Parramatta Council.

Sydney Metro by its delegate declares, with the approval of Her Excellency the Governor, that the land described in the schedules below are 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

All those pieces of substratum land situated in the Local Government Area of Cumberland, Parish of St John and County of Cumberland, comprising of the following lot:

1. Lot 103 in DP1287316 being part of the land in Folio of the Register 3/1002926

SCHEDULE 2

All those pieces of substratum land situated in the Local Government Area of City of Parramatta, Parish of St John and County of Cumberland, comprising of the following lots:

1. Lot 228 in DP1285285 being part of the land in folio of the Register 152/6424
2. Lot 293 in DP1287257 being part of the land in Folio of the Register 4/388895
3. Lot 292 in DP1287257 being part of the land in Folio of the Register 11/790287
4. Lot 285 in DP1287318 being part of the land in Folio of the Register 12/1154149
5. Lot 284 in DP1287318 being part of the land in Folio of the Register 11/1154149
6. Lot 283 in DP1287318 being part of the land in Folio of the Register CP/SP19118. Lot 283 in DP1287318 is excluded from the strata scheme based on strata plan 19118.
7. Lot 273 in DP1287234 being part of the land in Folio of the Register 10/734818
8. Lot 272 in DP1287234 being part of the land in Folio of the Register 1/1285490
9. Lot 245 in DP1287230 being part of the land in Folio of the Register 62/17/758829
10. Lot 265 in DP1287233 being part of the land in Folio of the Register 101/1082610
11. Lot 244 in DP1287230 being part of the land in Folio of the Register 63/17/758829
12. Lot 255 in DP1287232 being part of the land in Folio of the Register C/108376
13. Lot 243 in DP1287230 being part of the land in Folio of the Register 64/17/758829

14. Lot 264 in DP1287233 being part of the land in Folio of the Register 1/1050741
15. Lot 233 in DP1287164 being part of the land in Folio of the Register 102/1110883
16. Lot 181 in DP1287072 being part of the land in Folio of the Register 1/650150
17. Lot 153 in DP1287069 being part of the land in Folio of the Register 1/710335
18. Lot 171 in DP1287071 being part of the land in Folio of the Register 1/233150
19. Lot 155 in DP1287069 being part of the land in Folio of the Register 1/730456
20. Lot 164 in DP1287070 being part of the land in Folio of the Register 101/1052788
21. Lot 163 in DP1287070 being part of the land in Folio of the Register 100/1052788
22. Lot 165 in DP1287070 being part of the land in Folio of the Register 1/578322
23. Lot 154 in DP1287069 being part of the land in Folio of the Register 1/90177
24. Lot 215 in DP1287162 being part of the land in Folio of the Register 11/856102
25. Lot 214 in DP1287162 being part of the land in Folio of the Register 10/856102
26. Lot 134 in DP1287067 being part of the land in Folio of the Register 2/540744
27. Lot 135 in DP1287067 being part of the land in Folio of the Register 1/540744
28. Lot 133 in DP1287067 being part of the land in Folio of the Register 1/633257
29. Lot 141 in DP1287068 being part of the land in Folio of the Register CP/SP83199. Lot 141 in DP1287068 is excluded from the strata scheme based on strata plan 83199.
30. Lot 216 in DP1287162 being part of the land in Folio of the Register 12/856102
31. Lot 232 in DP1287164 being part of the land in Folio of the Register 2/1250876
32. Lot 254 in DP1287232 being part of the land in Folio of the Register 1/505486
33. Lot 263 in DP1287233 being part of the land in Folio of the Register CP/SP74416. Lot 263 in DP1287233 is excluded from the strata scheme based on strata plan 74416.
34. Lot 201 in DP1287229 being part of the land in Folio of the Register 1/1098507
35. Lot 253 in DP1287232 being part of the land in Folio of the Register CP/SP19718. Lot 253 in DP1287232 is excluded from the strata scheme based on strata plan 19718.
36. Lot 191 in DP1287158 being part of the land in Folio of the Register 192/702747
37. Lot 217 in DP1287162 being part of the land in Folio of the Register 65/17/758829
38. Lot 121 in DP1287319 being part of the land in Folio of the Register 362/752058
39. Lot 91 in DP1287315 being part of the land in Folio of the Register 1/1244328
40. Lot 104 in DP1287316 being part of the land in Folio of the Register 300/1185368
41. Lot 105 in DP1287316 being part of the land in Folio of the Register 2/615339

42. Lot 126 in DP1287315 being the parts of the land in Folio of the Register 1/874120A and Folio of the Register 1/874120B respectively.
43. Lot 92 in DP1287315 being part of the land in Folio of the Register 33/H/DP1409 (being residue land of CT 780-192)
44. Lot 111 in DP1287386 being part of the land in Folio of the Register 7054/1074335
45. Lot 287 in DP1287318, being part of Argus Lane
46. Lot 286 in DP1287318, being parts of Argus Lane and Union Street
47. Lot 274 in DP1287234, being parts of Charles Street
48. Lot 202 in DP1287229, being parts of Smith Street
49. Lot 136 in DP1287067, being part of Marsden Street
50. Lot 218 in DP1287162, being parts of Barrack Lane
51. Lot 122 in DP1287319, being parts of O'Connell Street
52. Lot 93 in DP1287315, being parts of Park Parade

SCHEDULE 3

All those pieces of Crown Land (being substratum land) situated in the Local Government Area of City of Parramatta, Parish of St John and County of Cumberland, comprising of the following lots and shown as:

1. Lot 274 in DP1287234, being part of Charles Street
2. Lot 218 in DP1287162, being part of Barrack Lane
3. Lot 172 in DP1287071, being part of Church Street
4. Lot 136 in DP1287067, being part of Marsden Street
5. Lot 202 in DP1287229, being part of Smith Street
6. Lot 122 in DP1287319, being part of O'Connell Street

BN-SM-22-001731

TRANSPORT ADMINISTRATION ACT 1988

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land in the Local Government Areas of Inner West Council and Sydney

Sydney Metro by its delegate declares, with the approval of Her Excellency the Governor, that the land described in the schedules below are 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

All those pieces of substratum land situated in the Local Government Area of Inner West Council, Parish of Petersham and County of Cumberland, comprising of the following lots:

1. Lot 12 in DP1288503 being part of the land in Folio of the Register 201/1274455
2. Lot 13 in DP1288503 being part of the land in Folio of the Register 201/1274455
3. Lot 14 in DP1288503 being part of the land in Folio of the Register 12/1170710
4. Lot 22 in DP1288505 being part of the land in Folio of the Register 1/542648
5. Lot 42 in DP1288506 being part of the land in Folio of the Register 4/1209992
6. Lot 43 in DP1288506 being part of the land in Folio of the Register 4/1209992
7. Lot 44 in DP1288506 being part of the land in Folio of the Register 34/1151746
8. Lot 23 in DP1288505 being part of the land in Folio of the Register 6/1017268
9. Lot 24 in DP1288505 being part of the land in Folio of the Register 1/776765
10. Lot 25 in DP1288505 being part of Victoria Road, Rozelle NSW 2039

SCHEDULE 2

All those pieces of substratum land situated in the Local Government Area of Sydney, Parish of St Philip and County of Cumberland, comprising of the following lots:

1. Lot 3 in DP853331, being the whole of the land in Folio of the Register 3/853331
2. Lot 30 in DP1288488 being part George Street, Sydney NSW 2000

SCHEDULE 3

All that piece of land situated in the Local Government Area of Sydney, Parish of St James and County of Cumberland, comprising Lot CP in SP65054, being the whole of land in Folio of the Register Folio Identifier CP/SP65054, which remains subject to Strata Scheme 65054.

BN-SM-22-001618

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 CP in SP50276, being the whole of land in Folio of the Register Folio Identifier CP/SP50276, **but excluding from the acquisition:**
 - (a) Dealing Y252213 - Lease to Alpha Distribution Ministerial Holding Corporation ABN 67 505 337 385 (pursuant to Dealing AK971571 - change of name affecting Lessee) in respect of substation premises No. 4612 together with Right of Way;
 - (b) Dealing AK971351 - Sublease of Lease Y252213 to Blue Asset Partner Pty Ltd ACN 615 217 493, ERIC Alpha Asset Corporation 1 Pty Ltd ACN 612 974 044, ERIC Alpha Asset Corporation 2 Pty Ltd ACN 612 975 023, ERIC Alpha Asset Corporation 3 Pty Ltd ACN 612 975 032 and ERIC Alpha Asset Corporation 4 Pty Ltd ACN 612 975 078;
 - (c) Dealing AK971352 - Sublease of Lease AK971351 to Blue Op Partner Pty Ltd ACN 615 217 500, ERIC Alpha Operator Corporation 1 Pty Ltd ACN 612 975 096, ERIC Alpha Operator Corporation 2 Pty Ltd ACN 612 975 121, ERIC Alpha Operator Corporation 3 Pty Ltd ACN 612 975 185 and ERIC Alpha Operator Corporation 4 Pty Ltd ACN 612 975 210;
 - (d) Dealing AK971502 - Mortgage of Lease AK971351 to ANZ Fiduciary Services Pty Ltd ACN 100 709 493;
 - (e) Dealing U797562 - Easement for Drainage over existing line of pipes affecting part of the land; and
 - (f) Dealing U830739 - Easement for Drainage over existing line of pipes affecting part of the land,

and remains subject to Strata Scheme 50276 (which incorporates Strata Plan 60441, Strata Plan 61007, Strata Plan 62889, Strata Plan 69300 and Strata Plan 77409).

2. All that piece of land situated in the Local Government Area of Sydney, Parish of St James and County of Cumberland, comprising Lot 2 in DP850895, being the whole of land in Folio of the Register Folio Identifier 2/850895, **but excluding from the acquisition:**
 - (a) Dealing DP1039287 – Easement for Overhang of variable width affecting part of the land.

(Sydney Metro Document Number: [BN-SM-22-001818])

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 Westmead, in the Local Government Area of Cumberland, Parish of St John and County of Cumberland, being those parts of Hawkesbury Road, Westmead NSW 2145 and Certificate of Title Volume 1626 Folio 186, shown marked 'A' on DP1290466, 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.

