



Government Gazette

of the State of

New South Wales

Number 44—Compulsory Acquisitions

Friday, 16 February 2024

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.

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 land described in Schedule 1 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

Easement for maintained assets variable width limited in stratum on the terms set out in Schedule 2, and over that part of that piece or parcel of land situated at Martin Place in the Local Government Area of the City of Sydney, Parish of St James and County of Cumberland, being that part of the land comprised in Crown Reserve R88056 shown as (E) on DP1299175 in respect of which stratum notes SN1, SN2, SN3 and SN4 apply.

SCHEDULE 2

1. EASEMENT FOR MAINTAINED ASSETS VARIABLE WIDTH LIMITED IN STRATUM

1. Easement Summary

This Easement provides the Authority Benefited with a right to install Hostile Vehicle Mitigation Measures on the Easement Site.

2. Terms of the Easement

2.1 Subject to the terms of this instrument, the Owner of the Lot Burdened grants to the Authority Benefited, full, free and unimpeded right for the Authority Benefited to:

- (a) erect and maintain, replace and upgrade any Hostile Vehicle Mitigation Measures on the Lot Burdened, but only within the Easement Site; and
- (b) do anything reasonably necessary for that purpose, including:
 - (i) entering the Easement Site using the most direct route at reasonable times and at any time in the event of an emergency and only remain on the Easement Site for as long as is reasonably necessary;
 - (ii) taking anything that is reasonably necessary on to the Easement Site; and

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- (iii) carrying out works within the Easement Site, such as constructing, placing, repairing, maintaining or removing the Hostile Vehicle Mitigation Measures and equipment.
 - (c) The Authority Benefited will provide the Owner of the Lot Burdened prior written notice before exercising its rights under clause 2.1 (b) (i)-(iii) except in the event of an emergency.
- 2.2 In exercising its rights under this Easement, the Authority Benefited must at its own cost:
- (a) ensure that all work is done properly and that the Hostile Vehicle Mitigation Measures are maintained in good repair and a safe condition;
 - (b) mitigate risk of harm to members of the public caused by the activities of the Authority Benefited;
 - (c) make good any damage to the Easement Site and Lot Burdened including infrastructure, improvements, Structures and buildings on the Lot Burdened to the extent caused by the Authority Benefited;
 - (d) carry out all activities so as to cause as little inconvenience as is reasonably practicable to the Owner of the Lot Burdened and members of the public including by ensuring that safe public access is maintained to and from and within the Lot Burdened including the Easement Site (except in circumstances where safe access is temporarily not possible) for day to day use by members of the public including for persons in wheelchairs, in prams and on mobility scooters;
 - (e) clean and maintain the pavement and maintain the street trees within the Easement Site;
 - (f) clean and maintain the Structures, and Council infrastructure within the Easement Site but only to the extent those Structures and Council infrastructure are materially of the same nature and extent as at the date of completion of works by the Authority Benefited;
 - (g) upon Permanent Removal of the Hostile Vehicle Mitigation Measures by the Authority Benefited or prior to extinguishment of this Easement (whichever comes first), the Authority Benefited will remove the structures it installed in the Easement Site and make good the pavement ensuring it matches upgrades elsewhere on the Lot Burdened;
 - (h) take all necessary steps to minimise any adverse interference caused by the Authority Benefited to the Owner of the Lot Burdened or users of the Lot Burdened including members of the public; and
 - (i) comply with all relevant laws relating to the exercise of those rights.
- 2.3 In the event that the Authority Benefited fails to comply with clause 2.2(c) to the satisfaction of the Owner of the Lot Burdened (acting reasonably):
- (a) the Owner of the Lot Burdened may notify the Authority Benefited in writing including reasonable details and reasons for the view of the Owner of the Lot Burdened; and
 - (b) the Authority Benefited must, within a reasonable period of time following receipt of the notice referred to in clause 2.3(a), conduct the relevant works or discuss with the Owner of the Lot Burdened in good faith to resolve the dispute.

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3. **Ownership of the Hostile Vehicle Mitigation Measures**

The Owner of the Lot Burdened acknowledges that the Authority Benefited retains the ownership of the Hostile Vehicle Mitigation Measures.

4. **What the Owner of the Lot Burdened must not do within the Easement Site**

The Owner of the Lot Burdened must not do or allow anything to be done to damage, interfere with or destroy the Hostile Vehicle Mitigation Measures on the Easement Site including (without limitation):

- (a) doing or allowing anything that may interfere with the effective operation of the Hostile Vehicle Mitigation Measures;
- (b) installing or permitting to be installed any Services or Structures within the Easement Site where they interfere with this Easement; or
- (c) doing or permitting to be done anything that restricts access to or use of the Easement Site by the Authority Benefited or its Authorised Users.

The Authority Benefited agrees that the Owner of the Lot Burdened may replace or upgrade the pavement and other infrastructure around the Hostile Vehicle Mitigation measures.

5. **Incorporation of definitions and interpretation clauses**

The provisions of clause 7 (General) apply to the Easement to the extent relevant.

6. **Name of the persons empowered to release, vary or modify this Easement**

The Authority Benefited

7. **General**

7.1 **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.

7.2 **Conditions**

Each of the Conditions constitutes and is a covenant and agreement 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.

7.3 **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.

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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).

Conditions means the conditions contained in each Easement, excluding the section titled "Easement summary" and including the general provisions set out in this clause 7.

Permanent Removal means the removal by the Authority Benefited with no intention to replace.

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.

Hostile Vehicle Mitigation Measures means devices designed to protect members of the public from unauthorised vehicle intrusion onto the Lot Burdened, with such devices:

- (a) including, by way of example, bollards or spheres; and
- (b) not including any barrier which prevents members of the public, whether pedestrians, persons in wheelchairs, in prams and on mobility scooters, from passing through the devices.

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

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.

Services means (without limitation) services and infrastructure for the supply of water, gas, electricity, telecommunications services, and the discharge of sewage, wastewater, stormwater with or without pipes, conduits, cables or ducts.

Structure means (without limitation) any structure, work, pole, signage, street furniture (such as public seating, telephone booths, garbage bins, or bus shelters), alteration of the surface levels, and landscaping (including the planting of trees or shrubs).

ROADS ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

NOTICE OF COMPULSORY ACQUISITION OF LAND

Goulburn Mulwaree Council declares with the approval of His Excellency the Lieutenant-Governor that the lands described in the Schedule below, are acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purpose of new bridge road approaches.

Dated at Goulburn this...14thday of...February2024

A handwritten signature in black ink, consisting of a stylized lowercase 'a' followed by a horizontal line extending to the right.

Aaron Johansson
General Manager

Schedule

Lots 1-3 DP1287305 being part of the land comprised in folios 7300/1139736 and 293/1157650

LOTS 1 & 5

LOT 293 DP 1157650

LOT 2

PART RESERVE No. 750040

GOV. GAZ. DATED 29.06.2007 FOLIO 4182

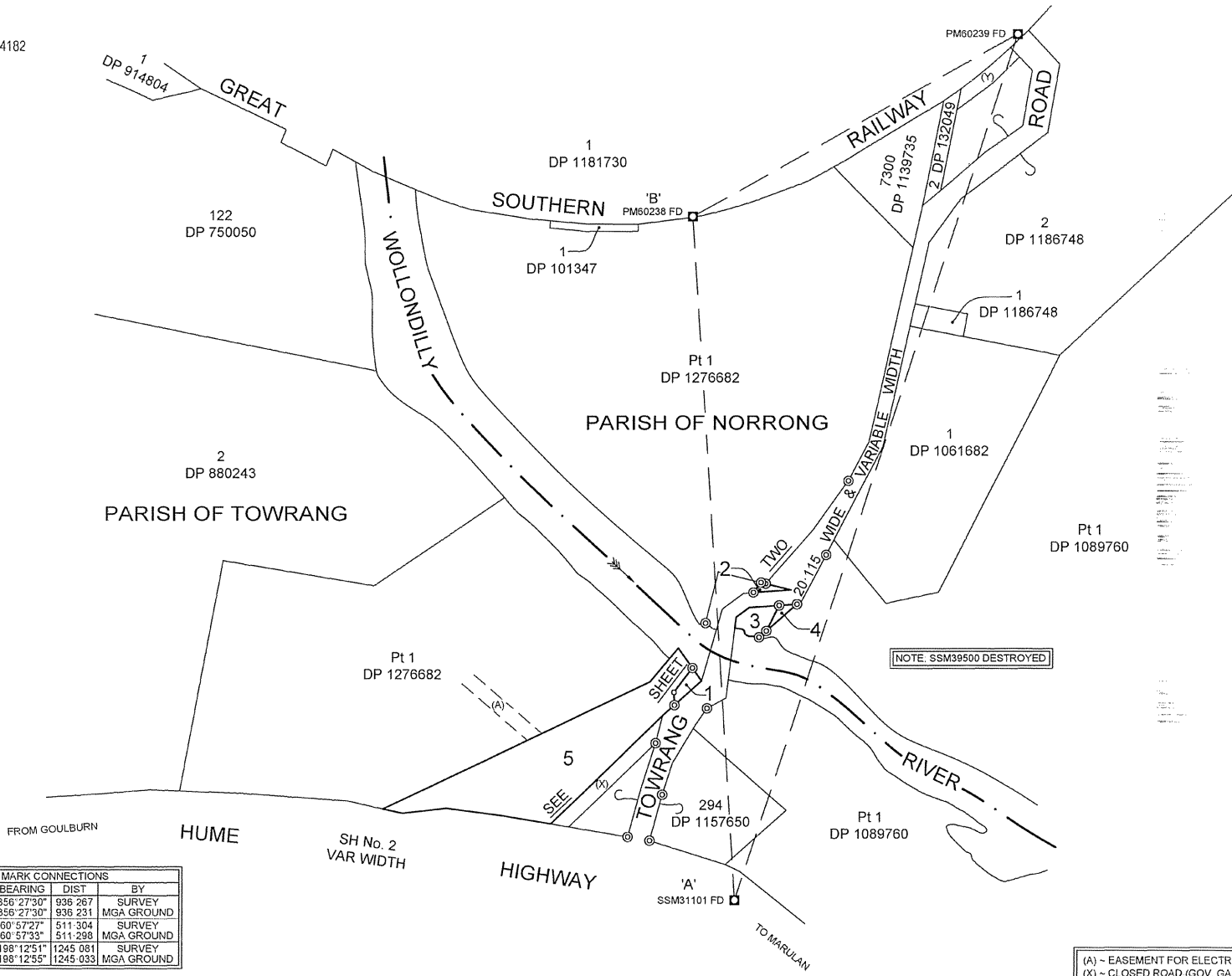
LOTS 3 & 4

LOT 7300 DP 1139736

MGA



Reg:R491758 /Doc:DP 1287305 P /Rev:20-Sep-2022 /NSW LRS /Prt:21-Sep-2022 03:30 /Seq:1 of 4
Office of the Registrar-General /Src:PORTAL /Ref:lrs:eplan-eplan FOR SURVEYORS USE ONLY



PERMANENT MARK CONNECTIONS					
FROM	TO	BEARING	DIST	BY	
SSM31101	PM60238	356°27'30"	936.267	SURVEY	
'A'	'B'	356°27'30"	936.231	MGA GROUND	
PM60238	PM60239	60°57'27"	511.304	SURVEY	
		60°57'33"	511.298	MGA GROUND	
PM60239	SSM31101	188°12'51"	1245.081	SURVEY	
		188°12'55"	1245.033	MGA GROUND	

COORDINATE SCHEDULE						
MARK	MGA COORDINATES		CLASS	PU	METHOD	STATE
	EASTING	NORTHING				
PM60238	758759.108	6153951.819	B	N/A	FROM SCIMS	FOUND
PM60239	758206.267	6154200.100	B	N/A	FROM SCIMS	FOUND
SSM31101	758816.961	6153017.074	B	0.02	FROM SCIMS	FOUND

DATE OF SCIMS COORDINATES: 05/08/2022 MGA ZONE: 55 MGA DATUM: GDA2020
COMBINED SEA LEVEL SCALE FACTOR: 1.000323

SURVEYOR
Name: Michael Joseph Kadziela
of LandTeam, Goulburn
Date: 17/08/2022
Reference: 2137348/Report/20M (Partial)
Exemption Policy 5

PLAN OF LAND TO BE ACQUIRED FOR THE PURPOSES OF THE ROADS ACT 1993

L.G.A.: GOULBURN MULWAREE
Locality: TOWRANG
Reduction Ratio: 1:4,000
Lengths are in metres

(A) - EASEMENT FOR ELECTRICITY PURPOSES 20 WIDE (DP 880243)
(X) - CLOSED ROAD (GOV. GAZ. 16 NOVEMBER 1984 FOLIO 5652)
(Y) - CLOSED ROAD (GOV. GAZ. 24 JUNE 1966 FOLIO 2542)

Registered
20.9.2022

DP1287305

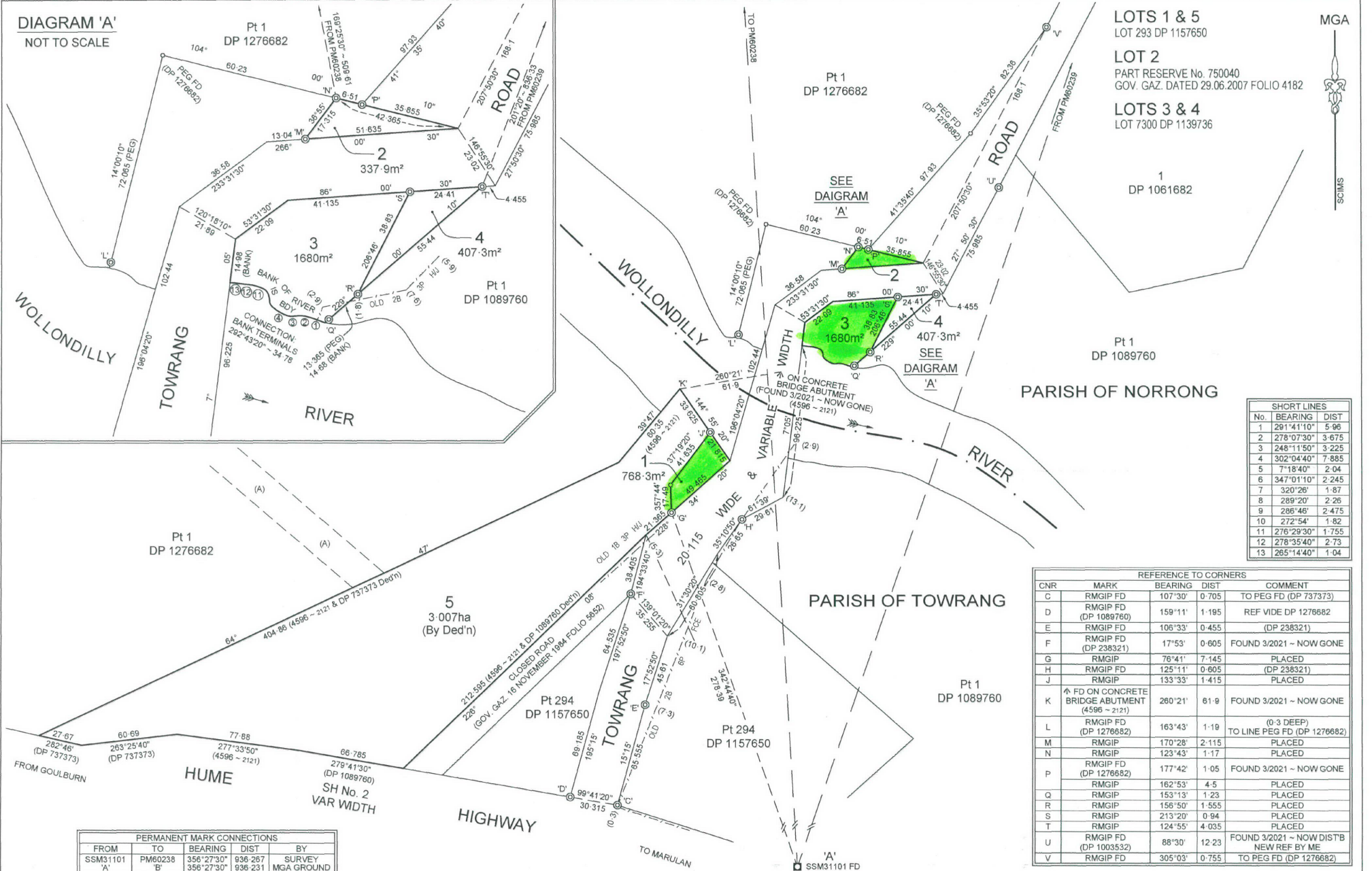


DIAGRAM 'A'
NOT TO SCALE

LOTS 1 & 5
LOT 293 DP 1157650

LOT 2
PART RESERVE No. 750040
GOV. GAZ. DATED 29.06.2007 FOLIO 4182

LOTS 3 & 4
LOT 7300 DP 1139736

1
DP 1061682

Pt 1
DP 1276682

Pt 1
DP 1089760

Pt 1
DP 1089760

SHORT LINES		
No.	BEARING	DIST
1	281°41'10"	5.96
2	278°07'30"	3.675
3	248°11'50"	3.225
4	302°04'40"	7.885
5	7°18'40"	2.04
6	347°01'10"	2.245
7	320°26'	1.87
8	289°20'	2.26
9	286°46'	2.475
10	272°54'	1.82
11	276°29'30"	1.755
12	278°35'40"	2.73
13	265°14'40"	1.04

REFERENCE TO CORNERS				
CNR	MARK	BEARING	DIST	COMMENT
C	RMGIP FD	107°30'	0.705	TO PEG FD (DP 737373)
D	RMGIP FD (DP 1089760)	159°11'	1.195	REF VIDE DP 1276682
E	RMGIP FD (DP 238321)	106°33'	0.455	(DP 238321)
F	RMGIP FD (DP 238321)	17°53'	0.605	FOUND 3/2021 - NOW GONE
G	RMGIP	76°41'	7.145	PLACED
H	RMGIP FD	125°11'	0.605	(DP 238321)
J	RMGIP	133°33'	1.415	PLACED
K	FD ON CONCRETE BRIDGE ABUTMENT (4596 - 2121)	260°21'	61.9	FOUND 3/2021 - NOW GONE
L	RMGIP FD (DP 1276682)	163°43'	1.19	(0.3 DEEP) TO LINE PEG FD (DP 1276682)
M	RMGIP	170°28'	2.115	PLACED
N	RMGIP	123°43'	1.17	PLACED
P	RMGIP FD (DP 1276682)	177°42'	1.05	FOUND 3/2021 - NOW GONE
Q	RMGIP	162°53'	4.5	PLACED
R	RMGIP	153°13'	1.23	PLACED
Q	RMGIP	158°50'	1.555	PLACED
S	RMGIP	213°20'	0.94	PLACED
T	RMGIP	124°55'	4.035	PLACED
U	RMGIP FD (DP 1003532)	88°30'	12.23	FOUND 3/2021 - NOW DIST'B NEW REF BY ME
V	RMGIP FD	305°03'	0.755	TO PEG FD (DP 1276682)

PERMANENT MARK CONNECTIONS				
FROM	TO	BEARING	DIST	BY
SSM31101	PM60238	356°27'30"	936.267	SURVEY
A'	B'	356°27'30"	936.231	MGA GROUND
PM60238	PM60239	60°57'27"	511.304	SURVEY
		60°57'33"	511.298	MGA GROUND
PM60239	SSM31101	198°12'51"	1245.081	SURVEY
		198°12'55"	1245.033	MGA GROUND

(A) ~ EASEMENT FOR ELECTRICITY PURPOSES 20 WIDE (DP 880243)

SURVEYOR
Name: Michael Joseph Kadziela
of LandTeam, Goulburn
Date: 17/08/2022
Reference: 213734B/Report/20M (Partial) Exemption Policy 5

PLAN OF LAND TO BE ACQUIRED FOR THE PURPOSES OF THE ROADS ACT 1993


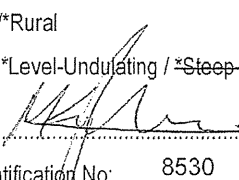
L.G.A.: GOULBURN MULWAREE
Locality: TOWRANG
Reduction Ratio: 1:1500
Lengths are in metres


Registered
20.9.2022

DP1287305

Req:R491758 /Doc:DP 1287305 P /Rev:20-Sep-2022 /NSW LRS /Prt:21-Sep-2022 03:30 /Seq:2 of 4
© Office of the Registrar-General /Src:PORTAL /Ref:lrs:plan-eplan FOR SURVEYORS USE ONLY

Version: A 30/08/2022

PLAN FORM 6 (2020)	DEPOSITED PLAN ADMINISTRATION SHEET	Sheet 1 of 2 Sheet(s)
Registered:  20.9.2022 Title System: CROWN LAND & TORRENS	Office Use Only <h1 style="margin: 0;">DP1287305</h1>	Office Use Only
PLAN OF LAND TO BE ACQUIRED FOR THE PURPOSES OF THE ROADS ACT 1993	LGA: GOULBURN MULWAREE Locality: TOWRANG Parish: NORRONG & TOWRANG County: ARGYLE	
<p style="text-align: center;">Survey Certificate</p> I, <u>Michael Joseph Kadziela</u> of <u>LandTeam, 36 Montague Street, Goulburn NSW 2580</u> Ph: (02) 4821 1033 Email: <u>goulburn@landteam.com.au</u> a surveyor registered under the <i>Surveying and Spatial Information Act 2002</i> , certify that: *(a) The land shown in the plan was surveyed in accordance with the Surveying and Spatial Information Regulation 2017 , is accurate and the survey was completed on, or *(b) The part of the land shown in the plan (*being/*excluding- ** <u>Lots 1, 2, 3, 4 and connections</u>) was surveyed in accordance with the <i>Surveying and Spatial Information Regulation 2017</i> , the part surveyed is accurate and the survey was completed on, <u>17/08/2022</u> the part not surveyed was compiled in accordance with that Regulation, or *(c) The land shown in this plan was compiled in accordance with the Surveying and Spatial Information Regulation 2017 . Datum Line: <u>'A' ~ 'B' (SSM31101 ~ PM60238)</u> Type: Urban *Rural The terrain is Level-Undulating / * Steep Mountainous . Signature:  Dated: <u>30/08/2022</u> Surveyor Identification No: <u>8530</u> Surveyor registered under the <i>Surveying and Spatial Information Act 2002</i> * Strike out inappropriate words ** Specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey.	<p style="text-align: center;">Crown Lands NSW/Western Lands Office Approval</p> I, (Authorised Officer) in approving this plan certify that all necessary approvals in regard to the allocation of the land shown herein have been given. Signature: Date: File Number: Office:	
Plans used in the preparation of survey/compilation. DP 238321 427 ~ 642 DP 737373 659 ~ 642 DP 880243 4956 ~ 2121 DP 1003532 R1293 ~ 1603 DP 1061682 DP 1089760 DP 1139736 DP 1157650 DP 1276682	<p style="text-align: center;">Subdivision Certificate</p> I, *Authorised Person/*General Manager/*Registered Certifier, certify that the provisions of s.6.15 of the <i>Environmental Planning and Assessment Act 1979</i> have been satisfied in relation to the proposed subdivision, new road or reserve set out herein. Signature: Registration Number: Consent Authority: Date of Endorsement: Subdivision Certificate Number: File Number: * Strike through if inapplicable	
Surveyor's Reference: <u>213734B/Report/20M (Partial) Exemption Policy 5</u>	Statements of intention to dedicate public roads, create public reserves and drainage reserves, acquire/resume land. LOTS 1, 2 & 3 ARE REQUIRED FOR ROAD AND WILL BE DEDICATED AS PUBLIC ROAD UNDER SECTION 10 OF THE ROADS ACT 1993	
Signatures, Seals and Section 88B Statements should appear on PLAN FORM 6A		

PLAN FORM 6A (2019) DEPOSITED PLAN ADMINISTRATION SHEET Sheet 2 of 2 Sheet(s)			
Registered:  20.9.2022	Office Use Only	Office Use Only	
PLAN OF LAND TO BE ACQUIRED FOR THE PURPOSES OF THE ROADS ACT 1993		DP1287305	
Subdivision Certificate Number: Date of Endorsement:			
		This sheet is for the provision of the following information as required: <ul style="list-style-type: none">• A schedule of lots and addresses - See 60(c) <i>SSI Regulation 2017</i>• Statements of intention to create and release affecting interests in accordance with section 88B <i>Conveyancing Act 1919</i>• Signatures and seals - see 195D <i>Conveyancing Act 1919</i>• Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.	
<div style="border: 1px solid black; padding: 10px; width: fit-content; margin: 0 auto;"><p>STREET ADDRESS SCHEDULE NOTE: STREET ADDRESSES FOR ALL LOTS ARE NOT AVAILABLE</p></div>			
If space is insufficient use additional annexure sheet			
Surveyor's Reference: 213734B/Report/20M (Partial) Exemption Policy 5			