



# *Government Gazette*

of the State of

New South Wales

**Number 319 - Compulsory Acquisitions**

**Friday, 23 August 2024**

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**WATER NSW ACT 2014**

**Land Acquisition (Just Terms Compensation) Act 1991**

**Notice of Compulsory Acquisition of Land in Wentworth Local Government Area, Parish of  
Wentworth and County of Wentworth and an Unincorporated Local Government Area,  
Parish of Enmore and County of Menindee**

WaterNSW by its delegate declares, with the approval of Her Excellency the Governor, that the land described in the schedules below is acquired by compulsory process under the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991* for the purposes of the *Water NSW Act 2014*.

Joe Pizzinga  
Executive Manager, Finance Legal & Risk  
WaterNSW

**SCHEDULE 1**

All that piece or parcel of land comprising:

- (a) Lot 6001 in DP 1258384, being part of the land in Certificate of Title 5102/720104 said to be in the possession of Thegoa Pastoral Company Pty Ltd, located in Wentworth Local Government Area, Parish of Wentworth and County of Wentworth; and
- (b) Lot 6001 in DP 1258387, being part of the land in Certificate of Title 29/760275, said to be in the possession of Malcolm Anderson, located in an Unincorporated Area, Parish of Enmore, and County of Menindee, but excluding dealing 2008720 Easement for Transmission Line.

but excluding from the acquisition of the land identified in (a) and (b), above, the residual fee simple estate vested in the Crown pursuant to the *Crown Land Management Act 2016*.

**SCHEDULE 2**

A pipeline easement on the terms set out in Schedule 3, and over part of that piece or parcel of land situated in Wentworth Local Government Area, Parish of Wentworth and County of Wentworth, being Lot 1581 in Deposited Plan 763292, shown as (F) in Deposited Plan 1256849, a copy of which is set out in Schedule 4.

## SCHEDULE 3

### 1. Defined terms

- (a) **Drainage System** means any line of pipe or drainage work or system, laid or constructed on or in the Land, for purposes of draining water and any associated substance;
- (b) **Easement** means the pipeline easement on these terms to be created by the Transfer Granting Easement Form to accommodate the construction, operation and maintenance of the Pipeline;
- (c) **Land** means the land contained in folio identifier 1581/763292;
- (d) **Pipeline** means the underground water pipeline from the River Murray to the Essential Energy Water Treatment Plant south of the City of Broken Hill; and
- (e) **Works** means any act or thing to place, construct, examine, operate, use, maintain, alter, renew, replace and remove any part of the Pipeline in or on the Land.

### 2. What the Transferee may do at below or above the Land

2.1 The Transferee may at all reasonable times (and at any time in the event of an emergency) remain there for any reasonable duration of time in order to:

- (a) enter, pass and repass over and return from the Land with or without vehicles and enter onto and remain on or in the Land for so long as may be necessary or convenient to do any Works;
- (b) bring, place and use on the Land and remove from the Land such plant, machinery, tools, implements, materials or things as may be necessary or convenient to do any Works;
- (c) excavate and make shafts and cuttings in and through the Land, and otherwise disturb the surface of the Land, as may be necessary or convenient to do any Works;
- (d) trim or remove any vegetation in the Easement that:
  - (i) could destroy, damage or interfere with the Pipeline;
  - (ii) could make the Pipeline become a potential cause of risk to public safety; or
  - (iii) could prevent reasonable access to the Easement;
- (e) convey water and any associated substance in any quantity and through the Pipeline; and
- (f) discharge or drain into, onto or over the Land or within any Drainage System water and any associated substance in any quantity from any Works arising out of:
  - (i) any damage to the Pipeline however caused; or
  - (ii) any leak from, break in or other escape from the Pipeline or any Works however caused.

2.2 In exercising its rights under this Easement, the Transferee will take all reasonable steps to minimise disturbance to the Land.

2.3 The Transferee will restore any part of the Land damaged by the Transferee when performing Works as nearly as practicable to the condition in which it was before the Works.

### 3. What the Transferor must not do at below or above the Land

3.1 The Transferor must not:

- (a) erect any building structure, roadway, pavement, pipeline cable or other improvements having any form of bituminous surface with or without a base course of ballast or rock fill or like material upon, through or under the Easement without the prior written consent of the Transferee (which shall not be unreasonably withheld);

- (b) use or allow to be used the Land for any purpose which may obstruct or prevent the Transferee from having full and free access to the Easement and/or the Pipeline;
  - (c) do or allow to be done anything which may adversely affect the support of the Land or the Pipeline;
  - (d) make or allow to be made by any means any alteration to the existing surface levels of the Land which may affect the Easement or the Pipeline;
  - (e) park or place or allow to be parked on the Easement above or near the Pipeline, any vehicle;
  - (f) plant or allow to be planted in, or on, the Easement any tree or shrub other than shrubs that may be removed and reinstated if necessary or convenient for purposes of the performance of any Works; or
  - (g) place or allow to be placed in, upon or over the Easement, on or near the Pipeline, any services including without limitation electrical, telecommunication, gas, water, wastewater and stormwater services with or without pipes, conduits, cables or ducts.
- 3.2 The Transferor may apply in writing for the written approval of the Transferee to do any one or more than one of the things specified in subclauses 3.1(e) to 3.1(g) inclusive.
- 3.3 The Transferee must consider and respond in writing to any application made under subclause 3.2 and may request further information, give an approval or refuse to give an approval or give an approval in its absolute discretion, and (without limitation) may give an approval subject to conditions.
- 3.4 If the Transferee gives an approval under subclause 3.3, the Transferor must not do anything the subject of the application made under subclause 3.2 other than strictly in accordance with the written approval and any conditions under which the approval was given.

(Water NSW Document Number: M2023/43)

**SYDNEY METRO**

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

NOTICE OF COMPULSORY ACQUISITION OF INTEREST IN LAND FOR THE  
PURPOSES OF THE TRANSPORT ADMINISTRATION ACT 1988

ERRATUM

In the notice published in NSW Government Gazette Number 175 on 17 May 2024, page number n2024-0858, the words 'Error! Reference Source not found.' in clauses 2.3 and 2.3(b) of Schedule 2 should read '2.2(c)' in the first instance and 2.3(a) in the second instance.

This notice corrects that error.

The Gazette date remains 17 May 2024.

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Peter Regan  
Chief Executive  
Sydney Metro