

No. , 1973.

A BILL

Relating to the compensation payable in connection with the resumption of land in Growth Centres; and for purposes connected therewith.

[MR BRUXNER—6 December, 1973.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

5 **1.** This Act may be cited as the "Growth Centres (Land Short title. Acquisition) Act, 1973".

2.

Growth Centres (Land Acquisition).

2. This Act shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette. ^{Commence-}_{ment.}

3. (1) In this Act, except in so far as the context or subject-matter otherwise indicates or requires— ^{Interpreta-}_{tion.}

10 “appropriate Court” means the Land and Valuation Court, or a stipendiary magistrate or any two justices of the peace in petty sessions, as referred to in section 9 of the Land and Valuation Court Act, 1921;

“area” has the meaning ascribed thereto in section 4 of the Local Government Act, 1919;

15 “base date”, in relation to any growth centre land, means, subject to section 12, the date specified in Column 3 of the Schedule opposite the description, appearing in Column 2 of the Schedule, of that land or of land of which that land forms part;

20 “council” has the meaning ascribed thereto in section 4 of the Local Government Act, 1919, and includes a county council;

“description”, in relation to land, includes a description of land by reference—

- 25 (a) to land within an area;
- (b) to land within an area, other than land specified or described as being excepted or excluded therefrom; and
- (c) to plans or other matters, whether of the same or a different kind or nature;

“designated”

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“designated land” means land in respect of which a notification under section 5 (1) is for the time being in force;

5 “growth centre land” means land described in Column 2 of the Schedule;

“Land and Valuation Court” means the Land and Valuation Court constituted by the Land and Valuation Court Act, 1921;

10 “Valuer-General” means the valuer-general appointed under the Valuation of Land Act, 1916.

(2) In this Act, a reference to a notification published under section 5 (1) is, where that notification is amended by a notification published under section 5 (3), a reference to that notification as so amended.

15 (3) In this Act, a reference to a section of the Public Works Act, 1912, includes a reference to that section as deemed to be modified or repealed and substituted by any Act, whether that other Act was enacted before or is enacted after the commencement of this Act.

20 (4) A reference in a section of this Act to the Constructing Authority shall, in so far as that section applies to a resumption in respect of which a council has caused a notice of resumption to be published in the Gazette, be construed as a reference to the council.

25 **4.** (1) The Governor may, by proclamation published in the Gazette, amend the Schedule by inserting one or more Parts, each containing—

(a) in Column 1 the number of the Part;

30 (b) in Column 2, opposite that number, a description of land, being land that is not for the time being described, or included in a description, in another Part of the Schedule; and

(c)

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(c) in Column 3, opposite that description, a date, being a date that is not earlier than the date of publication of the proclamation in the Gazette.

5 (2) Where, after the expiration of the period of five years commencing on the base date in relation to the land described in a Part of the Schedule, no notification is in force under section 5 (1) in relation to that land or any part thereof, the Governor may, by proclamation published in the Gazette, amend the Schedule by omitting that Part.

10 (3) Subsection (2) applies in relation to Parts 1, 2, 3 and 4 of the Schedule as well as in relation to any Parts inserted in pursuance of subsection (1).

5. (1) The Minister may, by notification published in the Gazette, declare that any land, being the whole or any part of 15 growth centre land, described in the notification, is designated land for the purposes of this Act, whether or not a notification under this subsection was previously in force in respect of that land. Notification of designated land.

(2) A notification published under subsection (1) in 20 relation to land shall not have any force if the date of its publication is—

(a) the day on which the period of five years, commencing on the base date applicable to that land, expires; or

25 (b) a later day.

(3) The Minister may, by notification published in the Gazette—

(a) revoke a notification published under subsection (1); or

(b)

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- (b) amend a notification published under subsection (1) so as to exclude from a description of land contained in the last mentioned notification so much of that land as is described in the notification published under this subsection.
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6. Subject to section 12, a notification published under section 5 (1) in relation to any land shall, unless it is sooner revoked under section 5, cease to have any force—
- 10 (a) except as provided in paragraph (b)—on the day on which the period of five years, commencing on the base date applicable to that land, expires; or
- (b) if, before the day on which the period of four years, commencing on that base date, expires, the Minister, by the same notification or by another notification so published, declares that that base date shall, in relation to that land, be effective for a further period of up to five years—on the day on which that further period expires.
- 15
7. (1) Where designated land is the subject of a resump-
 20 tion to which section 8 applies, the Valuer-General (by reference to information available to him) shall, as soon as practicable after a copy of a claim served under section 102 of the Public Works Act, 1912, in respect thereof, together with the solicitor's report thereon, has been forwarded to him
 25 by the Constructing Authority, determine and notify to the Constructing Authority the average percentage increase or decrease (if any), between the base date applicable to the land and the date of resumption, in the value of the category, as determined by the Valuer-General, of estates or interests in
 30 land in New South Wales that were, in the opinion of the Valuer-General, comparable with the estate or interest the subject of the claim, having regard, where relevant, to use, location and zoning and to the nature and state of the improvements and works (if any) on the land.

Expiry of notification under s. 5 (1) and extension of base date.

Valuer-General to determine percentage increase or decrease.

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(2) The average percentage increase or decrease determined under subsection (1) in relation to any estate or interest shall be taken into account when a valuation in relation to the estate or interest is made for the purposes of section 103 of the Public Works Act, 1912.

8. (1) This section applies to a resumption of designated land, but does not apply to a resumption that is of a prescribed class or description.

Compensation for resumed designated land.

(2) Where designated land is the subject of a resumption to which this section applies and the appropriate Court would, but for this section, be required to determine the amount of compensation payable in respect of an estate or interest in the land in accordance with section 124 of the Public Works Act, 1912, the Court shall determine the amount of compensation in accordance with this section and not in accordance with section 124 of that Act.

(3) For the purposes of determining the amount of compensation payable in respect of an estate or interest in land under this section, the appropriate Court shall—

- 20 (a) determine the amount of compensation that would be payable had this section (subsection (7) excepted) not been enacted;
- 25 (b) determine the amount of the value of the estate or interest (together with, where relevant, the improvements (if any) erected and the works (if any) carried out on the land before the base date applicable to the land, but not including the improvements (if any) erected and the works (if any) carried out after the base date and before the date of resumption) as at the date of resumption;
- 30 (c) determine the amount (referred to in subsection (4) as “the base date valuation”) of the value of the estate or interest (together with, where relevant, the improvements (if any) erected and the works (if any) any)

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any) carried out on the land before the base date, but not including the improvements (if any) erected and the works (if any) carried out after the base date and before the date of resumption) as at the base date; and

(d) determine the average percentage increase or decrease (if any), between the base date and the date of resumption, in the value of the category, as determined by the Court, of estates or interests in land in New South Wales that were, in the opinion of the Court, comparable with the estate or interest, having regard, where relevant, to use, location and zoning and to the nature and state of the improvements and works (if any) on the land.

(4) The appropriate Court shall determine the amount of compensation payable in respect of the estate or interest referred to in subsection (3)—

(a) by deducting the amount referred to in subsection (3) (b) from the amount referred to in subsection (3) (a);

(b) by adding to the remainder so obtained the base date valuation mentioned in subsection (3) (c); and

(c) where the Court determines—

(i) an average percentage increase under subsection (3) (d)—by adding to the sum obtained under paragraph (b) an amount equal to that percentage of the base date valuation; or

(ii) an average percentage decrease under subsection (3) (d)—by subtracting from the sum obtained under paragraph (b) an amount equal to that percentage of the base date valuation,

and where the Court determines that there has been neither an average percentage increase nor decrease, no amount shall be added or subtracted under paragraph (c).

(5)

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(5) For the purposes of subsection (3) (b) and (c), the amount of the value of an estate or interest is the amount that it may be expected to realise if offered for sale on such reasonable terms and conditions as a bona fide seller would
5 require.

(6) For the purposes of determining the value of an estate or interest in land under subsection (3) (c)—

(a) the estate or interest of any person in the land as at the base date applicable to the land shall be
10 disregarded;

(b) the estate or interest to which any person was entitled in relation to the land as at the date of resumption shall be deemed to have been held by that person as at the base date;

(c) the nature and state of any improvements or works on the land as at the base date shall be disregarded;
15 and

(d) the nature and state of any improvements or works on the land as at the date of resumption, being
20 improvements erected, or works carried out, before the base date, shall be deemed to have been the nature and state of the improvements or works on the land as at the base date.

(7) Notwithstanding anything in this section or in
25 section 124 of the Public Works Act, 1912, no compensation shall be allowed or awarded in respect of any improvements erected or works carried out, after the base date applicable to land the subject of a resumption to which this section applies and before the date of resumption, for which any necessary
30 consent, pursuant to the Local Government Act, 1919, or the ordinances made thereunder, had not been obtained, and, where any such necessary consent has been obtained and the consent is subject to any conditions stipulated by the responsible authority or the Constructing Authority, the com-
35 pensation to be paid in respect of the improvements or works

cf. No. 29,
1915, s. 8
(11).

shall

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shall be ascertained with due regard to those conditions and to the terms of any agreement entered into with the responsible authority or the Constructing Authority in that connection.

5 (8) The amount of any compensation determined in accordance with this section shall, for the purposes of any section of the Public Works Act, 1912, or any other Act, be deemed to have been determined in accordance with section 124 of the Public Works Act, 1912.

9. (1) In this section, "appropriate authority" means—
10 (a) the Valuer-General when determining an average percentage increase or decrease for the purposes of section 7; or
15 (b) the appropriate Court when determining an average percentage increase or decrease for the purposes of section 8.

General provisions as to determining percentage increase or decrease.

(2) In determining an average percentage increase or decrease for the purposes of section 7 or 8 in relation to a resumption to which section 8 applies, the appropriate authority shall take into account—

20 (a) such sales of land in New South Wales between the base date applicable to the resumed land and the date of resumption as appear to the appropriate authority to be relevant; and
25 (b) any factors that, in the opinion of the appropriate authority, affected the value of land in New South Wales between those dates.

(3) In this section and in sections 7 and 8, a reference to land in New South Wales does not include a reference to land that is or has been growth centre land.

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10. (1) This section applies to a resumption of designated land, being a resumption in respect of which a notice in writing has been served under section 102 of the Public Works Act, 1912, but does not apply to a resumption that is of a prescribed class or description.

Advance
payment of
compensa-
tion.

(2) The Constructing Authority may, if it thinks fit, and upon such terms and conditions as it thinks fit, make to a claimant for compensation in respect of a resumption to which this section applies an advance payment of the compensation payable to him, where—

- (a) the claimant has applied to the Constructing Authority, in writing, therefor;
- (b) the Constructing Authority is satisfied that the claimant is entitled to compensation in respect of the resumption; and
- (c) the Constructing Authority has made to the claimant an offer, in writing, of an amount in settlement of his claim.

(3) Without affecting the generality of subsection (2), the terms and conditions referred to in that subsection may include terms and conditions—

- (a) requiring the claimant to obtain a release, to the extent of the amount of the advance payment, of claims for compensation by all or any of the persons having an estate or interest in the resumed land at the date of resumption, or a full release of claims, other than that of the claimant, to the extent to which the advance allows;
- (b) requiring the joinder of all or any persons, being persons who had an estate or interest in the resumed land at the date of resumption, as parties to, and in the execution of, a release referred to in paragraph (a);
- (c) requiring the handing over of title deeds, abstracts of title, and other documents evidencing title, in respect of the resumed land;

(d)

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- (d) requiring the claimant to answer requisitions on title; and
- 5 (e) requiring the claimant to produce such evidence as the Constructing Authority may require as to the payment of rates or taxes which, if unpaid, would have been a charge on the resumed land immediately before the date of resumption.

(4) Subject to subsection (8), an advance payment of compensation under this section shall be of an amount of 10 not less than eighty per centum of the amount of the offer referred to in subsection (2) (c) or, if there are two or more such offers, of the greater or greatest of those offers.

(5) The interest (if any) payable under section 126 of the Public Works Act, 1912, in so far as that section applies 15 in respect of the resumption, on the amount of compensation paid in advance under this section shall be paid therewith, but no further interest is payable under that section in respect of the amount of compensation so paid.

(6) Where, after the making of an advance payment 20 of compensation under this section to the claimant, the appropriate Court determines the compensation payable in respect of the resumption, only the amount remaining (if any) after deducting the amount so paid in advance is payable by the Constructing Authority.

25 (7) Where, after the making of an advance payment of compensation under this section to the claimant, the appropriate Court determines the compensation payable to the claimant in respect of the resumption, and the amount of compensation paid in advance under this section exceeds the 30 amount so determined, the Constructing Authority may recover the amount of any excess as a debt or liquidated demand in a court of competent jurisdiction.

(8)

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(8) The amount of compensation that would, but for this subsection, be payable under this section to the claimant may, to the extent to which any unpaid rates or taxes—

- 5 (a) were a charge on the land immediately before the date of resumption, being rates or taxes for which he was liable at the date of resumption; or
- 10 (b) would have been a charge on the land had the land not been resumed and had they been rates and taxes for which he would have been liable, upon assessment after the date of resumption, in relation to any period or time before that date,
- be paid to the person or authority entitled to receive payment therefor, instead of being paid to the claimant, and the payment to that person or authority so entitled—
- 15 (c) shall operate as a discharge in favour of the claimant;
- (d) shall operate as a release by the claimant of all claims and demands in respect of the resumption, but to the extent only of the amount so paid; and
- 20 (e) shall, for the purposes of subsections (6) and (7), be deemed to have been made to the claimant.

(9) In this section, "rates or taxes" means rates, taxes, assessments, outgoings or amounts of money.

25 **11.** (1) This section applies to a resumption of Institution designated land, being a resumption in respect of which a by Constructing person is or was entitled to serve a notice in writing on the Authority of proceedings re Constructing Authority under section 102 of the Public Works Act, 1912, but does not apply to a resumption that is of a compensation for resumed designated prescribed class or description.

(2) land.

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(2) Subject to subsection (3), where—

(a) at or before the expiration of the period of six months commencing on the date of a resumption to which this section applies—

5 (i) no agreement has been come to between a person who had an estate or interest in the resumed land at that date and the Constructing Authority as to the amount of compensation payable to him in respect thereof; and

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(ii) that person's claim (if any) for compensation in respect thereof has not been determined in any proceedings;

(b) proceedings for the determination of that person's claim (if any) for compensation in respect thereof are not pending; and

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(c) the amount of that person's claim (if any) for compensation in respect thereof exceeds \$200,

the Constructing Authority, at any time after the expiration of that period, may, by summons or in such other manner as rules of court of the Supreme Court may, for the purposes of this subsection, prescribe, commence proceedings in the Supreme Court against that person for the determination of the compensation (if any) payable to him in respect of the resumption.

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(3) Where, in relation to a resumption to which this section applies, a person who has served a notice in writing on the Constructing Authority under section 102 of the Public Works Act, 1912, is a person against whom the Constructing Authority may commence proceedings under subsection (2), the Constructing Authority shall not institute proceedings under that subsection against a person who has not served such a notice in relation to that resumption.

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(4)

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(4) Proceedings instituted under subsection (2) shall, subject to the succeeding provisions of this section, be dealt with as if they were proceedings in respect of a claim referred to in section 9 (1) of the Land and Valuation Court Act, 1921, and, for the purposes only of section 9 (1) of that Act, a person against whom any such proceedings are instituted and who, before the institution of those proceedings, has not served a notice in writing on the Constructing Authority under section 102 of the Public Works Act, 1912, shall be deemed to have made a claim for compensation for an amount that exceeds \$200.

(5) Upon remission to the Land and Valuation Court of proceedings instituted under subsection (2) in respect of a resumption, that Court may—

- 15 (a) where the Constructing Authority has not come to an agreement with any person as to the amount of compensation payable to that person in respect of the resumption and no person's claim for compensation in respect of the resumption has been
- 20 determined in any proceedings—
- (i) determine the total amount of compensation payable in respect of the resumption;
- (ii) determine the nature and extent of the estates or interests in the land at the date of resumption and the persons entitled thereto;
- 25 and
- (iii) give directions for or with respect to the apportionment of that total amount of compensation among those persons; or
- 30 (b) where the Constructing Authority has come to an agreement with any person as to the amount of compensation payable to that person in respect of

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the resumption or any person's claim for compensation in respect of the resumption has been determined in any proceedings—

- 5 (i) determine the nature and extent of the estates or interests in the land at the date of resumption (other than the estate or interest of a person referred to in the foregoing provisions of this paragraph) and the persons entitled thereto; and
- 10 (ii) determine the amount of compensation payable in respect of each such estate or interest.

(6) The Land and Valuation Court may, if it thinks fit, before determining any matters referred to in subsection 15 (5), cause notice of the proceedings to be given to such persons as it thinks fit.

20 (7) Rules may be made under the Land and Valuation Court Act, 1921, for or with respect to proceedings under this section in the Land and Valuation Court, and in particular for or with respect to the joinder, in any such proceedings, of parties, including a person whose joinder as a party is necessary to ensure that all matters in dispute (being matters within the jurisdiction of that Court under this section) may be determined.

25 (8) A determination of the Land and Valuation Court in proceedings under this section in respect of a resumption is binding on the Constructing Authority and all persons who had an estate or interest in the resumed land at the date of resumption, whether or not they appeared before that
30 Court on the hearing of the proceedings.

(9)

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(9) Nothing in—

- (a) subsection (2) affects the rule-making powers conferred by the Supreme Court Act, 1970; and
- 5 (b) subsection (7) affects the rule-making powers conferred by the Land and Valuation Court Act, 1921.

(10) In this section, a reference to a claim for compensation (however expressed) is a reference to a claim for compensation contained in a notice in writing served on the Constructing Authority under section 102 of the Public Works
10 Act, 1912.

12. Where, after the resumption of designated land—

- 15 (a) the notification in force under section 5 (1) at the date of resumption ceases to have any force in relation to that land, the notification shall, for purposes connected with that resumption only, be deemed to continue in force; or
- 20 (b) the base date applicable to that land at the date of resumption ceases to be so applicable, that date, being the former base date applicable thereto, shall, for purposes connected with that resumption only, be deemed to be the base date applicable thereto,

Notification and base date to continue in force for certain purposes.

until all proceedings and other matters connected with that resumption have been determined and completed.

13. The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act. Regulations.

SCHEDULE.

Growth Centres (Land Acquisition).

SCHEDULE.

Secs. 3, 4.

Column 1.	Column 2.	Column 3.
No. of part.	Description.	Base date.
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1.	ALL THOSE pieces or parcels of land comprising the whole of the City of Albury and the whole of the Shire of Hume as shown edged red on map catalogued Plan Number 8165A in the office of the State Planning Authority of New South Wales but excluding thereout so much of such land as is in the ownership of the Commonwealth of Australia.	3rd October 1972.
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2.	ALL THOSE pieces or parcels of land comprising the whole of the Cities of Bathurst and Orange and the whole of the Shires of Abercrombie, Blaxland, Canobolas, Lyndhurst, Oberon and Turon as shown edged red on maps catalogued respectively Plan Number 8210A, Plan Number 8210B, Plan Number 8210C, Plan Number 8210D, Plan Number 8210E, Plan Number 8210F, Plan Number 8210G, Plan Number 8210H in the office of the State Planning Authority of New South Wales but excluding thereout so much of such land as is in the ownership of the Commonwealth of Australia.	3rd October, 1972.
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3.	ALL THAT piece or parcel of land comprising the whole of the Shire of Gosford and the whole of the Shire of Wyong as shown edged red on maps catalogued respectively Plan Number 8211 and Plan Number 8212 in the office of the State Planning Authority of New South Wales but excluding thereout so much of such land as is in the ownership of the Commonwealth of Australia.	3rd October, 1972.
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4.	ALL THOSE pieces or parcels of land comprising the whole of the City of Campbelltown and the whole of the Municipality of Camden as shown edged red on maps catalogued respectively Plan Number 8213A and Plan Number 8213B in the office of the State Planning Authority of New South Wales but excluding thereout so much of such land as is in the ownership of the Commonwealth of Australia. AND ALSO all those pieces or parcels of land situate in the Shire of Wollondilly, Parish of Warragamba in the County of Cook, the Parishes of Warragamba, Weromba, Camden, Picton and Wilton in the County of Camden and the Parishes of Appin and Wedderburn in the County of Cumberland: Commencing at a point being the intersection of the generally north-western boundary of the Shire of Wollondilly with the generally eastern boundary of the Warragamba	3rd October, 1972.
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*Growth Centres (Land Acquisition).*SCHEDULE—*continued.*

Column 1.	Column 2.	Column 3.
No. of part.	Description.	Base date.
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Catchment Area as proclaimed in Government Gazette No. 122 of 4th September 1942 and amended in Government Gazette No. 1 of 7th January 1944 and bounded thence generally on the west by part of that generally eastern boundary of the amended Warragamba Catchment Area to its intersection with the westerly prolongation of the most westerly southern boundary of Portion 73 Parish of Picton County of Camden and thence generally on part of the south by that prolongation and part of the generally southern boundary of that Portion 73 to its intersection with the generally north-eastern boundary of the Port Kembla to Burrangorang Mine 66 kV Transmission Line Easement as defined by plans catalogued Ms 16994 Sy R and Ms 16995 Sy R in the office of the Department of Lands, Sydney and thence generally on part of the south-west by part of the generally north-eastern boundary of that Port Kembla to Burrangorang Mine 66 kV Transmission Line Easement to its intersection with the generally northern boundary of the Metropolitan Catchment Area as proclaimed in Government Gazette No. 79 of 13th July 1923 and thence again successively and generally on part of the south and east by successively part of the generally northern boundary of that Metropolitan Catchment Area, part of the generally northern boundary of O'Hares Catchment Area as proclaimed in Government Gazette No. 51 of 14th April 1927 and amended in Government Gazette No. 178 of 21st September, 1934 and part of the generally western boundary of that amended O'Hares Catchment Area to its intersection with the northern boundary of the Shire of Wollondilly and thence successively on the north, generally on the north-east and generally on the north-west by successively parts of the northern, generally north-eastern and generally north-western boundaries of the Shire of Wollondilly to the point of commencement but EXCLUDING thereout so much of such land as is zoned Residential "A", General Business, General Industrial, Special Uses "A" and Existing Recreation in the locality of The Oaks and Warragamba as shown on Sheets 11 and 12 of the maps referred to in the Wollondilly Planning Scheme as prescribed in Government Gazette No. 86 of 6th

SCHEDULE

*Growth Centres (Land Acquisition).*SCHEDULE—*continued.*

Column 1.	Column 2.	Column 3.
No. of part.	Description.	Base date.
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10	August, 1971 AND ALSO excluding thereout so much of such land as is contained in the Interim Development Order No. 1—Wollondilly as notified in Government Gazette No. 44 of 28th April, 1972 as shown edged red on map catalogued Plan Number 8213c in the office of the State Planning Authority of New South Wales but excluding thereout so much of such land as is in the ownership of the Commonwealth of Australia.	
15	AND ALSO all those pieces or parcels of land situate in the City of Liverpool and the Shire of Sutherland, Parish of Holsworthy and County of Cumberland:	
20	Commencing at a point being the intersection of the southernmost boundary of the City of Liverpool and the generally eastern bank of Georges River and bounded thence successively and generally on part of the south, part of the east and again part of the south by successively parts of the generally southern, eastern and southern boundaries of the City of Liverpool to the intersection with the north-western alignment of Heathcote Road and thence generally on the south-east by part of the generally north-western alignment of Heathcote Road to its intersection with the generally western bank of Tudera Creek and thence generally on the east by that generally western bank to its intersection with the generally south-western bank of Georges River and thence generally on part of the north-east by part of that south-western bank to its intersection with the generally southern bank of Williams Creek and thence generally on part of the north by successively part of that generally southern bank of Williams Creek and its prolongation to the generally southern bank of Harris Creek, part of that generally southern bank to its intersection with the easterly prolongation of the northern boundary of Filed Plan 379366, that easterly prolongation of Filed Plan 379366, the northern boundary of that Filed Plan and its prolongation westerly across Heathcote Road to its intersection with the generally south-western alignment of that road and thence again on part of the north-east by part of that alignment to its intersection with the generally southern boundary of the proposed expressway shown on plan catalogued X5/16 in the office of the Department of Main Roads, Sydney and thence again generally on part	
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SCHEDULE

*Growth Centres (Land Acquisition).*SCHEDULE—*continued.*

Column 1.	Column 2.	Column 3.
No. of part.	Description.	Base date.
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20	of the north by respectively part of that generally southern boundary, the generally southern boundary of the proposed expressway shown on plan catalogued X5/17 in the office of the Department of Main Roads, Sydney and part of the generally southern boundary of the proposed expressway shown in plan catalogued X5/18 in the office of the Department of Main Roads, Sydney to its intersection with the generally eastern bank of Georges River and thence generally on the west by part of that generally eastern bank to the point of commencement as shown edged red on map catalogued Plan Number 8214 in the office of the State Planning Authority of New South Wales but excluding thereout so much of such land as is in the ownership of the Commonwealth of Australia.	

BY AUTHORITY

V. C. N. BLIGHT, C.B.E., GOVERNMENT PRINTER, NEW SOUTH WALES—1973

[20c]

GROWTH CENTRES (LAND ACQUISITION) BILL, 1973

EXPLANATORY NOTE

THE objects of this Bill are—

- (a) to specify a date (herein referred to as the "base date") in relation to land described in the Schedule to the proposed Act (herein referred to as "growth centre land");
- (b) to enable the Governor, by proclamation in the Gazette, to add a description of land to the Schedule and to insert a base date for that land, being a date not earlier than the date of publication of the proclamation;
- (c) to empower the Minister, by notification in the Gazette, to declare any growth centre land described in the notification to be designated land for the purposes of the proposed Act;
- (d) to provide that a notification referred to in paragraph (c) in respect of any growth centre land may only be published within five years of the base date applicable to the land;
- (e) to provide that land that is the subject of a notification referred to in paragraph (c) ceases to be designated land at the expiration of five years after the base date applicable to the land, unless that period is extended for a further period of up to five years and the extension has been effected within four years after the base date;
- (f) to provide that (except in the case of resumptions of a class prescribed by regulations) where designated land is resumed under any Act and the Public Works Act, 1912, applies in relation to the resumption, the compensation is to be calculated as follows:—
 - (i) the value of the land and any improvements erected before the base date applicable to the land is to be determined as at the base date;
 - (ii) the value so determined is to be increased or reduced by the average percentage increase or decrease in the value of comparable lands, and improvements thereon, between the base date and the date of resumption; and
 - (iii) regard is to be had to the value of all other relevant matters as at the date of resumption,but no compensation is payable for improvements that were erected on the land after the base date and for which any necessary consent required under the Local Government Act, 1919, had not been obtained;
- (g) to enable, in certain circumstances, the advance payment of compensation in relation to the resumption of designated land;
- (h) to enable, in certain circumstances, the Constructing Authority in relation to a resumption of designated land to institute proceedings for the determination of the compensation; and
- (i) to make other provisions of a minor, consequential or ancillary nature.

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

PHYSICS 350
LECTURE 10
THERMODYNAMICS
ENTROPY

Entropy is a measure of the number of microstates consistent with the macroscopic state. It is a state function, meaning its value depends only on the current state of the system, not on the path taken to reach that state. The second law of thermodynamics states that the total entropy of an isolated system can never decrease over time. This law is a consequence of the statistical nature of thermodynamics and the fact that systems naturally evolve towards states with a higher number of accessible microstates.

The change in entropy for a reversible process is given by the equation $dS = \frac{dQ_{rev}}{T}$, where dQ_{rev} is the infinitesimal amount of heat added to the system and T is the absolute temperature. For an irreversible process, the change in entropy is greater than the heat added divided by the temperature. This is because irreversible processes involve dissipative effects like friction and heat conduction, which increase the entropy of the system and its surroundings.

PROOF

No. , 1973.

A BILL

Relating to the compensation payable in connection with the resumption of land in Growth Centres; and for purposes connected therewith.

[MR BRUXNER—6 December, 1973.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the "Growth Centres (Land Short title. Acquisition) Act, 1973".

2.

Growth Centres (Land Acquisition).

2. This Act shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

3. (1) In this Act, except in so far as the context or subject-matter otherwise indicates or requires—

“appropriate Court” means the Land and Valuation Court, or a stipendiary magistrate or any two justices of the peace in petty sessions, as referred to in section 9 of the Land and Valuation Court Act, 1921;

“area” has the meaning ascribed thereto in section 4 of the Local Government Act, 1919;

“base date”, in relation to any growth centre land, means, subject to section 12, the date specified in Column 3 of the Schedule opposite the description, appearing in Column 2 of the Schedule, of that land or of land of which that land forms part;

“council” has the meaning ascribed thereto in section 4 of the Local Government Act, 1919, and includes a county council;

“description”, in relation to land, includes a description of land by reference—

- (a) to land within an area;
- (b) to land within an area, other than land specified or described as being excepted or excluded therefrom; and
- (c) to plans or other matters, whether of the same or a different kind or nature;

“designated

Growth Centres (Land Acquisition).

“designated land” means land in respect of which a notification under section 5 (1) is for the time being in force;

5 “growth centre land” means land described in Column 2 of the Schedule;

“Land and Valuation Court” means the Land and Valuation Court constituted by the Land and Valuation Court Act, 1921;

10 “Valuer-General” means the valuer-general appointed under the Valuation of Land Act, 1916.

(2) In this Act, a reference to a notification published under section 5 (1) is, where that notification is amended by a notification published under section 5 (3), a reference to that notification as so amended.

15 (3) In this Act, a reference to a section of the Public Works Act, 1912, includes a reference to that section as deemed to be modified or repealed and substituted by any Act, whether that other Act was enacted before or is enacted after the commencement of this Act.

20 (4) A reference in a section of this Act to the Constructing Authority shall, in so far as that section applies to a resumption in respect of which a council has caused a notice of resumption to be published in the Gazette, be construed as a reference to the council.

25 **4.** (1) The Governor may, by proclamation published in the Gazette, amend the Schedule by inserting one or more Parts, each containing— Amendment of the Schedule.

(a) in Column 1 the number of the Part;

30 (b) in Column 2, opposite that number, a description of land, being land that is not for the time being described, or included in a description, in another Part of the Schedule; and

(c)

Growth Centres (Land Acquisition).

(c) in Column 3, opposite that description, a date, being a date that is not earlier than the date of publication of the proclamation in the Gazette.

(2) Where, after the expiration of the period of five
5 years commencing on the base date in relation to the land described in a Part of the Schedule, no notification is in force under section 5 (1) in relation to that land or any part thereof, the Governor may, by proclamation published in the Gazette, amend the Schedule by omitting that Part.

10 (3) Subsection (2) applies in relation to Parts 1, 2, 3 and 4 of the Schedule as well as in relation to any Parts inserted in pursuance of subsection (1).

5. (1) The Minister may, by notification published in the
15 Gazette, declare that any land, being the whole or any part of growth centre land, described in the notification, is designated land for the purposes of this Act, whether or not a notification under this subsection was previously in force in respect of that land.

Notification
of design-
ated land.

(2) A notification published under subsection (1) in
20 relation to land shall not have any force if the date of its publication is—

(a) the day on which the period of five years, commencing on the base date applicable to that land, expires;
or

25 (b) a later day.

(3) The Minister may, by notification published in the
Gazette—

(a) revoke a notification published under subsection
(1); or

(b)

Growth Centres (Land Acquisition).

- 5 (b) amend a notification published under subsection (1) so as to exclude from a description of land contained in the lastmentioned notification so much of that land as is described in the notification published under this subsection.

6. Subject to section 12, a notification published under section 5 (1) in relation to any land shall, unless it is sooner revoked under section 5, cease to have any force—

- 10 (a) except as provided in paragraph (b)—on the day on which the period of five years, commencing on the base date applicable to that land, expires; or
- 15 (b) if, before the day on which the period of four years, commencing on that base date, expires, the Minister, by the same notification or by another notification so published, declares that that base date shall, in relation to that land, be effective for a further period of up to five years—on the day on which that further period expires.

20 7. (1) Where designated land is the subject of a resump- Valuer-
tion to which section 8 applies, the Valuer-General (by General to
reference to information available to him) shall, as soon as determine
practicable after a copy of a claim served under section 102 percentage
of the Public Works Act, 1912, in respect thereof, together increase or
25 with the solicitor's report thereon, has been forwarded to him decrease.
by the Constructing Authority, determine and notify to the
Constructing Authority the average percentage increase or
decrease (if any), between the base date applicable to the
land and the date of resumption, in the value of the category,
as determined by the Valuer-General, of estates or interests in
30 land in New South Wales that were, in the opinion of the
Valuer-General, comparable with the estate or interest the
subject of the claim, having regard, where relevant, to use,
location and zoning and to the nature and state of the
improvements and works (if any) on the land.

Growth Centres (Land Acquisition).

(2) The average percentage increase or decrease determined under subsection (1) in relation to any estate or interest shall be taken into account when a valuation in relation to the estate or interest is made for the purposes of section 103
5 of the Public Works Act, 1912.

8. (1) This section applies to a resumption of designated land, but does not apply to a resumption that is of a prescribed class or description.

Compensation for resumed designated land.

(2) Where designated land is the subject of a resump-
10 tion to which this section applies and the appropriate Court would, but for this section, be required to determine the amount of compensation payable in respect of an estate or interest in the land in accordance with section 124 of the Public Works Act, 1912, the Court shall determine the amount
15 of compensation in accordance with this section and not in accordance with section 124 of that Act.

(3) For the purposes of determining the amount of compensation payable in respect of an estate or interest in land under this section, the appropriate Court shall—

- 20 (a) determine the amount of compensation that would be payable had this section (subsection (7) excepted) not been enacted;
- 25 (b) determine the amount of the value of the estate or interest (together with, where relevant, the improvements (if any) erected and the works (if any) carried out on the land before the base date applicable to the land, but not including the improvements (if any) erected and the works (if any) carried out after the base date and before the
30 date of resumption) as at the date of resumption;
- (c) determine the amount (referred to in subsection (4) as “the base date valuation”) of the value of the estate or interest (together with, where relevant, the improvements (if any) erected and the works (if any)

Growth Centres (Land Acquisition).

- 5 any) carried out on the land before the base date, but not including the improvements (if any) erected and the works (if any) carried out after the base date and before the date of resumption) as at the base date; and
- 10 (d) determine the average percentage increase or decrease (if any), between the base date and the date of resumption, in the value of the category, as determined by the Court, of estates or interests in land in New South Wales that were, in the opinion of the Court, comparable with the estate or interest, having regard, where relevant, to use, location and zoning and to the nature and state of the improvements and works (if any) on the land.
- 15 (4) The appropriate Court shall determine the amount of compensation payable in respect of the estate or interest referred to in subsection (3)—
- 20 (a) by deducting the amount referred to in subsection (3) (b) from the amount referred to in subsection (3) (a);
- (b) by adding to the remainder so obtained the base date valuation mentioned in subsection (3) (c); and
- (c) where the Court determines—
- 25 (i) an average percentage increase under subsection (3) (d)—by adding to the sum obtained under paragraph (b) an amount equal to that percentage of the base date valuation; or
- 30 (ii) an average percentage decrease under subsection (3) (d)—by subtracting from the sum obtained under paragraph (b) an amount equal to that percentage of the base date valuation,
- and where the Court determines that there has been neither an average percentage increase nor decrease, no amount shall be added or subtracted under paragraph (c).

(5)

Growth Centres (Land Acquisition).

(5) For the purposes of subsection (3) (b) and (c), the amount of the value of an estate or interest is the amount that it may be expected to realise if offered for sale on such reasonable terms and conditions as a bona fide seller would
5 require.

(6) For the purposes of determining the value of an estate or interest in land under subsection (3) (c)—

(a) the estate or interest of any person in the land as at the base date applicable to the land shall be
10 disregarded;

(b) the estate or interest to which any person was entitled in relation to the land as at the date of resumption shall be deemed to have been held by that person as at the base date ;

15 (c) the nature and state of any improvements or works on the land as at the base date shall be disregarded; and

(d) the nature and state of any improvements or works on the land as at the date of resumption, being
20 improvements erected, or works carried out, before the base date, shall be deemed to have been the nature and state of the improvements or works on the land as at the base date.

(7) Notwithstanding anything in this section or in
25 section 124 of the Public Works Act, 1912, no compensation shall be allowed or awarded in respect of any improvements erected or works carried out, after the base date applicable to land the subject of a resumption to which this section applies and before the date of resumption, for which any necessary
30 consent, pursuant to the Local Government Act, 1919, or the ordinances made thereunder, had not been obtained, and, where any such necessary consent has been obtained and the consent is subject to any conditions stipulated by the responsible authority or the Constructing Authority, the com-
35 pensation to be paid in respect of the improvements or works

cf. No. 29,
1915, s. 8
(11).

shall

Growth Centres (Land Acquisition).

shall be ascertained with due regard to those conditions and to the terms of any agreement entered into with the responsible authority or the Constructing Authority in that connection.

(8) The amount of any compensation determined in accordance with this section shall, for the purposes of any section of the Public Works Act, 1912, or any other Act, be deemed to have been determined in accordance with section 124 of the Public Works Act, 1912.

9. (1) In this section, "appropriate authority" means—

10 (a) the Valuer-General when determining an average percentage increase or decrease for the purposes of section 7; or

15 (b) the appropriate Court when determining an average percentage increase or decrease for the purposes of section 8.

General provisions as to determining percentage increase or decrease.

(2) In determining an average percentage increase or decrease for the purposes of section 7 or 8 in relation to a resumption to which section 8 applies, the appropriate authority shall take into account—

20 (a) such sales of land in New South Wales between the base date applicable to the resumed land and the date of resumption as appear to the appropriate authority to be relevant; and

25 (b) any factors that, in the opinion of the appropriate authority, affected the value of land in New South Wales between those dates.

(3) In this section and in sections 7 and 8, a reference to land in New South Wales does not include a reference to land that is or has been growth centre land.

Growth Centres (Land Acquisition).

10. (1) This section applies to a resumption of designated land, being a resumption in respect of which a notice in writing has been served under section 102 of the Public Works Act, 1912, but does not apply to a resumption that is of a prescribed class or description.

Advance
payment of
compensa-
tion.

(2) The Constructing Authority may, if it thinks fit, and upon such terms and conditions as it thinks fit, make to a claimant for compensation in respect of a resumption to which this section applies an advance payment of the compensation payable to him, where—

- (a) the claimant has applied to the Constructing Authority, in writing, therefor;
- (b) the Constructing Authority is satisfied that the claimant is entitled to compensation in respect of the resumption; and
- (c) the Constructing Authority has made to the claimant an offer, in writing, of an amount in settlement of his claim.

(3) Without affecting the generality of subsection (2), the terms and conditions referred to in that subsection may include terms and conditions—

- (a) requiring the claimant to obtain a release, to the extent of the amount of the advance payment, of claims for compensation by all or any of the persons having an estate or interest in the resumed land at the date of resumption, or a full release of claims, other than that of the claimant, to the extent to which the advance allows;
- (b) requiring the joinder of all or any persons, being persons who had an estate or interest in the resumed land at the date of resumption, as parties to, and in the execution of, a release referred to in paragraph (a);
- (c) requiring the handing over of title deeds, abstracts of title, and other documents evidencing title, in respect of the resumed land;

(d)

Growth Centres (Land Acquisition).

(d) requiring the claimant to answer requisitions on title; and

5 (e) requiring the claimant to produce such evidence as the Constructing Authority may require as to the payment of rates or taxes which, if unpaid, would have been a charge on the resumed land immediately before the date of resumption.

(4) Subject to subsection (8), an advance payment of compensation under this section shall be of an amount of 10 not less than eighty per centum of the amount of the offer referred to in subsection (2) (c) or, if there are two or more such offers, of the greater or greatest of those offers.

15 (5) The interest (if any) payable under section 126 of the Public Works Act, 1912, in so far as that section applies in respect of the resumption, on the amount of compensation paid in advance under this section shall be paid therewith, but no further interest is payable under that section in respect of the amount of compensation so paid.

20 (6) Where, after the making of an advance payment of compensation under this section to the claimant, the appropriate Court determines the compensation payable in respect of the resumption, only the amount remaining (if any) after deducting the amount so paid in advance is payable by the Constructing Authority.

25 (7) Where, after the making of an advance payment of compensation under this section to the claimant, the appropriate Court determines the compensation payable to the claimant in respect of the resumption, and the amount of compensation paid in advance under this section exceeds the 30 amount so determined, the Constructing Authority may recover the amount of any excess as a debt or liquidated demand in a court of competent jurisdiction.

(8)

Growth Centres (Land Acquisition).

(8) The amount of compensation that would, but for this subsection, be payable under this section to the claimant may, to the extent to which any unpaid rates or taxes—

5 (a) were a charge on the land immediately before the date of resumption, being rates or taxes for which he was liable at the date of resumption; or

10 (b) would have been a charge on the land had the land not been resumed and had they been rates and taxes for which he would have been liable, upon assessment after the date of resumption, in relation to any period or time before that date,

be paid to the person or authority entitled to receive payment therefor, instead of being paid to the claimant, and the payment to that person or authority so entitled—

15 (c) shall operate as a discharge in favour of the claimant;

(d) shall operate as a release by the claimant of all claims and demands in respect of the resumption, but to the extent only of the amount so paid; and

20 (e) shall, for the purposes of subsections (6) and (7), be deemed to have been made to the claimant.

(9) In this section, "rates or taxes" means rates, taxes, assessments, outgoings or amounts of money.

25 **11.** (1) This section applies to a resumption of Institution designated land, being a resumption in respect of which a by Constructing Authority under section 102 of the Public Works Act, 1912, but does not apply to a resumption that is of a prescribed class or description. of proceedings re compensation for resumed designated land.

(2) land.

Growth Centres (Land Acquisition).

(2) Subject to subsection (3), where—

(a) at or before the expiration of the period of six months commencing on the date of a resumption to which this section applies—

5 (i) no agreement has been come to between a person who had an estate or interest in the resumed land at that date and the Constructing Authority as to the amount of compensation payable to him in respect thereof; and

10 (ii) that person's claim (if any) for compensation in respect thereof has not been determined in any proceedings;

15 (b) proceedings for the determination of that person's claim (if any) for compensation in respect thereof are not pending; and

(c) the amount of that person's claim (if any) for compensation in respect thereof exceeds \$200,

20 the Constructing Authority, at any time after the expiration of that period, may, by summons or in such other manner as rules of court of the Supreme Court may, for the purposes of this subsection, prescribe, commence proceedings in the Supreme Court against that person for the determination of the compensation (if any) payable to him in respect of the

25 resumption.

(3) Where, in relation to a resumption to which this section applies, a person who has served a notice in writing on the Constructing Authority under section 102 of the Public Works Act, 1912, is a person against whom the Constructing

30 Authority may commence proceedings under subsection (2), the Constructing Authority shall not institute proceedings under that subsection against a person who has not served such a notice in relation to that resumption.

(4)

Growth Centres (Land Acquisition).

(4) Proceedings instituted under subsection (2) shall, subject to the succeeding provisions of this section, be dealt with as if they were proceedings in respect of a claim referred to in section 9 (1) of the Land and Valuation Court Act, 1921, and, for the purposes only of section 9 (1) of that Act, a person against whom any such proceedings are instituted and who, before the institution of those proceedings, has not served a notice in writing on the Constructing Authority under section 102 of the Public Works Act, 1912, shall be deemed to have made a claim for compensation for an amount that exceeds \$200.

(5) Upon remission to the Land and Valuation Court of proceedings instituted under subsection (2) in respect of a resumption, that Court may—

15 (a) where the Constructing Authority has not come to an agreement with any person as to the amount of compensation payable to that person in respect of the resumption and no person's claim for compensation in respect of the resumption has been
20 determined in any proceedings—

- (i) determine the total amount of compensation payable in respect of the resumption;
- (ii) determine the nature and extent of the estates or interests in the land at the date of resumption and the persons entitled thereto;
25 and
- (iii) give directions for or with respect to the apportionment of that total amount of compensation among those persons; or

30 (b) where the Constructing Authority has come to an agreement with any person as to the amount of compensation payable to that person in respect of

or

Growth Centres (Land Acquisition).

the resumption or any person's claim for compensation in respect of the resumption has been determined in any proceedings—

- 5 (i) determine the nature and extent of the estates or interests in the land at the date of resumption (other than the estate or interest of a person referred to in the foregoing provisions of this paragraph) and the persons entitled thereto; and
- 10 (ii) determine the amount of compensation payable in respect of each such estate or interest.

(6) The Land and Valuation Court may, if it thinks fit, before determining any matters referred to in subsection 15 (5), cause notice of the proceedings to be given to such persons as it thinks fit.

(7) Rules may be made under the Land and Valuation Court Act, 1921, for or with respect to proceedings under this section in the Land and Valuation Court, and in particular for or with respect to the joinder, in any such proceedings, 20 of parties, including a person whose joinder as a party is necessary to ensure that all matters in dispute (being matters within the jurisdiction of that Court under this section) may be determined.

25 (8) A determination of the Land and Valuation Court in proceedings under this section in respect of a resumption is binding on the Constructing Authority and all persons who had an estate or interest in the resumed land at the date of resumption, whether or not they appeared before that 30 Court on the hearing of the proceedings.

(9)

Growth Centres (Land Acquisition).

(9) Nothing in—

(a) subsection (2) affects the rule-making powers conferred by the Supreme Court Act, 1970; and

5 (b) subsection (7) affects the rule-making powers conferred by the Land and Valuation Court Act, 1921.

(10) In this section, a reference to a claim for compensation (however expressed) is a reference to a claim for compensation contained in a notice in writing served on the Constructing Authority under section 102 of the Public Works
10 Act, 1912.

12. Where, after the resumption of designated land—

Notification and base date to continue in force for certain purposes.

15 (a) the notification in force under section 5 (1) at the date of resumption ceases to have any force in relation to that land, the notification shall, for purposes connected with that resumption only, be deemed to continue in force; or

20 (b) the base date applicable to that land at the date of resumption ceases to be so applicable, that date, being the former base date applicable thereto, shall, for purposes connected with that resumption only, be deemed to be the base date applicable thereto,

until all proceedings and other matters connected with that resumption have been determined and completed.

25 13. The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act. Regulations.

SCHEDULE.

Growth Centres (Land Acquisition).

SCHEDULE.

Secs. 3, 4.

Column 1.	Column 2.	Column 3.
No. of part.	Description.	Base date.
5		
10	1. ALL THOSE pieces or parcels of land comprising the whole of the City of Albury and the whole of the Shire of Hume as shown edged red on map catalogued Plan Number 8165A in the office of the State Planning Authority of New South Wales but excluding thereout so much of such land as is in the ownership of the Commonwealth of Australia.	3rd October 1972.
15	2. ALL THOSE pieces or parcels of land comprising the whole of the Cities of Bathurst and Orange and the whole of the Shires of Abercrombie, Blaxland, Canobolas, Lyndhurst, Oberon and Turon as shown edged red on maps catalogued respectively Plan Number 8210A, Plan Number 8210B, Plan Number 8210c, Plan Number 8210D, Plan Number 8210E, Plan Number 8210F, Plan Number 8210G, Plan Number 8210H in the office of the State Planning Authority of New South Wales but excluding thereout so much of such land as is in the ownership of the Commonwealth of Australia.	3rd October, 1972.
20		
25		
30	3. ALL THAT piece or parcel of land comprising the whole of the Shire of Gosford and the whole of the Shire of Wyong as shown edged red on maps catalogued respectively Plan Number 8211 and Plan Number 8212 in the office of the State Planning Authority of New South Wales but excluding thereout so much of such land as is in the ownership of the Commonwealth of Australia.	3rd October, 1972.
35	4. ALL THOSE pieces or parcels of land comprising the whole of the City of Campbelltown and the whole of the Municipality of Camden as shown edged red on maps catalogued respectively Plan Number 8213A and Plan Number 8213B in the office of the State Planning Authority of New South Wales but excluding thereout so much of such land as is in the ownership of the Commonwealth of Australia.	3rd October, 1972.
40		
45	AND ALSO all those pieces or parcels of land situate in the Shire of Wollondilly, Parish of Warragamba in the County of Cook, the Parishes of Warragamba, Weromba, Camden, Picton and Wilton in the County of Camden and the Parishes of Appin and Wedderburn in the County of Cumberland: Commencing at a point being the intersection of the generally north-western boundary of the Shire of Wollondilly with the generally eastern boundary of the Warragamba	
50		

*Growth Centres (Land Acquisition).*SCHEDULE—*continued.*

Column 1.	Column 2.	Column 3.	
5 No. of part.	Description.	Base date.	
10	Catchment Area as proclaimed in Government Gazette No. 122 of 4th September 1942 and amended in Government Gazette No. 1 of 7th January 1944 and bounded thence generally on the west by part of that generally eastern boundary of the amended Warragamba Catchment Area to its intersection with the westerly prolongation of the most westerly southern boundary of Portion 73 Parish of Picton County of Camden and thence generally on part of the south by that prolongation and part of the generally southern boundary of that Portion 73 to its intersection with the generally north-eastern boundary of the Port Kembla to Burragorang Mine 66 kV Transmission Line Easement as defined by plans catalogued Ms 16994 Sy R and Ms 16995 Sy R in the office of the Department of Lands, Sydney and thence generally on part of the south-west by part of the generally north-eastern boundary of that Port Kembla to Burragorang Mine 66 kV Transmission Line Easement to its intersection with the generally northern boundary of the Metropolitan Catchment Area as proclaimed in Government Gazette No. 79 of 13th July 1923 and thence again successively and generally on part of the south and east by successively part of the generally northern boundary of that Metropolitan Catchment Area, part of the generally northern boundary of O'Hares Catchment Area as proclaimed in Government Gazette No. 51 of 14th April 1927 and amended in Government Gazette No. 178 of 21st September, 1934 and part of the generally western boundary of that amended O'Hares Catchment Area to its intersection with the northern boundary of the Shire of Wollondilly and thence successively on the north, generally on the north-east and generally on the north-west by successively parts of the northern, generally north-eastern and generally north-western boundaries of the Shire of Wollondilly to the point of commencement but EXCLUDING thereout so much of such land as is zoned Residential "A", General Business, General Industrial, Special Uses "A" and Existing Recreation in the locality of The Oaks and Warragamba as shown on Sheets 11 and 12 of the maps referred to in the Wollondilly Planning Scheme as prescribed in Government Gazette No. 86 of 6th		
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SCHEDULE

*Growth Centres (Land Acquisition).*SCHEDULE—*continued.*

Column 1.	Column 2.	Column 3.
No. of part.	Description.	Base date.
5		
10	August, 1971 AND ALSO excluding thereout so much of such land as is contained in the Interim Development Order No. 1—Wollondilly as notified in Government Gazette No. 44 of 28th April, 1972 as shown edged red on map catalogued Plan Number 8213c in the office of the State Planning Authority of New South Wales but excluding thereout so much of such land as is in the ownership of the Commonwealth of Australia.	
15	AND ALSO all those pieces or parcels of land situate in the City of Liverpool and the Shire of Sutherland, Parish of Holsworthy and County of Cumberland: Commencing at a point being the intersection of the southernmost boundary of the City of Liverpool and the generally eastern bank of Georges River and bounded thence successively and generally on part of the south, part of the east and again part of the south by successively parts of the generally southern, eastern and southern boundaries of the City of Liverpool to the intersection with the north-western alignment of Heathcote Road and thence generally on the south-east by part of the generally north-western alignment of Heathcote Road to its intersection with the generally western bank of Tudera Creek and thence generally on the east by that generally western bank to its intersection with the generally south-western bank of Georges River and thence generally on part of the north-east by part of that south-western bank to its intersection with the generally southern bank of Williams Creek and thence generally on part of the north by successively part of that generally southern bank of Williams Creek and its prolongation to the generally southern bank of Harris Creek, part of that generally southern bank to its intersection with the easterly prolongation of the northern boundary of Filed Plan 379366, that easterly prolongation of Filed Plan 379366, the northern boundary of that Filed Plan and its prolongation westerly across Heathcote Road to its intersection with the generally south-western alignment of that road and thence again on part of the north-east by part of that alignment to its intersection with the generally southern boundary of the proposed expressway shown on plan catalogued X5/16 in the office of the Department of Main Roads, Sydney and thence again generally on part	
50		

SCHEDULE.

*Growth Centres (Land Acquisition).*SCHEDULE—*continued.*

Column 1.	Column 2.	Column 3.
5 No. of part.	Description.	Base date.
10	of the north by respectively part of that generally southern boundary, the generally southern boundary of the proposed expressway shown on plan catalogued X5/17 in the office of the Department of Main Roads, Sydney and part of the generally southern boundary of the proposed expressway shown in plan catalogued X5/18 in the office of the Department of Main Roads, Sydney to its intersection with the generally eastern bank of Georges River and thence generally on the west by part of that generally eastern bank to the point of commencement as shown edged red on map catalogued Plan Number 8214 in the office of the State Planning Authority of New South Wales but excluding thereout so much of such land as is in the ownership of the Commonwealth of Australia.	
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BY AUTHORITY

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