

### Valley of the Winds Wind Farm

The Department of Planning and Environment – Crown Lands has reviewed the proposal.

Crown lands notes there may be several Crown land reserves, Crown roads and Crown waterways within the proposal area. To determine the status, we recommend that you complete a current land status search. This may be via commercial search providers instead of applying through the department's search application process. Commercial search providers include information brokers and registered surveyors approved by NSW Land Registry Services.

#### **For use and access to Crown land/roads/waterways**

Authority to use, traverse, access or build infrastructure on Crown land, waterways and roads is required under the *Crown Land Management Act 2016* and/or the *Roads Act 1993*.

The Department will need to be referenced, prior to any use or occupation of any Crown land, waterways or roads, during the assessment phase.

If infrastructure needs to be built on Crown land, waterways or roads, the consent of the Minister for Lands and Water must be obtained, via Crown Lands, and constructed roads may need to be transferred to Council.

As per the EIS Main Report, Crown Lands notes that there are a number of Crown roads within the project area. These roads may provide legal access to the development but may not provide practical access. The Department advises that these roads should not be relied upon for practical access to the project site. Any Crown road required for access to the development/proposal, will need to be transferred to Council, or application made to close and purchase the roads. As authority to access or use Crown roads is required prior to the commencement of any works or access, and to avoid any delays for the proposal, a tenure may be required in the interim.

More information regarding Crown roads and Enclosure permits can be found at the following links:

<https://www.industry.nsw.gov.au/lands/access/roads> and

<https://www.industry.nsw.gov.au/lands/use/enclosure-permits>

#### **Lineal Infrastructure (e.g. Pipelines and/or Electricity Transmission lines) traversing Crown land/roads**

If lineal infrastructure (such as pipelines and/or electricity transmission lines) are expected to traverse Crown land, roads and/or waterways, an easement over said Crown land, roads and/or waterways will be required for protection of the infrastructure. To discuss easement requirements, please contact the Acquisitions team at the earliest opportunity at:

[cl.acquisitions@crowmland.nsw.gov.au](mailto:cl.acquisitions@crowmland.nsw.gov.au).

Information regarding the easement process is available at the below link:

<https://www.industry.nsw.gov.au/lands/use/easements>

As the easement process may be lengthy, it is also recommended that the proponent apply for a licence for each Crown road and Crown land lot as soon as possible. A licence will temporarily

authorise use and access for the infrastructure to traverse Crown roads and Crown land whilst the easement applications are being processed.

Details on how to apply for a licence are available at the below link:

<https://www.industry.nsw.gov.au/lands/use/licences>

It is important to note that authority such as licences or easements must be in place before Crown land, waterways or roads can be used, traversed, accessed or infrastructure can be built.

#### **Travelling Stock Reserves/ Reserves/Aboriginal Land Claims/Native Title**

It is noted there are multiple reserves within the project including Travelling Stock Reserve. Travelling Stock Reserves are managed by Local Land Services. There are also a number of reserves currently the subject of an undetermined Aboriginal Land Claim (ALC). As such, concurrence with the NSW Aboriginal Land Council (NSWALC) would be required. Additionally, a tenure will be required to authorise any use of and/or access to these lots, which may be subject to Native Title. This will need to occur prior to the commencement of any works.

Further information regarding Aboriginal Land Claims can be found at the following link:

<https://www.industry.nsw.gov.au/lands/what-we-do/our-work/aboriginal-land-claims>

If at any stage these parcels are required for the proposal or will be impacted in relation to operations associated with the proposal, a tenure may be required to authorise use of and/or access to the land. Native Title will need to be a consideration for the tenure.

Information regarding Native Title can be found at the below link:

<https://www.industry.nsw.gov.au/lands/what-we-do/our-work/native-title>

If encroachment of any Crown waterways are required, authority to access and/or use the Crown waterway will be required.

It is recommended that the proponent contact Crown Lands to discuss any requirements as soon as possible, to avoid any possible delays and to ascertain to what extent Crown land, roads or waterways are required for the proposal.

Yours sincerely



Jacky Wiblin

**Group Leader – Dubbo Land & Asset Management**

T 02 68835427 Phone | E email: [jacky.wiblin@crowmland.nsw.gov.au](mailto:jacky.wiblin@crowmland.nsw.gov.au)