

24/06/2022

Record Number: 22/00069#75

Planning Number: SSD-13166280

Blind Creek Solar Farm

Crown roads/waterways are contained within the project footprint. Crown land/road lots/waterways adjoin the project footprint, to the north and west. Part of Lot 7308 DP 1154506, Lot 20 DP 754891 and Lot 7300 DP 1141093 are Crown Reserves. If the proposal requires the use of these Crown Reserves in order to implement the Blind Creek Solar Farm proposal, the land will need to be acquired under the Land Acquisition (Just Terms Compensation) Act 1991 (LAJTC Act).

Further information regarding Crown land and the LATJC Act is located at the following link: https://www.industry.nsw.gov.au/lands/access/compulsory-acquisition.

For use and access to Crown land/roads/waterways

As per Table 4.2 of the EIS Report, Crown Lands notes that there are numerous 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. It is also proposed, in Table 4.2 that solar arrays and ancillary infrastructure as well as a substation and battery will be located within the Crown Road Reserve. Figure 4-9 indicates the placement of transmission lines and underground cables within, under or over Crown roads.

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

Authority to use, traverse, access or build infrastructure on Crown land and roads is required under the *Crown Land Management Act 2016* and/or the *Roads Act 1993*. It is recommended that the proponent contact Crown Lands as early as possible to discuss and initiate the processes required to authorise the use of and/or access to Crown land and roads.

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

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

There are Crown roads with enclosure permits, both within and adjoining the proposed development area. Please refer to the attached map, where Crown roads are shown with grey hatching and Crown roads with enclosure permits are shown in Green 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.

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 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@crownland.nsw.gov.au.

In order for transmission lines to traverse Crown land and/or roads, the proponent will need to apply for easements.

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

The Department may also need to consider the transfer of the affected Crown roads to the local Council.

It is important to note that licences or easements must be in place before infrastructure can traverse Crown land or roads.

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

Biodiversity/Environmental

Crown Lands notes that the proposal has identified the potential for the construction earthworks to cause sedimentation of the Crown Waterways as well as low ongoing management and maintenance for Crown land involved in the project area, and the consequences if mismanaged, however long-term management and maintenance strategies were not specified for when the Crown land is no longer required for the proposal. Can this please be addressed by the proponent.

If the proponent requires further information, or has any questions, please contact Sue Shallis, A/Snr Natural Resource Management Officer in Crown Lands, on 02 4824 3761 or at sue.shallis@crownland.nsw.gov.au.

Yours sincerely

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