

Our ref: 24/06269#77

Your ref: SSD-9619-Mod-1

<Enter Address>

8 November 2024

Subject: Modification 1 Tilbuster Solar Farm Modification

Dear Sir/Madam

The Department of Planning, Housing and Infrastructure – Crown Lands have reviewed the proposal.

The modification outlines proposed changes to construction logistics and arrangement/numbers of solar panels. The Department has no objects to these proposed changes and has no further comment on these matters.

Previous correspondence regarding Tilbuster Solar Farm (various correspondence and emails 20/09932, 21/04539#48) remains applicable to this modification.

The following points should be noted:

Table 1-1 Summary of key features (Page 4) and 1.3.7 (Page 9) 'Site access and internal tracks' it states 'site access point' is located at the intersection of New England Highway and an unnamed Crown Road. The access road at this location (west of Lot 100 DP 1301033 and Lot 95 DP 755823) is not Crown road but is Armidale Regional Council owned road. The proponent will need to consult Council regarding this access. The access road adjoins Crown Reserve 22252 (Lot 7014 DP 755823) at the north west, and any proposed use of this area should be referred to the Department for advice.

The access road becomes Crown road south of the Council road where it adjoins Lot 4 DP 800611). Previous advice remains current regarding the use of this Crown road.

Table 1-1 Summary of key features (Page 3) 'Site description' outlines the lots and Crown roads included in the proposal. As outlined in previous correspondence, the project also included a section of 'unidentified' (unreserved) Crown land within Lot 100 DP 1301033 (and adjacent to Crown road) which bisects the proposal. While Appendix A.1 'Updated general layout' indicates the unidentified Crown land is not proposed for solar panel infrastructure, given the Crown land bisects the proposal it will be required for access crossing and potentially infrastructure crossing such as power connection.

The proponent will require a licence from the Department prior to any use of this Crown land for access or infrastructure. In order to obtain a licence for use, the proponent will be required to obtain Section 24FA protection under the *Native Title Act 1993* through the

Federal Court. A Crown Lands licence for investigation (Licence 635128 to EP Sunspot 5 Pty Ltd) has previously been issued to the proponent to provide a legal interest in the Crown land enabling the proponent to proceed with application to the Federal Court. The proponent has previously indicated to the Department they are proceeding with the application to the Federal Court for Section 24FA protection.

If the proponent requires further information, or has any questions, please contact Warren Martin, Natural Resource Management Project Officer in Crown Lands, on 02 67703118 or at warren.martin@crownland.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read "R O'Brien".

Rodney O'Brien,

Group Leader Armidale/Moree

Crown Lands