

Our ref: 24/06269#81

Your ref: SSI-50831979

NSW Department of Climate Change, Energy, the Environment and Water
4 Parramatta Square
12 Darcey Street
Parramatta NSW 2150

6 November 2024

Subject: Billabong Creek Environmental Water Regulators

Dear Sir/Madam

The Department of Planning, Housing and Infrastructure – Crown Lands has reviewed the proposal and the following impacts will need to be considered prior to undertaking the development.

Hartwood Regulator

The existing Hartwood Weir is currently located on Land owned by Water NSW and is to be removed and replaced with a new regulator approximately 50-80 metres north on the Billabong Creek. Impacted Crown Land identifies as Part R 92577- Lot 28 DP 756330, Reserved for Future Public Requirements, Gazetted 6th June 1980 (Managed by the Minister) and the Crown waterway known as the Billabong Creek.

R 92577 is also subject to Native Title implications and two undetermined Aboriginal Land Claims (ALC's) being ALC 3318 & ALC 44033. The proponent will need to address Native Title considerations, ALC's and formalise any land that needs to be acquired for the structure.

Hartwood Power Supply

The Zoning and Land Ownership map in Figure 2.4 of the Billabong Creek Regulators EIS Report indicates that the proposed new overhead powerlines are to traverse Crown Land being Lot 28 DP 756330, (Reserved for Future Public Requirements as listed above) Lot 27 DP 756330, (R 30139-Reserved for Travelling Stock, Gazetted 18 Nov 1899-Managed by LLS, Subject to Native Title and ALC 37909) Lot 7301 DP 1162488, (R 30139-Reserved for Travelling Stock, Gazetted 1899, Managed by LLS, Subject to Native Title and ALC's

15028 & 37891) and Lot 7304 DP 1165043 (R987-Reserved for Travelling Stock, Gazetted 2 December 1873, Managed by LLS, Subject to Native Title and ALC's 13246 & 37881).

Wanganella Regulator

The location of the Wanganella Regulator is largely within Crown Land managed by the Edward River Council as Crown Land Manager. (CLM). The proponent should liaise with Council in the first instance with regards to the works proposed.

Land can be identified as Lot 7004 DP 1024203, (R 88408-Reserved for Preservation of Fauna and Recreation, Gazetted 26 November 1971, Subject to Native Title and ALC 15136) and Lot 7005, DP 1024202 (R880408-Reserved for Preservation of Fauna and Public Recreation, Gazetted 26 November 1971, Subject to Native Title and ALC 15137) and the Crown waterway known as the Billabong Creek.

Wanganella Power Supply

The proposed power supply appears to traverse Lot 7005, DP 1024202 (R880408-Reserved for Preservation of Fauna and Public Recreation, Gazetted 26 November 1971, Subject to Native Title and ALC 15137) Lot 7009 1024201 (R58165-Reserved for Travelling Stock, Gazetted 17 July 1925. Managed by LLS, Subject to Native Title and ALC's 15139, 11656 & 44011) and several Crown roads. (Wakool Street and the Cobb Highway corridor).

As detailed above the Billabong Creek Environmental Water Regulators proposal will require land to be acquired under the *Land Acquisition (Just Terms Compensation) Act 1991* (LATJC Act). This is particularly the case where the new structures are to be developed.

Further information regarding Crown land and the LATJC Act is located at the following link: <https://www.crownland.nsw.gov.au/resources/purchase-crown-lands/compulsory-acquisition>.

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

It is noted that 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@crownland.nsw.gov.au.

As the easement process may be lengthy, it is also recommended that the proponent apply for a licence to allow occupation of the Crown Land. 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.crownland.nsw.gov.au/licences-leases-and-permits/apply-or-manage-licence>

Aboriginal Land Claims

As many of the Crown Land parcels are currently under Aboriginal Land Claim (ALC) the proponent will need discuss the proposal with the respective claimant Aboriginal Land Council(s) prior to any development occurring. Further information regarding Aboriginal Land Claims can be found at the following link:
<https://www.crownland.nsw.gov.au/protection-and-management/aboriginal-land-rights-and-native-title/aboriginal-land-claims>

Native Title

Native Title will need to be a consideration with all development impacting any Crown Land.

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

<https://www.crownland.nsw.gov.au/protection-and-management/aboriginal-land-rights-and-native-title/native-title>

Local Land Services

Concurrence should be sought from Local Land Services with regards to works over Travelling Stock Routes prior to any works commencing.

If the proponent requires further information, or has any questions, please contact Peter Bisset, Crown Lands, on 0269 90 1801 or at peter.bisset@crownlands.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read "Peter Bisset".

Peter Bisset

A/Group Leader Griffith & Hay Crown Lands

