

Our ref: 24/13460#08

Your ref: SSD-78039972

megan.ramsdale@planning.nsw.gov.au

3 December 2024

Subject: Swallow Tail Battery Energy Storage System

Dear Megan

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

As per section 3-1 of the (Swallow Tail Battery Energy Storage System) 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. It is also proposed, in section 3.1 and Figures 3.1 and 3.3, that transmission lines may also be placed on or over Crown roads or land.

The Department will need to be referenced, prior to any use or occupation of any Crown roads or land, 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. Does s.138 of Roads Act apply?

If infrastructure needs to be built on Crown land or roads, the consent of the Minister for Water, Property and Housing must be obtained, via Crown Lands, and constructed roads may need to be transferred to Council. Further information regarding land owner's consent for Crown land and roads can be found at the following link: <https://www.crownland.nsw.gov.au/resources/guides-and-factsheets>

There are multiple Crown roads, including Crown roads with enclosure permits, both within and adjoining the proposed development area. Please refer to the attached map, where Crown roads are shown in yellow 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. 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.crownland.nsw.gov.au/licences-leases-and-permits/information-about-crown-roads>

and

<https://www.crownland.nsw.gov.au/licences-leases-and-permits/apply-or-manage-enclosure-permit>

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@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.crownland.nsw.gov.au/protection-and-management/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.crownland.nsw.gov.au/licences-leases-and-permits/apply-or-manage-licence>

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.

If the proponent requires further information, or has any questions, please contact Jacqui Harmer, Snr Natural Resource Management Officer in Crown Lands, on 024824 3707 or at Jacqui.harmer@crownland.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink that reads "Harmer".

Jacqui Harmer,
Snr Natural Resource Management Officer
Crown Lands - Goulburn

