

Gunning Solar Farm

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

Crown Reserves/road and a waterway are located within the project footprint.

For use and access of Crown land/roads/waterways

As per section 1.5 of the Scoping Report, Crown Lands notes that a number of Crown roads have been identified within the project area and that Canadian Solar are consulting with Crown Lands re the closure of those roads.

Some of these Crown roads are currently subject to enclosure permits to adjoining owners.

However, it is also noted in *Figure 4 – Site with transmission line easements and Crown Lands* that not all the Crown roads are identified. The Crown roads that have not been specified are located adjoining the north and northwest boundaries of Lot 50 DP 754130, the northern boundary of Lot 48 DP 754130 and the north and eastern boundary of Lot 3 DP1142197. Canadian Solar should consult with Crown Lands re the closure of those roads also.

Authority to use, traverse, access or build infrastructure on Crown land, roads and waterways 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, roads and waterways.

Any Crown road required for access to the development/proposal, will need to be transferred to the local Council, or any application made to close and purchase the roads must be determined prior to any construction commencing. As authority to access or use Crown roads is required prior to the commencement of any works and to avoid any delays for the proposal, a tenure may be required in the interim.

More information regarding Crown roads and licences can be found at the following links:
<https://www.industry.nsw.gov.au/lands/access/roads>
<https://www.industry.nsw.gov.au/lands/use/licences>

It is noted that a Crown waterway, known as Hovells Creek is within the proposed site area, if any works are proposed within the waterway, authority to access and/or use the Crown waterway will be required. The proponent is encouraged to consult with Crown Lands as early as possible to discuss requirements.

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 need to be acquired for protection of the infrastructure.

To discuss easement requirements, please contact the Acquisitions team at the earliest opportunity at: cl.acquisitions@crowland.nsw.gov.au.

Information regarding the easement process is available at the following link:
<https://www.industry.nsw.gov.au/lands/use/easements>

As the easement process may be lengthy, inclusion of all impacted Crown land (reserves, roads and waterway) in a temporary licence agreement is also recommended.

Details on how to apply for a licence are available at the following 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 authority (licences or easements) must be in place before Crown land, waterway or roads can be used, traversed, accessed or infrastructure can be built.

Travelling Stock Reserves/ Reserves/Commons/Aboriginal Land Claims/Native Title

Lots 214 & 248 DP 754130 is identified as a Category 2 Travelling Stock Reserve (TSR) used for travelling stock, emergency management or biosecurity purposes. The TSR is managed by the South East Region Local Land Services and is currently the subject of an undetermined Aboriginal Land Claim (ALC).

It is noted that no development is proposed within this reserve. Should this change and the reserve is impacted either temporarily during the development stage or later as a result of the ongoing operation of the farm, then concurrence from the NSW Aboriginal Land Council (NSWALC) would be required. Additionally, a tenure could be required to authorise any use of and/or access to this reserve. Determination of a licence application will need to occur prior to the commencement of any works.

In the event that these land parcels are impacted, the proponent is encouraged to consult with Local Land Services regarding the use of, or access to this Crown land and to contact this department as early as possible if Crown Lands' involvement is required to assist.

Whilst Lot 249 DP 754130 is not currently subject to the proposed development the reserve or use and enjoyment of the site by reserve users may be impacted either during the construction phase or as a result of ongoing management of the solar farm. Lot 249 DP 754130 is a reserve for public recreation under the care, control and management of Lade Vale Recreation Reserve Land Manager. The proponent is encouraged to consult with Lade Vale Recreation Reserve Land Manager during the development phase to mitigate any impacts on the reserve users. The proponent is encouraged to contact this department as early as possible if Crown Lands' involvement is required to assist.

If at any stage this parcel is required to be incorporated in the proposal a tenure may be required to authorise use of and/or access to the land.

Biodiversity/Environmental

Crown Lands notes that the proposal includes the development of a Biodiversity Development Assessment Report (BDAR) to identify suitable avoidance and mitigation measures to be adopted to minimise or mitigate potential ecological impacts. It is requested to include and address any management and maintenance strategies for all Crown land impacted by the project in the BDAR.

Information regarding biodiversity offsets can be found at the following link: <https://www.environment.nsw.gov.au/topics/animals-and-plants/biodiversity-offsets-scheme/about-the-biodiversity-offsets-scheme>.

Consent of the Landholder

The proponent is advised that as the project footprint adjoins or contains Crown land/roads. As the project does not meet the definition of a public notification development (2021 Reg s23(2)), Landowners consent from this department is required.

The application form for Landowners consent can be found on our website at: https://www.industry.nsw.gov.au/_data/assets/pdf_file/0003/144345/landowners-consent-application-form.pdf

If the proponent requires further information, or has any questions, please contact Sue Shallis, A/Senior Property Management Officer in Crown Lands, on 02 4824 3761 or at Goulburn.crownlands@crowland.nsw.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to read 'Heike Peterlin', written in a cursive style.

Heike Peterlin

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Diagram A – Location Map – showing Crown Roads and Crown Reserves

