

PCU025295



Land & Property
Management Authority
Crown Lands

Our Ref: 11/09536
Your Ref: MP10_0035
Contact: John Flarrey

23rd August 2011

NSW Planning & Infrastructure
GPO Box 39,
SYDNEY NSW 2001

Department of Planning
Received
25 AUG 2011
Scanning Room

ATTENTION: MR TOBY PHILP

Dear Sir,

SUBJECT: EXHIBITION OF ENVIRONMENTAL ASSESSMENT FOR DALTON POWER PROJECT.

Reference is made to the documents received in this office 10th August 2011 seeking comments on the environmental assessment for the above project.

On behalf of Crown Lands Division of the Department of Primary Industries (CLD) I would make the following comments in relation to the Dalton Power Project:

1. The Crown public roads shown by pink colour on Diagram A herewith are affected by the main access road and the access to the communications facility respectively.

CLD is not a road construction and maintenance authority and is not funded for such work nor does it employ staff who can provide expertise in this area – this role is the province of Local Government. In addition, Section 138 of the *Roads Act 1993* prohibits person/s from undertaking works or erecting structures on or over a public road without first obtaining the consent of the appropriate roads authority. CLD is the responsible roads authority for Crown roads on behalf of the Minister administering this legislation.

As a consequence, CLD does not consent to any party undertaking works, including maintenance, on Crown roads.

In this particular case, it is understood that the proponent (AGL Ltd) have entered a dialogue with Upper Lachlan Council with a view to Council accepting transfer of control pursuant to Section 151 of the *Roads Act 1993* and such a request is imminent. Transfer to the affected roads will also allow "linking" of these roads with other Council roads in this immediate vicinity.

Once the project construction is completed, it is CLD preferred position that any roads no longer required for access be closed and sold to adjoining landowners.

2. Records available to this office suggest that parts of the waterway – Lachlan River adjoin the northern boundary of the Project area. Also in close proximity to the western boundary of the Project area is Jerrawa Creek which is a Crown waterway.

All current access points to both waterways must remain and be available for public use. Any works and or operational activities must not impact on the bed and banks of these waterways, or affect the flows to or within the waterway/s.

GOULBURN OFFICE
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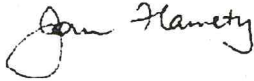
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If any disturbance or activities are to occur within the waterway and or access is required CLD must be consulted prior to any disturbance or activities. This is to ensure that there is no long term impact on the Crown waterway/s and any adjoining riparian zones.

If you have any queries or would like to meet to discuss the contacted of this letter please do not hesitate to call me at the CLD Goulburn Office on (02) 4824-3714.

Yours Sincerely

A handwritten signature in black ink, appearing to read "John Flarrey". The signature is written in a cursive style with a large, looped initial "J".

John Flarrey
Group Leader, Goulburn

