

I re-iterate that the following information is required to be addressed from a Crown Lands perspective:-

- 1 The proponent must provide evidence for the authorised occupation of Crown land by the existing ocean outfall pipe that extends from the Belmont Wastewater Treatment Works (WWTW) to approximately 1.5 km offshore. Alternatively, the proponent should provide evidence of the legislative exemption that negates the required authorisation for the ocean outfall pipe under the former *Crown Lands Act 1989*. Possible further evidence may be required under the current *Crown Land Management Act 2016*. Should no approval or exemption exist then the proponent must apply to Crown Lands for the creation of an easement for the outlet pipe to occupy Crown land.
- 2 The access road and infrastructure of the WWTW partially occupies a Crown road (refer to Attachment 1). The proponent should apply to close and purchase the Crown road within the project area as shown in Attachment 1.



- 3 Alternatively, for the 1 above and 2 below



, Hunter Water may wish to consider compulsory acquisition under relevant legislation.

Key reasons

The Department requests that this information is included in the Environmental Impact Statement (EIS) for the following reasons:

- The existing ocean outfall pipe occupies Crown land between the mean high water mark and a position approximately 1.5 km offshore. The PEA does not contain information relating to an existing authorisation to occupy this Crown land under the *Crown Land Act 1989*, or a legislative exemption, for the outfall pipe. The department has no record of an easement or other approval for the ocean outfall pipe.
- The Crown road adjoining the project site has been severed by the construction of access and storage bays as part of the proponent's development of Lot 1 DP 433549 (see Attachment 2). The proponent should apply for the closure and purchase of the impacted Crown road shown in Attachment 1. This will facilitate the legal management of the existing access and the infrastructure located on the Crown road.
- Hunter Water holds compulsory acquisition powers under relevant legislation (*Hunter Water Act 1991* and *Land Acquisition (Just Terms Compensation) Act 1991*).