

8 May 2014

Mr Neville Osborne
Team Leader -
Infrastructure Projects
Planning & Infrastructure
GPO Box 39,
SYDNEY NSW 2001

Attention: Tracy Bellamy

Dear Sir / Madam,

SUBJECT: RESPONSE TO DEVELOPMENT PROPOSAL PALING YARDS WIND FARM

Reference is made to your letter of 21th March 2014 seeking comments on the development proposal Paling Yards Wind Farm.

NSW Trade & Investment, Crown Lands comments on this proposal are as follows:

- No wind turbines are visibly impacting on Crown roads; however, turbines P5, P8, P12, P14, P24, and P55 are currently placed in close proximity to Crown roads. If the location of any turbine in the detailed design stage, particularly the turbines noted here, are revised and found to impact on a Crown road, then the options for the proponent are:
 - Relocate the turbine so as to not impact on potential use of the road and therefore breach the provisions of Section 5(1) of the Roads Act 1993;
 - Or arrange for the adjoining landowner to close and purchase the affected section of Crown road;
 - Or if any impacted Crown roads are not able to be closed, NSW Trade & Investment, Crown Lands would appraise with a view to authorisation via suitable easements replicating the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 with compensation and fees assessed in the normal manner;
- It will always be Crown Lands preferred position that any Crown roads are closed if affected by any wind farm infrastructure.
- If a Crown road is to upgraded to provide access of a vehicular standard, NSW Trade & Investment, Crown Lands would require the affected roads to be transferred to the local Council;
 - The proposed northern transmission line route corridor will be approximately 9 kilometres in length and 70 metre in width. Route sighting is selected to avoid direct with watercourses and Crown land. It should be noted that there remains an incomplete Claim under the NSW Aboriginal Land Rights Act 1983 over Lot 19 DP 753064. This Lot comprise Reserve 190027 notified 30/12/1987. This means that any cabling or transmissions power poles must not impact on this Crown Land because this Office cannot create an interest or dealing in the land until the Claim is determined and any appeal period expires.

- The provisions of the Native Titles Act (Cth) would be resolved by virtue of acquisition of suitable easements. The transmission line route is in close proximity to Lot 19 DP 753064 for several hundred metres.
- All cables are stated to generally follow the same alignment as the access tracks to limit development footprint; however, this alignment may diverge from access tracks to overcome ground constraints and electrical losses. Any proposed internal access tracks or wind farm cabling crossing Crown roads are to be authorised by suitable easements.
- If required, a letter of authority can be issued to the proponent permitting access to the site for the purpose construction and commissioning of the project. Such a letter would be on the premise that the proponent agrees in writing to all consent conditions and to finalise all easements as soon as practicable after construction.
- When the final project final design stage is determined and approved by Planning and Infrastructure NSW, the proponent must undertake a status search with the Department to determine the impact of the final design on Crown land and roads. The fee for such a search will be determined on the basis of time taken with any costs to be borne by the proponent.
- If the approved final design stage impacts on any Crown assets, Crown Lands reserve the right to seek additional requirements at that time.

If you have any queries regarding the aforementioned or this Office can be of any further assistance, please do not hesitate to call John Flarrey, Group Leader, Goulburn Office on (02) 4824-3714 or Mobile 0427 108 717.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Grant Marsden', with a circular flourish at the start.

Grant Marsden
Manager South West Area