

Javier Cannon
Senior Environmental Assessment Officer
DPE - Planning

C/- Major Projects Portal

Assessment of Peninsula Solar Farm (SSD-14757962) (Forbes Shire)

Dear Mr Canon

Thank you for your correspondence of 27 September 2022 and the opportunity to provide comment on the above proposal.

The NSW Department of Primary Industries (DPI) Agriculture collaborates and partners with our stakeholders to protect and enhance the productive and sustainable use and resilience of agricultural resources and the environment.

Based on the assessment outlined in this report, the proposal is incomplete, especially in relation to the relevant agricultural land and land use requirements outlined in the SEARs. We note the request for suggested conditions of consent and these are included in our response.

The SEARs relevant to Departmental interests include the following:

Land - including :

An assessment of the potential impacts of the development on existing land uses on the site and adjacent land, including

a consideration of agricultural land , flood prone land, Crown lands (including Crown Roads) , mining, quarries, mineral or petroleum rights (including current and prospective exploration licences

a soil survey to determine the soil characteristics and consider the potential for erosion to occur

a cumulative impact assessment of nearby developments.

An assessment of the compatibility of the development with existing land uses, during construction, operation and after decommissioning, including:

a consideration of the zoning provisions applying to the land, including subdivision

completion of a Land Use Conflict Risk Assessment in accordance with the Department of Industry's Land Use Conflict Risk Assessment Guide; and

an assessment of the impact on agricultural resources and agricultural production on the site and region.

In dealing with these requirements the following is noted:

The EIS has addressed a review of existing information in relation to agricultural land on site. However, there has been no consideration of the following:

- reference to the northern parts of the most northern lots being mapped as State Significant Agricultural Land (SSAL) under the current draft mapping which indicates the importance of such land in the state.
- land identified as having a land and soil capability (LSC) of 3, 4 and 5.
- on-site assessment of land or soils undertaken in relation to agricultural land uses.

The impacts on agricultural production of the site and region are also not undertaken.

Ideally an Agricultural Impact Statement (AIS) should have been undertaken. This is because of the proposal's long-term removal of land from production with a Land and Soil Capability of Class 3. The AIS should include an assessment of agriculture on the site and in the locality, changes due to the solar development on agricultural enterprises and production values during construction and operation, including any land sharing arrangements. The AIS should also include an assessment of the state-wide scarcity of highly productive agricultural land and the relative amount of LSC class 3 and SSAL lands.

To deal with this omission the following condition is suggested:

That current agricultural production on the site and the region is assessed, and changes to this by the solar farm quantified. Land sharing arrangements are to be detailed during the solar farm's operation if grazed, and rehabilitation outcomes related to final agricultural land use are to be outlined (if this is determined as the final land use).

There is a commitment to undertake a land survey, geotechnical and other preliminary investigations in the EIS (p36). To further satisfy the SEARs requirements a recommendation is made below for a condition of consent:

Final land rehabilitation outcomes are to include details of the baseline soil profile analysis showing extent and soil types over the project site to determine site specific LSC predevelopment, and to inform final land rehabilitation outcomes.

The use of sheep and slashing are noted as potential management options for the management of vegetation on the site. However, there are no details on the reinstatement of vegetation post construction or how the site will be managed because of seasonal conditions etc. agriculturally. To overcome this the following condition is suggested:

Ensure groundcover is maintained at a minimum of 70% to prevent soil erosion by the development of a groundcover management plan. Details on the final construction reinstatement of the land and appropriate vegetation establishment and management should be included. That would also include the current and potential impact of the proposal on the site as per the Meat and Livestock guide 2.02 (<https://mbfp.mla.com.au/pasture-growth/tool-22-assessing-groundcover/>) or Soil Knowledge Network Inc (<https://www.nswskn.com/Solar%20farms/> and <https://www.nswskn.com/groundcover/>.)

The EIS notes the intent to decommission and remove all above ground infrastructure including all electrical cabling to a depth of 1000mm. This should also include all other infrastructure to ensure the land can be returned to full agricultural production, including cropping. A suggested condition should include:

That the final landform is achieved with the removal all below ground infrastructure below 1000mm.

A Rehabilitation and Decommissioning/Closure Management Plan should also be provided for, with the following suggested condition:

Develop a Rehabilitation and Decommissioning/Closure Management plan that includes:

- *potential design criteria of the final land use and landform,*
- *indicators which may be used to guide the return of the land back to agricultural production,*
- *and an expected timeline for the rehabilitation program.*

Issues related to community consultation and land use conflict risk are noted. Other relevant issues concerning the NSW DPI are also addressed.

Should you require clarification on any of the information contained in this response, please do not hesitate to contact me on 0427949987 or by email at landuse.ag@dpi.nsw.gov.au.

Sincerely



Mary Kovac

Agricultural Land Use Planning Officer

Ag Strategic Initiatives

Central West Orana Region

21 October 2022