Department of Primary Industries
and Regional Development

OUT24/19557

Department of Planning, Housing and Infrastructure (DPHI)
C/- Major Projects Portal

Attention: Rita Hatem, rita.hatem@planning.nsw.gov.au

Mayfair Solar Farm SSD-60074458 Environmental Impact Statement

Dear Madam,

I refer to your request of 3 December 2024 for advice on the Mayfair Solar Farm Environmental Impact Statement (EIS).

Agriculture plays a vital role in supporting state, regional and local economies, and strengthening the social bonds and character of rural communities. The NSW Department of Primary Industries and Regional Development, Agriculture and Biosecurity (the Department) collaborates and partners with our stakeholders to protect and enhance the productive and sustainable use and resilience of agricultural resources and the environment.

The Department's advice is guided by section 4.15(1) of the *Environmental Planning and Assessment Act 1979* (*EP&A Act*), where a consent authority is required to evaluate a project's potential environmental, social, and economic impacts and the public interest. Sections 1.3(a) and (b) of the *EP&A Act* emphasise the facilitation of ecologically sustainable development (ESD) in land use decision-making. This includes the promotion of responsible resource management that benefits present and future generations.

The EIS, Appendices and SEARs applicable to agriculture have been reviewed. The following comments are provided on the key agricultural issues:

Agricultural land

- **Land and soil capability (LSC)** on the development footprint is determined as LSC Class 5 in accordance with the Land and Soil Capability Assessment Scheme (LSC) (Second Approximation)[1]. Soils verification justified the preparation of a basic Agricultural Impact Assessment (AIS) in accordance with the Large Scale Solar Energy Guideline (LSSEG) (Appendix I).
- The land is zoned RU1 Primary Production with a history of cropping and livestock grazing, and is within 500m of LSC Class 3 land. Appendix I provides an estimate of lost agricultural production (~$15,467 pa) over 127ha of the development footprint.

[1] https://www.environment.nsw.gov.au/resources/soils/20120394lsc2s.pdf

- LSC Classes 2-4, which have the least limitations, account for 15.5% of all land zoned for primary production in the Mid Western Regional LGA. In contrast, rural land classified as LSC Class 5 constitutes the majority of usable agricultural land in Mid-Western Regional Council, making up 23.4%. Furthermore, LSC Classes 6-8 combined represent 43.5%, illustrating the relative scarcity of productive agricultural land in the LGA and the significant value of well-managed LSC Class 5 land.
- The loss or impacts on agricultural land as a result of the project were raised by community members, as noted in Appendix K.

Agrisolar

- The EIS consistently states that a nominal loss of agricultural production is expected partly due to the 'continuation' of sheep grazing on the site, offset by grazing at 80% of carrying capacity. Sheep grazing is also promoted as providing a 'double benefit' of retaining agricultural value while assisting with 'grassland maintenance'.
- However, there is no evidence provided as to how agrisolar grazing activities may be undertaken or a firm commitment to same, other than a reference to future consultation with the Council and community to '*determine the best methods to ensure sheep grazing can co-exist with the solar farm'.*

Land use conflict

- The EIS does not include a Land Use Conflict Risk Assessment (LUCRA) despite land use conflict being a key consideration in the issued SEARs. In relation to rural land, the EIS states that potential land use conflicts are '*unlikely based on discussions with neighbours'.*
- The 150-bed Temporary Workers Accommodation is to be situated on Jacksons Lane, and the EIS does not assess the potential land use conflict issues with surrounding or adjoining properties. There may be significant, if temporary changes to local amenity and agricultural operations through (at least) biosecurity risks due to this development.

Decommissioning

- The EIS commits to '*returning [the site] to pre-existing land use'* despite there being no intention to remove below ground infrastructure during decommissioning.

Based on the remit to protect agricultural values at and in the vicinity of the project footprint, the Department recommends the following additional information be provided:

Agrisolar and groundcover management

- Detailed information should be provided on the agrisolar arrangements as part of the construction and operational environmental management plans (C/OEMPs), nominally including:
    - Description of existing infrastructure on-site and/or to be installed to support sheep grazing or the proposed layout of fencing, watering points, laneways, yards, loading ramps, shearing shed etc, on the property to manage sheep. Animal husbandry needs to be defined.
    - We recommend that the proponent be required to develop a Grazing Management Plan in consultation with NSW Local Land Services to detail appropriate grazing and biosecurity

approaches to the site and adjoining land including weed and pest control measures specific to sheep.

- Groundcover should be maintained at a minimum of 70% to prevent soil erosion. The Grazing Management Plan should detail measures and management practices to re-establish vegetation and grazing on the land post construction and during operation. Conversely, if the site will not be used for agricultural purposes, it is reiterated that a minimum of 70% groundcover is maintained to prevent soil erosion via actions described in the groundcover management plan.
- In terms of monitoring groundcover management, it is recommended that the agricultural productivity of the site (including carrying capacity, stock numbers from current farm records) along with land and soil capability assessment and prevailing climatic conditions are established as a baseline and reported annually in line with a 70% groundcover target to determine the efficacy of land management and rehabilitation objectives.

Biosecurity

- Development and implementation of an **agricultural biosecurity management plan** are required, focusing on pedestrian and vehicle movements during construction and operation, which may affect the distribution of weeds and pests and therefore potentially impacting agricultural productivity at the site and locality. The Department recommends that the Biosecurity Risk Management in Land Use Planning and Development Guide be referred to the proponent for further information.

Decommissioning and rehabilitation

- A proportionate and reasonable mitigation measure, given the commitment to agricultural land preservation outlined in the EIS is for site decommissioning to remove all underground infrastructure to a depth that permits the re-establishment of livestock grazing on improved pastures and cropping at the end of the project life. This would involve removing solar-related structures and ancillary infrastructure from the site to a minimum depth of 500mm and returning the site to pre-existing use and land and soil capability class as committed in the EIS.

Finally, the EIS uses ESD as justification for the use of agricultural land on the basis of a decarbonised economy and positive economic contribution. The continued availability of agricultural land for food and fibre production for current and future generations is also an important, independent and equal consideration in ESD decision making.

Should you require clarification on any information provided, please contact Nita Scott, Agricultural Land Use Planning Officer, at 0487023845 or by email at landuse.ag@dpird.nsw.gov.au.

Sincerely

Nita Scott
Agriculture & Biosecurity

19 December 2024