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Hume
Council

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Elisha Dunn
Environmental Assessment Officer
Energy and Resources
Department of Planning, Industry and Environment
Level 30
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SYDNEY NSW 2000

Dear Ms Dunn

Greater Hume Council Endorsed Submission to the Environmental Impact Statement (EIS) – Jindera Solar Farm

I refer to the notice of exhibition of the EIS for the Jindera Solar Farm (proposed development) which was received by Council on 11 October 2019. It is advised that Council has reviewed the Environmental Impact Statement and at an extraordinary meeting held on 6 November 2019, Council resolved to **formally object** to the proposed development for the following reasons:

1. The development will result in adverse environmental, social and economic impacts for the local community

It is acknowledged by Council that it is essential to address climate change which can be achieved through a transition in energy production to utilise low carbon renewable sources of energy that can be provided by the proposed development. However, the macro scale need of the wider community to deal with climate change should not negate the need for the proposed development to be compatible with the environmental, social and economic concerns of the local community which are discussed further below.

There are many nearby receptors to the proposed development and the EIS identifies 64 sensitive receivers within a 2 kilometre radius.

Council is of the opinion that the proposed development will lead to poor social and environmental outcomes through a loss of amenity for nearby residents in that the immediate landscape will dramatically change from prime agricultural land, to be a landscape with an industrial appearance with a development footprint of 327 hectares, that incorporates solar panels on tracker units, battery energy storage units, site and amenity buildings, access roads, inverter stations, high voltage substations and two metre high perimeter fencing. Council believes that the proposed landscaping will not provide a timely response to address the amenity loss of nearby receivers.

There are 33 receivers located within 1 kilometre of the proposed development and therefore Council is concerned about the potential for the heat island effect to adversely impact upon localised climatic conditions and result in heat transmission out of the solar farm and into neighbouring properties.

The EIS relies upon several studies that have been undertaken internationally to discuss the heat island effect caused by PV arrays however, there is no cited Australian studies on the heat island effect. This is of concern to Council as it may not be appropriate to extrapolate the results of international studies on the heat island effect to localised conditions where the development area is large, there is a high number of receivers, some receivers are as close as 50 metres from subject land and the mean summer maximum temperature is 32.3 °c.

The EIS should have discussed what mitigation measures, other than a setback, the proponent could take to minimise adverse outcomes caused by the heat island effect.

Council is concerned about the proposed development producing a dust nuisance during construction, but particularly during its operational phase. The local area enjoys a reasonably high average rainfall and therefore it is not common for land in the vicinity of the proposed development to be devoid of vegetation. Consequently, nearby receptors currently do not experience any significant issues in relation to dust. Council believes that the use of tracking systems and efficient PV cells will dramatically reduce the amount of solar energy reaching the soil beneath the solar arrays and over the thirty year life of the development it could be increasingly difficult to maintain vegetation cover. Given the scale of the development site (327 hectares), there may be the potential for barren earth beneath solar arrays to be a significant source of dust for nearby receptors.

With the exception of the landowners of the project site, Council believes that there will be minimal economic benefits arising to the immediate local community through the establishment of the proposed development. During the construction phase, the EIS indicates there will be 200 staff employed with many of these drawn from the local community. The EIS reveals that peak employment is for a short period of time being 3 months with the numbers employed dramatically reducing outside of this period. It is felt that most of the benefits from the construction employment will not be able to be capitalised upon by the Jindera community as there is very limited temporary accommodation available. Workers will most likely be accommodated in the nearby regional centre of Albury/Wodonga. The EIS provides the impression that much of the equipment such as the PV cells, tracking arrays, inverter stations and Battery Energy Storage Systems are all to be purchased from the global market.

During the operational period the EIS indicates employment will be 2-3 full time staff members with additional service contractors and projected annual expenditure of \$1 million dollars. Council believes that this level of economic activity is not a dramatic improvement over the status quo scenario where the current landowners would be engaged in working their land and would be outsourcing different elements of their farming operation and making local purchases.

It is advised that neither the proponent of this application nor the Department of Planning Infrastructure and Environment has engaged with Council in relation to a payment to Council of a development contribution associated with the proposed development.

Since 2012 Greater Hume Council has had a shire wide fixed development consent levy either complying with Section 94A or its replacement Section 7.12 of the Environmental Planning and Assessment Act 1979.

Council has applied the provisions of its fixed development contribution plan on 283 occasions irrespective whether there is an impact of the development on local

infrastructure with the funds being used for provision, extension, augmentation of public amenities and public services.

Given Greater Hume Council's long standing application of a fixed development contributions levy and the impact of the development on the local community, a failure by the proponent to pay a development contribution to Council that is commensurate with the current Greater Hume Councils Section 7.12 Development Contribution Plan 2019 would also be an adverse social outcome.

2. The proposed development will restrict the ability for Jindera to grow in the direction of the subject land

The proposed development is located approximately 2.5 kilometres from the nearest residential development in Jindera. It is advised that Jindera is enjoying a reasonable rate of growth and Council continues to undertake strategic planning activities to ensure there is sufficient land available to accommodate demand.

In terms of being suitable for development for residential purposes, some areas around Jindera are constrained due to the effects of flooding and other limitations such as the presence of native vegetation. The land in the direction of the proposed development does not appear to be as constrained as other land.

Over the next of thirty years, which is the life of the proposed development, it is possible that growth opportunities for Jindera would have been pursued in the direction of the proposed development. Given the impacts of the proposed development, it is unlikely that future residential development should be pursued in the vicinity of the proposed development which is an opportunity cost of the proposed development for both the local community and, particularly for nearby landowners who are uninvolved in the proposed development.

3. Concerns in relation to the bushfire risk posed by the development

Local residents have raised concerns to Council about the bushfire risk posed by large scale solar farms such as the proposed development. Whilst the EIS does review the risks posed by bushfire and other sources of fire, it does not do so in the context of responding to comments provided by the NSW Rural Fire Service as part of the Secretary's Environmental Assessment Requirements (SEARS). Council believes that the importance of addressing the bushfire fire risk warrants ascertaining the NSW Rural Fire Service's comments prior to the application being determined.

4. Loss of high quality agricultural land

Council has reviewed the Department of Planning, Industry and Environments Large Solar Energy Guidelines in which there is a discussion about the importance of site selection. Agriculture is identified as a key site constraint and the guideline refers to land meeting the following:

important agricultural lands, including Biophysical Strategic Agricultural Land (BSAL), irrigated cropping land, and land and soil capability classes 1, 2 and 3. Consideration should also be given to any significant fragmentation or displacement of existing agricultural industries and any cumulative impacts of multiple developments.

The EIS indicates that the land on which the subject development is classified as class 3 land and class 6 under the Land and Soil Capability Assessment Scheme. Perusal of Figure 6.13 in the EIS and Figures 3.9 and Figures 3.10 reveals that a large majority of the development footprint is situated on the Class 3 High Capability Land rather than the Class 6 Low Capability Land. It is noted that DPI Agriculture commented through the

SEARS that *“the class 3 land should be protected as much as possible. The proponent should consider moving as much of the development from the Class 3 land (as assessed under the Land and Soil Capability Scheme to the class 6 lands that surround the site. This land (class 3) is considered as High Capability Land as outlined in the Preliminary Environmental Assessment, and aerial imagery shows that this land has been deep ripped in the past and has been actively used for cropping.”*

Council has been advised that this land will be mapped as important agricultural land under the Riverina Murray Draft Important Agricultural Land Mapping project which also indicates it is high quality agricultural land.

Consequently, as this site is important agricultural land and contains soils classed as capability class 3, the site should be considered constrained under the Department of Planning, Industry and Environments Large Solar Energy Guidelines.

The EIS indicates that there will be benefits for the soils as the proposed development will provide the opportunity for the land to be rested and there will be an encouragement in allowing the growth of diversity in groundcover and perennial species. There is a concern raised by Council that the land may not benefit from thirty years of being beneath highly efficient photovoltaic cells mounted upon tracking units and indeed, may deteriorate if the vegetation is not able to be supported in this environment.

The EIS indicates that underground cabling is proposed to be left insitu when the proposed development is to be decommissioned which does not align with the comments from DPI agriculture which states: *“The proponent should consider the removal of all underground infrastructure as part of the decommissioning of the proposed solar farm at the end of life to ensure all previously cropped lands are returned to the predevelopment state.”* Council is of the opinion that it should be a requirement that the cabling would be removed.

Due to the loss of the high quality agricultural land, Council believes that the proposed development does derogate from the RU1 zone objectives contained in the Greater Hume Local Environment Plan 2012 which are:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To maintain the rural landscape character of the land.

5. Impacts on Native Vegetation and Aboriginal Heritage

The EIS has undertaken very detailed studies concerning the biodiversity impacts and impacts on Aboriginal cultural heritage that will occur if the proposed development does proceed. Whilst Council is satisfied with the rigour of the assessment of these impacts, it does believe that the removal of 17.41 hectares of native vegetation and a total loss of value of 24 items of Aboriginal cultural heritage demonstrates that the site of the proposed development should be considered constrained and therefore unsuitable.

Council’s engineers have reviewed the traffic impact statement contained within the EIS. They note that it is recommended that improvements should be undertaken to turning facilities at the intersection of Urana Road/Walla Walla Jindera Road. Should this development be approved then Council believes these works could be undertaken as partial payment of an associated development contribution.

The following traffic related recommended conditions are provided in the event of the approval of this application:

- Road works are to be undertaken in accordance with the submitted traffic assessment.
- For assessment by Council additional design plans are required for the access points 1, 2 and 3.
- Under Section 138 of the Roads Act 1993 any works occurring within the road reserve require the consent of Council as the road authority.

Should you require further information please contact Colin Kane, Director Environment & Planning, on 6044 8928 or email ckane@greaterhume.nsw.gov.au.

Yours faithfully



Colin Kane
Director Environment & Planning
GREATER HUME COUNCIL

8 November 2019

Our Ref: CK:SG