

JK/EF10/210

22 May 2019

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LEETON
SHIRE COUNCIL

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Dear Madam

SUBJECT: YANCO SOLAR FARM (SSD 9515) EIS EXHIBITION

Further to the Notice of Exhibition of the Yanco Solar Farm proposal Leeton Shire Council (Council) resolved at its meeting on 1 May 2019 to submit its objections to this development application (See below in Section 1).

In the circumstance that NSW Planning and Environment Department grant development approval, Council strongly recommends the inclusion of a series of conditions of consent in response to the Environmental Impact Statement dated March 2019 from NGH Environmental (See below in Section 2).

1. Development Application Objections

1.1. Loss of Prime Irrigated Agriculture Land

Council wishes to express in the strongest possible terms its concerns about the loss of prime (irrigated) agricultural land within Leeton Shire, which is the foundation of our local and regional economy.

Council believes that the proposed development constitutes a risk to the viability and sustainability of Murrumbidgee Irrigation water infrastructure, compromising both the future availability of irrigation infrastructure and the short and long-term potential impacts of stranded on-farm irrigation infrastructure.

These concerns have not been alleviated by the socioeconomic analysis which we consider flawed. In particular, it appears that the assets and intrinsic value of the site (irrigated agricultural land, existing road, water supply infrastructure proximity to value adding industry and major transport routes) have not been taken into consideration and instead the land has been viewed as being less productive general agricultural land.

The main issue with this analysis is that the particular parcel of land is highly productive when given to irrigated agricultural uses.

Note:

The differential establishment costs between locating the solar farm on highly productive land versus the closest broadacre comparator were not considered in the analysis.

Council recommends that before further consideration is given toward assessing the proposed development a further socioeconomic and community assessment should be undertaken by the proponent that considers the increased productivity potential of this highly developed agricultural land and assets, including the multiplier effect of the value adding of the agriculture commodities produced on this site against the value of converting this land to solar production.

- 1.2 The economic impact statement makes reference to the region as being very low on the SEIFA scale and having high unemployment and a pool of available labour.
- This is inconsistent with the analysis in the Western Riverina Regional Economic Development Strategy which shows relatively low levels of unemployment across all Western Riverina Local Government Areas (LGA's), with reference rates for the whole of NSW.
- 1.3 The economic impact statement also suggests that the operational requirements for the solar farm would be more labour intensive than for use as irrigated agricultural land.

This is based on advice from the proponent only. Council contends that upon completion of construction of the solar farm, there is limited labour requirements to manage and maintain the facility. This is opposed to irrigated agriculture whereby there is ongoing labour required to manage and maximise crop production and additional labour associated with value adding manufacturing related to the crops grown.

The economic impact statement also makes the case that the solar farm would be a tourism generator for the region without providing evidence of this. This is a tenuous argument as even if one were to accept the argument that solar farm tourism exists, it would be expected that most (all) visitors would be from NSW (school camps for example) and as such, there would be no economic activity created in the state (activity would be diverted from other regions in the state).

The report also does not justify the claims that there will be a positive impact on NSW welfare from the move to the solar farm. Council contends that changing this parcel from highly productive agricultural uses to a less productive site for the solar farm would likely result in higher welfare overall.

- 1.4 In its SEARS submission Council requested detailed comment on a comparison of the value the economic return expected to be generated by the establishment and operation of the solar farm over the period of time that the solar farm is expected to exist with the economic value from the production and value adding of horticulture produced over the site over the period of time that the solar farm is expected to exist.

This issue has not been addressed in the EIS.

- 1.5 The positive economic effects mentioned in the EIS from the 4 month construction phase is not considered sufficiently compelling given the long term economic benefits to the wider community from the agricultural production from the mature horticulture plantings that exist on the site and the broad positive multiplier effects that are created from the existing agricultural use of the land.

Council does not accept the short term gains espoused under 2.2.4 Local Benefits as being justification for the development.

- 1.6 The EIS mentions on page 178 that "*there would be no removal of irrigation channels throughout the proposed site*" but does not mention or assess the effect of the development on adjoining upstream or downstream customers of Murrumbidgee Irrigation who may still rely upon these channels for water delivery.

There is no discussion or assessment of the possible effects, resulting from the cessation of irrigation practises on the lots on which the proposed development, on the ability of Murrumbidgee Irrigation to deliver irrigation water in this location.

- 1.7 Application of State Environmental Planning Policy (Primary Production & Rural Development) 2019

The EIS does not address the Primary Production & Rural Development 2019 SEPP and instead mentions the previous Rural Lands SEPP 2008.

The Primary Production & Rural Development 2019 SEPP has been introduced with the following aims;

- to facilitate the orderly economic use and development of lands for primary production,
- to reduce land use conflict and sterilisation of rural land by balancing primary production, residential development and the protection of native vegetation, biodiversity and water resources,
- to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations,
- to simplify the regulatory process for smaller-scale low risk artificial waterbodies, and routine maintenance of artificial water supply or drainage, in irrigation areas and districts, and for routine and emergency work in irrigation areas and districts,
- to encourage sustainable agriculture, including sustainable aquaculture,
- to require consideration of the effects of all proposed development in the State on oyster aquaculture,

- to identify aquaculture that is to be treated as designated development using a well-defined and concise development assessment regime based on environment risks associated with site and operational factors.

State significant land is to be protected when;

- i) The land may be subject to demand for uses that are not compatible with agriculture, and
- ii) If the protection will result in a public benefit.

At this point in time there is no state significant agricultural land listed under this SEPP. It is understood by Council that the Murrumbidgee Irrigation Area has been included in a draft map of State Significance Agricultural land for potential future inclusion in the SEPP.

Council considers this region to be highly developed and serviced (existing irrigation infrastructure, suitable soils and climate, highly valued irrigation based crops, existing support infrastructure such as roads and power, proximity of value adding industries, established national and international markets and existing transport routes) and a such expect that into the near future this area will being listed as State Significance Agricultural land in the SEPP.

The loss, however small, of this land from agriculture production cannot result in a public benefit given the traditional multiplier effects associated with modern irrigated agriculture.

2. Recommended Conditions of Consent

Should NSW Planning & Environment resolve to grant consent to this development, Council would require that the following recommended conditions of consent be applied to the approval;

2.1. Traffic Transport and Road Safety

As a condition of consent it is recommended that the developer consult and liaise with Council on the preparation of the Haulage Plan in order that the following issues be addressed;

2.1.1. Road damage

To ensure that an appropriate mechanism is agreed to that will result in any damage caused to local roads during the construction and decommission phases of the development will be repaired by the developer.

2.1.2. Transport routes

To ensure that the most appropriate transport routes are used and that the local community can be advised of the higher use of these roads during the construction and decommission.

2.1.3. Appropriate Method of transport and delivery vehicles.

To ensure that appropriate delivery transport vehicles are used during the construction and decommission phases as the site is remote from any existing B-Double or Road train routes.

2.2. Developer Contributions

On page 159 of the EIS the following statement is provided;

“The developer will also engage with Leeton Shire Council to investigate a developer contribution payment if the proposal is approved, which may fund the delivery of community infrastructure and programs.”

Council would therefore seek to ensure that the consent details a formal and binding process that will result in the developer providing an appropriate level of contributions in support of local infrastructure and programs

2.3. Maintaining of Irrigation Infrastructure

The approval must contain actions that will guarantee certainty to adjoining agricultural businesses that supply of irrigation water will not be effected by the development and that the current supply infrastructures servicing these businesses will not be affected.

2.4. Landscaping Plan

The landscaping plan and plantings are to be established prior to the development of the site

2.5. Waste Management

The proposed Waste Management Plan must include actions on the disposal of the exiting orange trees and grape vines. Council would require that these trees and vines be shredded and used onsite and does not approve either their disposal by onsite burning or delivery to the Leeton Landfill.

Yours faithfully



Paul Maytom
Mayor



Jackie Kruger
General Manager