



24 February 2022

Matthew Riley, Director – Energy and Resources Policy  
Department of Planning and Environment  
Locked Bag 5022 Parramatta NSW 2124

Electronically via <https://www.planningportal.nsw.gov.au>

## Revised Large-Scale Solar Energy Guidelines

Dear Mr Riley,

Cotton Australia is the national peak body representing up to 1,500 cotton growers and ginners across 152 rural communities, the majority (approx. 66%) are in New South Wales. Notably, 90% of cotton operations are family farms that also grow other crops like sorghum, soybeans, wheat, and have livestock. While cotton production does vary considerably from season to season, the crop generates between \$1.5 and \$2.5 billion for the annual national economy.

Our members recognise the benefits of increasing the amount of energy generated from renewable and low carbon technologies to secure energy supply, reduce greenhouse emissions and stimulate investment in new jobs and business. They also farm and operate gins within two of NSW's Renewable Energy Zones.

We therefore welcome the opportunity to comment on the Revised Large-Scale Solar Energy Guidelines and firstly state, as per our previous submissions: it is Cotton Australia's view that high value agricultural land is protected from the installation of large-scale solar infrastructure period, and hence this document should be mandatory not optional. Let not the brief nature of this submission detract from this important starting planning principle.

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Cotton Australia recognizes the potential energy and economic benefits that large-scale solar projects can provide. At the same time, we also consider both protecting high-value agricultural land and preserving the amenity of traditional cotton growing regions to be of utmost importance.

In that respect, we note the guidelines go some way to address impacts on the productive value of the agricultural land for the owner of the proposed solar installation site and, to some degree, its agricultural neighbours. However, there is no mention of considering the intrinsic value they place on the existing state of the proposed location. For instance, the cumulative impact of this particular project to the adjacent landscape, neighbours and community raises questions such as:

- Is this project going to be 'yet another installation' in a district where there are already a number?
- Will its presence have insurance or valuation impacts for adjoining properties during the 25 years of operation, and be an impediment to activities the owners have planned for (farm stays or farm gate produce sales)?
- Does the 'open space' actually have, at the present time, a beneficial purpose for productive agriculture or the community and despite the absence of infrastructure? The land may be more than just 'empty', rather:
  - purposely planted with introduced species or set aside, as it hosts native species
  - a refuge of useful insects and bats that feed on pests and weeds in adjacent perennials, or
  - a biosecurity measure to reduce dust and noise etc. entering the agricultural land, such as from neighbours or adjacent transport corridors

Cotton Australia suggests this be resolved by including the land use principle "agent of change" in both 5.3. Agricultural land use conflicts discussion and in Appendix B, Agriculture Impact Assessment Requirements for Large-scale Solar Energy Development. The principle was most recently described in the NSW Agricultural Land Commissioner's "Improving the Prospect for Agricultural and Regional Australia in the NSW Planning System" paper:

The agent of change principle is an established principle in land use planning but is not always applied in practice. The principle places the onus on proponents of new developments to recognise and mitigate any potential impact that their development may impose on, or experience from, the normal and legal operations of existing land uses in the vicinity. This is commonly seen in residential development where neighbouring properties cannot be built in a way that impacts solar access of neighbouring properties and is also applied in Victoria around music venues and managing noise complaints (p27)

Specific to Appendix B, we note some of the hyperlinks to the NSW DPI documents cited on p9 have incorrect address details.

Cotton Australia acknowledges the revised document now has more explicit commentary about decommissioning and rehabilitation issues, as well as expectations. It is particularly pleasing to see the inclusion of these two key principles in 5.5.2

Dot point 1

The land on which large-scale energy projects and supporting infrastructure is developed must be returned to pre-existing use if the solar energy project is decommissioned.

Dot point 3

Land must be rehabilitated and restored to pre-existing use, including the pre-existing land and soil capability class if previously used for agricultural purposes

Cotton Australia has advocated for some considerable time that the land concerned is all of the community's asset, which is being 'loaned out' during the life of the solar facility. If we can make a further refinement, it would be to include a final sentence to 5.1.1

I.e. following current last sentence

Solar energy projects are able to be decommissioned and rehabilitated without any long-term impacts on the land, including soil fertility.

Insert

"Doing so respects the landholder and community's ability to continue to derive benefit (cultural, aesthetic, or economic) from it and addresses aspects of the solar industry's social-licence-to-operate."

Our final observation relates to the future ability of the solar proponent or future owner to conduct this decommissioning and rehabilitation. It is Cotton Australia's recommendation that security deposits and bonds are used to secure decommissioning activities for large scale solar facilities, similar to those required for mining projects. Also, that the quantum of security held is adequate and it needs to be reassessed during the project's life, particularly in light of the risk of future insolvency of a company.

If you would like more information concerning the matters raised in this submission, please do not hesitate to contact me on 02 9669 5222 or [jenniferb@cotton.org.au](mailto:jenniferb@cotton.org.au).

Yours sincerely,



Jennifer Brown  
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Cotton Australia