

**From:** [noreply@feedback.planningportal.nsw.gov.au](mailto:noreply@feedback.planningportal.nsw.gov.au)  
**To:** [DPE Energy and Resources Policy Mailbox](#)  
**Subject:** Webform submission from: Revised Large-Scale Solar Energy Guidelines  
**Date:** Tuesday, 8 February 2022 9:11:17 AM

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Submitted on Tue, 08/02/2022 - 09:11

Submitted by: Anonymous

Submitted values are:

**Submission Type**

I am making a personal submission

**Name**

**First name**

██████████

**Last name**

██████████

**I would like my submission to remain confidential**

Yes

**Info**

**Email**

██

**Suburb/Town & Postcode**

██████████

**Please provide your view on the project**

I support it

**Submission**

To Matthew Riley, Director – Energy and Resources Policy,

Thank you for the opportunity to provide feedback on the NSW Government's draft large-scale solar guidelines. I support the guidelines with some improvements that relate to local community needs around solar projects, outlined below.

Land use

It's critical to balance the needs of food production, with the need for clean, cheap energy and with the benefits that large scale renewables bring to host landholders and regional communities.

Where high-value agricultural land is used by solar developers, the project should be designed for dual use, enabling farming to continue under panels. For example, growing pollinator habitat or offering agistment to allow solar grazing (p 35).

Community mapping to identify sites of high agricultural, environmental or other value is key to identifying local perceptions of the agricultural value of the land, in combination with traditional measures of agricultural value. (p 2 Appendix B)

Neighbours

All levels of Agricultural Impact Assessments should include consultation with neighbours of host landholders as a minimum. (p 6-8 Appendix B)

The Guidelines recommend assessing impacts on neighbour properties, however, the impact of insurance on neighbours should be identified in all Levels of Assessment. An outline of how an increase of premiums will be mitigated by the proponent should be included in the assessment.

Community Enhancement Funds (CEFs)

Community benefit programs should prioritise locally impacted communities in the sharing of benefits from renewable energy projects (p.37). All benefit-sharing programs should be co-designed with the local community to ensure real benefit.

Solar projects should consider three different levels of benefits: neighbour benefits for directly impacted neighbouring properties; local benefits for the town most impacted by the project, and; regional benefits for the broader region hosting the project

Community representation, including reps from highly impacted areas, should be mandatory on committees for decision making on how CEFs are spent, no matter who is responsible for administering funds.

Voluntary Planning Agreements (VPAs)

VPAs are not the preferred mechanism to administer CEFs (p 37). CEFs should be separate from VPAs.

While VPAs should be separate from CEFs, there should also be community reps included in early VPA negotiations between developers and Councils.

Benefits beyond Community Enhancement Funds

There are many types of community benefit programs beyond CEFs and VPAs. These include: local decision-making, in-kind contributions, regional enhancement funds, empowerment of First Nations communities, neighbour benefits schemes, community co-investment and co-ownership, tourism and education programs, local jobs and procurement.

Ideas and Australian examples of benefits can be found in RE-Alliance's Community Benefits Handbook: [www.re-alliance.org.au/community\\_benefits\\_handbook](http://www.re-alliance.org.au/community_benefits_handbook)

#### Local Engagement

Project proponents and government need to consider the issues of consultation burden which is already being felt in REZs.

Communities need to be valued for the time they are required to put towards contributing to various consultations, Information Days, surveys and CCCs.

Part of early benefit-sharing arrangements could include providing a fund to cover the costs of people's time when they attend consultation sessions.

#### **I agree to the above statement**

Yes

**From:** noreply@feedback.planningportal.nsw.gov.au  
**Sent:** Tuesday, 15 February 2022 6:34 PM  
**To:** DPE Energy and Resources Policy Mailbox  
**Subject:** Webform submission from: Revised Large-Scale Solar Energy Guidelines

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Submitted on Tue, 15/02/2022 - 18:34

Submitted by: Anonymous

Submitted values are:

**Submission Type**

I am making a personal submission

## Name

**First name**

[REDACTED]

**Last name**

[REDACTED]

**I would like my submission to remain confidential**

Yes

## Info

**Email**

[REDACTED]

**Suburb/Town & Postcode**

[REDACTED]

**Please provide your view on the project**

I am just providing comments

**Submission**

To Matthew Riley, Director – Energy and Resources Policy,

Thank you for the opportunity to provide feedback on the NSW Government's draft large-scale solar guidelines. I support the guidelines with some improvements that relate to local community needs around solar projects, outlined below.

Land Use

It's critical to balance the needs of food production and biodiversity protection, with the need for clean, cheap energy and with the benefits that large scale renewables bring to host landholders and regional communities.

Where high-value agricultural land is used by solar developers, the project should always be designed for dual use, enabling farming to continue under panels. For example, offering agistment for sheep grazing, horticulture or growing pollinator habitat(p 35).

While the guidelines should protect the utility of high-value agricultural land, solar farms should be planned on cleared sites and avoid clearing remnant or high-value vegetation, where possible. The guidelines should protect against land clearing for solar

developments, which will be opposed by environmental groups and local communities.

Community consultation including community mapping to identify sites of high agricultural, environmental or cultural value is key to identifying local perceptions of the agricultural value of the land, in combination with traditional measures of agricultural value. (p 2 Appendix B)

#### First Nations

The Guidelines must uphold best-practice engagement and benefit-sharing with First Nations peoples, to ensure proponents embody the principles of free, prior and informed consent of Traditional Owners.

Appropriate care and consultation must be taken with local First Nations groups and restrictions placed on renewable energy developments impacting First Nations cultural heritage.

Representative local First Nations Working Groups are creating general and region-specific engagement and benefit guidelines for NSW Renewable Energy Zones. These should be utilised by all developers, including those outside of designated REZs.

#### Neighbours

All levels of Agricultural Impact Assessments should include consultation with neighbours of host landholders as a minimum. (p 6-8 Appendix B)

The Guidelines recommend assessing impacts on neighbour properties, however, the impact of insurance on neighbours should be identified in all Levels of Assessment. An outline of how an increase in premiums will be mitigated by the proponent should be included in the assessment.

#### Visual Impact Mitigation

RE-Alliance notes the mitigation measures provided for proposals with moderate or high visual impacts on pages 14-15 of Appendix A. We support options such as:

- Re-siting or removing arrays
- Re-sizing
- Vegetation screening
- At-source mitigation and
- Negotiated agreements

With regards to vegetation screening, we agree that vegetation screening can take many years to establish and during drought conditions may not achieve optimal growth or have the desired screening effect. We support the use of appropriate plant species that are suited to the environmental conditions (for example, drought-tolerant native species if relevant), sufficient irrigation (e.g. six months) and if possible, of suitable maturity to provide maximum screening effectiveness in the shortest possible time.

#### Community Enhancement Funds (CEFs)

Community benefit programs should prioritise locally impacted communities in the sharing of benefits from renewable energy projects (p.37). All benefit-sharing programs should be co-designed with the local community to ensure real benefit.

Solar projects should consider three different levels of benefits: neighbour benefits for directly impacted neighbouring properties; local benefits for the town most impacted by the project, and; regional benefits for the broader region hosting the project

Community representation, including representatives from highly impacted areas, should be mandatory on committees for decision making on how CEFs are spent, no matter who is responsible for administering funds.

#### Voluntary Planning Agreements (VPAs)

VPAs through Councils are not the preferred mechanism to administer CEFs (p 37). CEFs should be separate from VPAs.

While VPAs should be separate from CEFs, there should also be community representatives included in early VPA negotiations between developers and Councils.

#### Other Types of Community Benefits

There are many types of community benefit programs beyond CEFs and VPAs. These include: local decision-making, in-kind contributions, regional enhancement funds, empowerment of First Nations communities, neighbour benefits schemes, community co-investment and co-ownership, tourism and education programs, local jobs and procurement.

Ideas and Australian examples of benefits can be found in RE-Alliance's Community Benefits Handbook: [www.re-alliance.org.au/community\\_benefits\\_handbook](http://www.re-alliance.org.au/community_benefits_handbook)

#### Local Engagement

Project proponents and government need to consider the issues of consultation burden which is already being felt in REZs.

Communities need to be valued for the time they are required to put towards contributing to various consultations, Information Days, surveys and CCCs.

Part of early benefit-sharing arrangements could include providing a fund to cover the costs of people's time when they attend particular consultation sessions.

**I agree to the above statement**

Yes



**From:** [noreply@feedback.planningportal.nsw.gov.au](mailto:noreply@feedback.planningportal.nsw.gov.au)  
**To:** [DPE Energy and Resources Policy Mailbox](#)  
**Subject:** Webform submission from: Revised Large-Scale Solar Energy Guidelines  
**Date:** Friday, 25 February 2022 12:45:52 PM

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Submitted on Fri, 25/02/2022 - 12:44

Submitted by: Anonymous

Submitted values are:

**Submission Type**

I am submitting on behalf of my organisation

**Name**

**First name**

██████

**Last name**

██████

**I would like my submission to remain confidential**

Yes

**Info**

**Email**

████████████████████

**Suburb/Town & Postcode**

████████████████

**Please provide your view on the project**

I object to it

**Submission**

To Matthew Riley, Director – Energy and Resources Policy,

Thank you for the opportunity to provide feedback on the NSW Government's draft large-scale solar guidelines. My family and I currently own and operate a farming business in Central West NSW (6300 acres). Of late we have been largely impacted by the proposed development of a number of solar projects that are intended to neighbor our property. Looking at the guidelines there are a number of areas that need improving and clarifying so that solar projects can function in the agricultural space and vice versa. I also understand that both Solar projects and Agriculture need to work in the local community.

**Land Use**

It is critical with today's growing population that food production must take precedence over energy production. The population must eat first and foremost. Energy production must run alongside this however not impact this requirement.

In our situation here (Sandy Creek Solar Farm) we have had two absentee farmers take out options for a large scale solar development by BP Lightsource. The proposed development is to be developed on largely prime agricultural land. The soils on this project are renowned as being some of the best in the district. There are 15 families opposing this project, this includes almost every neighbour to these properties.

These properties are currently used for intensive agriculture combining improved pastures and cropping systems with both intensive sheep and cattle enterprises. It is rude to think that the grazing of sheep under the panels would even come close to the level of production currently being produced on these properties. Pastures under Solar developments that are used for sheep production will be low quality native pastures that will have minimal stocking capacity compared to where these places are now.

The guidelines need to identify low grade soils to begin with and these developments need to take place on these soils. The guidelines need to protect native flora where clearing of vegetation is minimized. These areas need to be identified by a governing body (not by the developers) so that high grade soils and areas where food production is high are protected.

Community consultation is essential by the governing body. In the situation here with Sandy Creek Solar Farm, we were alerted to the proposed development by word of mouth! We could not even find out what company was intending on developing the site as both properties owners had signed confidentiality clauses.

Of late a further neighboring property has been purchased by Origin energy (1800 acres). At present we have had no contact with Origin and have no idea of their intentions with the property. We attempted to purchase the property at auction where we were outbid, with the property making well above market value. Whilst this is great for equity levels of the local community it is not great for a young family looking to expand the existing business as we were.

Young local families feel as though we are being pushed out of this community, and we are the ones that send our kids to school, use the buses, contribute to the local community groups, spend 99% of our annual turnovers locally – we won't stay if this project goes ahead. It's so unfair that 2 people can offer their properties for a large scale solar farm when they don't even reside here to deal, they aren't dealing with the consequences and visual impacts etc – the neighbouring owners with young families are left here looking over a project they don't want.

**Neighbours**

All levels of Agricultural Impact Assessments should include consultation with neighbors of host landholders as a minimum.

There are a number of issues that we as neighbors have faced. These include

- Reduced Land Salability / Devaluing of neighboring land
- Visual impacts
- Increased bushfire risk and access should a fire occur
- Glare and heat issues
- Increased insurance premiums
- interference of local waterways

The Guidelines need to cover all of the above. Another issue in our current situation is that both the property owners who own the proposed development site are absentee farmers. These farmers will not be living with any of the impacts that such a project will cause.

It needs to be clear that panels cannot be developed within a certain range of an existing home. For the proposed Sandy Creek project the developed could put panels 200 m from our family home in direct line of site. Guidelines need to outline these distances clearly.

#### Visual Impact Mitigation

Visual impacts of large scale solar developments need to be minimized, neighbouring residents cannot be expected to live and look over large scale solar farm. Mitigation measures need to be considered as potential methods for avoiding or minimizing visual impacts. BP Lightsource has told local residents that there is no minimum distance panels need to be from a residence – this needs to be addressed. In our experience here the guidelines may need to address the worst-case scenario. That been there are no mitigation measures available to address the visual concerns of those involved. The guidelines need to address this scenario as this is what we have encountered with our family home.

#### Community Enhancement Funds (CEFs)

Community benefit programs should prioritise locally impacted communities in the sharing of benefits from renewable energy projects (p.37). All benefit-sharing programs should be co-designed with the local community to ensure real benefit.

Solar projects should consider three different levels of benefits: neighbor benefits for directly impacted neighboring properties; local benefits for the surrounding towns.

..

Community representation, including representatives from highly impacted areas, should be mandatory on committees for decision making on how CEFs are spent, no matter who is responsible for administering funds.

#### Voluntary Planning Agreements (VPAs)

VPAs through Councils are not the preferred mechanism to administer CEFs (p 37). CEFs should be separate from VPAs.

While VPAs should be separate from CEFs, there should also be community representatives included in early VPA negotiations between developers and Councils.

#### Local Engagement

Project proponents and government need to consider the issues of consultation burden which is already being felt in REZs.

The local residents neighbouring the Sandy Creek Solar Farm feel like the engagement from BP Lightsource has been minimal, the attitude is that the surrounding residents are not a priority by any means, even telling us that there will be big visual impacts that cant be minimised. Residents wont want to stay here looking over a large scale solar farm – we are all wondering if the local community has any say at all in the location of these projects?

We are not opposed to solar farm developments however the communities need to want these projects here, they need to be developed on suitable land, not prime agricultural land, especially when all neighbours are opposing it.

Communities and neighbors need to be valued for the time they are required to put towards contributing to various consultations, Information Days, surveys and CCCs.

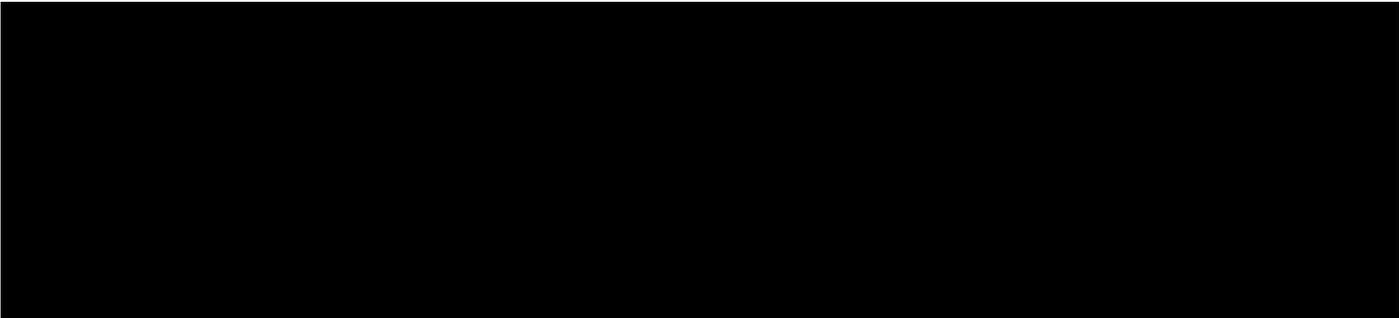
Regards,



**I agree to the above statement**

Yes





**Submission**  
**draft Large Scale Solar Energy Guidelines**

As the New England Region has been decreed a Renewable Energy Zone we have seen the best and the worst, mainly the worst, of what can be done to our communities to date, by incoming renewable energy proponents (REP) with one goal – to make as much money as they possibly can, then sell off the project as quickly as possible to outside investors! As we were involved in one of the first renewable energy projects in the New England area, the level of support for small communities from local, state and national governments was negligible/zilch. The REP came in and basically did what they wanted, when they wanted and how they wanted. Community engagement and consultation from the REP was abysmal, secretive and divisive. Greater awareness in local communities now, has set in place policies and procedures that will help alleviate much of what occurred in our area, but the REP must always be held to account in the future to conduct best practice with the community and the environment.

To drive out past the Metz Solar Farm (disputable use of the word ‘farm’) under construction and look at a sea of grey steel and solar panels is so sad for someone who loves the New England area and the profitable agricultural land that is now being covered by these monstrosities. The New England area, in under 25 years, will be left with these dinosaurs of renewable energy structures, and the REP will have deserted the area decades earlier. From your Guidelines [Item 5.5. Decommissioning and rehabilitation](#) “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.” It is crucially important that appropriate bonds and rehabilitation funds similar to those applied to extractive industry projects, are applied to renewable energy projects, at the beginning of their planning process, not after they have finished.

Infrastructure contributions are a very small recompense for what is being allowed to happen to this countryside and local councils should have every opportunity to do the very best they can for their own communities. Each council should be encouraged to negotiate additional contributions from the REP via Voluntary Planning agreements (VPA) because "*there is a demonstrated demand for infrastructure and the cost of that infrastructure would exceed the payable rates.*" A levy of at least 10% of the capital investment value (CIV) of the project should be paid into a fund administered by the local council with the help of a community consultative committee. Many parts of Australia have faced devastating effects of natural disasters – fire, tornadoes, plagues, drought – and each one of these have impacted on our local area, seriously eroding the financial capacity of council to attend to the infrastructure that is needed. Our local roads are in dire need of considerable expenditure. The re-introduction of rail transport from Armidale to the Queensland border would reduce the damage caused to our roads when all the components of solar or wind projects are transported into our area in many, many, many hundreds of semi-trailers.

With the New England REZ attracting more than \$10 billion worth of investment and generating \$30 billion worth of power, it is also imperative to be mindful of who owns these renewable energy projects and where this money is being funnelled.

We trust that you will take into account our concerns and suggestions for the draft Large Scale Solar Energy Guidelines.



25 Feb, 2022

**From:** [noreply@feedback.planningportal.nsw.gov.au](mailto:noreply@feedback.planningportal.nsw.gov.au)  
**To:** [DPE Energy and Resources Policy Mailbox](#)  
**Subject:** Webform submission from: Revised Large-Scale Solar Energy Guidelines  
**Date:** Friday, 25 February 2022 11:13:22 PM  
**Attachments:** [large-scale-solar-energy-guidelines-review-25feb22.pdf](#)

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Submitted on Fri, 25/02/2022 - 23:10

Submitted by: Anonymous

Submitted values are:

**Submission Type**

I am making a personal submission

**Name**

**First name**

██████

**Last name**

██████

**I would like my submission to remain confidential**

Yes

**Info**

**Email**

████████████████████

**Suburb/Town & Postcode**

████████████████████

**Please provide your view on the project**

I object to it

**Submission file**

[large-scale-solar-energy-guidelines-review-25feb22.pdf](#)

**Submission**

Please find attached confidential submission, thank you

**I agree to the above statement**

Yes

# CONFIDENTIAL

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

Dear Mr Riley

Please find below my comments in relation to the Revised Large Scale Solar Energy Guidelines.

I wish to primarily convey that the spate of massive large scale solar developments on valuable agricultural land is exceptionally concerning. Agriculture is being undervalued, overlooked and farmers are being disrespected by both our government and developers in the process. Land use conflicts are of massive concern with such increasingly huge developments and the legacy to be left for our children's future in regard to waste, foreign ownership of our energy sources and many other issues is seriously questionable. Sensible planning must ensure these developments are responsible.

Large Scale Solar should be located on land of low agricultural potential not cropping land that sustains both ourselves and our valuable livestock industry.

## Comments:

- The guidelines, without proper implementation and scrutiny will continue to be a tool that is overlooked by developers in the planning process.
- Developers must be given measurable parameters to ensure their compliance
- Ground truthed and researched facts are required for assessment not developer marketing.
- The guidelines should state that existing developments should contribute to building a broader understanding of the impacts associated with their developments in their planning, development and commission stages to further inform these guidelines.
- With the rapid evolution of renewable technology, the guidelines should always be considered a “working document” and be flexible enough to develop as research and intelligence on the infrastructure and process.
- The language of the guidelines must be stronger and hold developers to a significantly higher level of accountability. We should not have to **encourage** developers to act appropriately, planning should demand and ensure it, and developers should be required to warrant it.
- The guidelines must be backed up by an enforceable, workable and transparent process for non-compliance.

## AGRICULTURE

- In order to have appropriate support and to ensure adherence to the construct of the guidelines the Agriculture Commissioner should have land use planning as a key term of reference for the portfolio.
- To ensure that there is a level of adherence to the guidelines DPIE and DPI should adequately resourced to closely manage planning processes (including expert **local** consultation and assessment – not desktop nor based on biased developer information) on agricultural land of any class.

- Currently inaccurate Land Soil Capability Mapping will not establish the importance of agricultural land nor protect cropping land in NSW. Examples can be provided.
  - The LSC states it “emphasises risks and hazards rather than productivity” - Is it not productivity that we should safeguard for our future?
  - LSC states that “maps are not suitable for site assessment at the property scale”
  - LSC mapping is old – “No new mapping was undertaken in the production of this dataset” why use old outdated data
  - DPI publicly confirmed map data is incorrect
  - Soil fertility can be ameliorated so should not be a determining factor
  - Climate, rainfall and historical reliability should be a major factor
- Landowners seeking large scale developments often have unimproved and fatigued properties with poor soil profiles and low inputs so inherent capability will not be reflected by soil tests.
- Developers and project landowners historically downplay agricultural capacity to favour approval and will continue to do so without **independent** scrutiny (propose DPI are resourced to do so – paid agricultural consultants may be conflicted by their next lucrative opportunity to report)
- NSW Planning and DPI should take stronger interest in surrounding agricultural productivity to consider land capability.
- Guidelines need to promote the avoidance of marketing fallacies and conflicted information
- State significant agricultural mapping must be finalised as a matter of urgency for planning matters (with appropriate localised consultation)
- Crop land attributed to year in year out viable production should be considered prime and important land particularly that performing through periods of drought
- Planning must increasingly recognise the importance of agriculture, the long term (multiplying) economic benefit of one industry should not be outweighed or displaced by the potentially short term benefit of another particularly when there is the opportunity to ensure BOTH benefits IF the developments are correctly placed. Solar can go elsewhere, farming can not.
- Climate change should not favour determination of renewable developments - climate should ensure greater protections for reliable cropping land as a livestock feed source
- Cumulative loss of ALL agricultural land must enter the equation - cropping will also be diminished by other factors eg turmoil, viability and the potential supply issues that may be before us?

## **VISUAL**

- Manipulation of photo montages should be scrutinized for accuracy
- Developer visual descriptions (smart marketing) should be fact checked to rectify neighbour concerns
- Developer consultation is ineffective due to minimal past visual mitigation sought by NSW planning process. How does NSW planning ensure effective consultation? It is presently a one way street.
- Measurable parameters must be set and ramifications for not meeting parameters in place

## **LAND USE CONFLICTS**

- Land use conflict must change from monitoring and reactive strategies to proactive strategies towards analysis, minimisation and avoidance of future potential impacts.
- Risk assessments should be analysed by NSW DPI with consideration towards comments of neighbouring property owners
- NSW DPI needs to be informed and make comment in relation to real agricultural conflicts that are currently being discarded by NSW Planning (livestock, heat, water runoff and many more etc)
- Guidelines should outline potential ramifications for impacts, again measurable parameters must be put in place.

- Neighbouring property owners with no choice, and little say in the placement of these developments should not be left with concerns of land use conflicts and potential future impacts to their operations with no compensation.

## **COMMUNITY/SOCIAL LICENCE**

- NSW Planning should seek social licence through appropriately planned and well mitigated projects – largely (locally) objected developments should be seek rectification of issues as defined by objectors.
- Communities should not be lured into accepting inappropriate, poorly designed and poorly mitigated developments though the offer of community funds (funding nearby towns not mitigating immediate impacts). NSW Planning should more importantly be directed to make sure the project is well mitigated and suitable for the community.
- Lies, twisted marketing and poor responses from developers antagonise the community hence language in guidelines should ensure that developers are responsible to act in a way that seeks accordance with the renewable energy action plan aim 2 – to build community support for renewable energy.

## **GENERAL/OTHER**

- The guidelines should apply to all solar development both local gov and SSD over maybe \$5m (to avoid residential or small energy project for own use eg farm (not grid))
- A mechanism for preliminary consideration towards grid capacity/connection approval and financial viability needs consideration to avoid community turmoil and fracture that may not be necessary if unable to proceed
- Strategic modification should not be acceptable – a timeframe should apply to avoid clearly strategic modifications
- Site selection should avoid bushfire prone or surrounding bushfire prone land
- Safety of the community should form part of the approval process – fire and other management plans with local consultation should be in place for development assessment not just form conditions of consent especially where significant hazards are evident eg BESS
- Planning should ultimately aim for the most amicable solutions for everyone, not give foreign companies an easy pass, they do not care for our future and local surroundings as locals do, will they bug out and go home – eg financial securities should be sought
- Negotiated agreements could be mandatory where a large scale solar development is within a specific neighbouring boundary eg 800m (eg where negotiation cannot occur a buffer away from a property boundary of 800m would be applicable, still requiring appropriate mitigation), this may alleviate some concerns

Thank you for the opportunity to make comment.