

Glenellen Solar Farm Project IPC Public Meeting

16th November 2023
Ross Palmer



Land Use Concerns

1

Land Categorisation

Re-categorisation to Class 4 does not match lived experience of the land.

2

Prohibited Use

RU1 Land Use prohibits such development due to the need to prioritise agricultural use.

3

Location

Adjoining R2 Low Density Residential zoning and with future further low density growth, overlooked in valley from Nioka Road.

4

Future Impacts

Consideration for impact on future developments in land use and potential re-zoning/subdivision

Land Categorisation

Prior to the independent report by Tucker Environmental, as part of the Submissions Response, parts of this land parcel were Categorised as Class 3. After the report, they were re-categorised as Class 4.

Considering the significance of the difference between Class 3 and Class 4 as constraints that should be considered in site selection, is ONE report (commissioned by the applicant not the Government) actually sufficient?

Lived experience of this land as a neighbouring landholder and a professional Agronomist:

- the property in question has successfully cultivates crops of canola, wheat, forage sorghum, oats and lucerne over a 20 year period. These crops have all succeeded without irrigation or evidence of ANY “moderate to severe limitations” that would indicate a support of Class 4.

Table 1: Guide to agricultural land classification

Class Description	Horticulture				Land Uses					
	Vegetables		Tree Crops		Field Crops		Grazing/Pasture			
	Irrigated	Rainfed	Sensitive	Tolerant ²	Irrigated	Rainfed	Irrigated	Rainfed	Seasonal	Native
1 Arable land suited to continuous cultivation ¹ for uses such as intensive horticulture and field crops. Constraints to sustained high levels of production are absent or minor.	☆	★	☆	★	★	★	★	★	★	★
2 Arable land suited to regular cultivation for uses such as intensive horticulture and field crops. Constraints to sustained levels of production are minor to moderate.	●	☆	●	★	☆	☆	☆	★	★	★
3 Land suited to cropping but not continuous cultivation. Production risks are managed through: a pasture phase, conservation tillage and/or fallowing. Constraints to sustained levels of production are moderate.	●	●	●	☆	●	●	●	☆	★	★
4 Land suited to grazing but not cultivation. Agriculture is based on native pastures and/or improved pastures established using minimum tillage techniques. Overall level of production is comparatively low due to major environmental constraints.	○	○	○	●	○	○	○	●	☆	★
5 Land not suited for agriculture or only light grazing. Agricultural production, if any, is low due to major environmental constraints.	○	○	○	○	○	○	○	○	○	●

★ Class having requirements in excess of those needed for sustained production from the land use
 ☆ Class having the minimum requirements for sustained production from the land use
 ● Class may be suited to the land use depending on the nature of the limiting factors to cultivation and crop production
 ○ Class not suited to land use because of limiting factors to cultivation and/or production

Notes:
 1 The ability to cultivate is a pre-requisite for cropping in this table.
 2 Tolerant to changes in soil conditions eg acidity, salinity.

We draw the panel’s attention towards the categorisation of this land as Class Three and, with the concerns raised through Community Consultations regarding agricultural impact, ask if further consideration of the agricultural value of this land is worthy of consideration?

Prohibited Use

The project site is located on land zoned RU1 – Primary Production. SSDAR Report Point 26 acknowledges that in a strict reading of Greater Hume LEP it is a “prohibited use of the land.”

Considering the fact that the NSW Agricultural Commissioner called for Recommendation 2 in their “Improving the Prospects for Agriculture and Regional Australia” Report in October 2022, should a clause in an Infrastructure Planning Policy really allow this use to be justified?

We draw the panel’s attention towards the NSW Agricultural Commissioner’s concern to protect the use of RU1 zones to prioritise agriculture and ask if approval of this project shows commitment by the NSW Government to fully consider and appropriately respond to these recommendations?

NSW Government response to *Improving the Prospects for Agriculture and Regional Australia in the NSW Planning System – a report by the NSW Agriculture Commissioner*

Table 1: NSW Government response to *Improving the Prospects for Agriculture and Regional Australia in the NSW Planning System*

Recommendations	DRAFT NSW Government response
<p>1 The NSW Government should take a phased approach to adopting a statutory State Significant Agricultural Land Use Planning Policy (SSALUP Policy). Initially, a policy should be released, following a public comment process, which is implemented through Regional Plans and which councils are directed to implement through strategic planning. Once a policy has been applied through the strategic framework and is seen to be contributing to improved decision-making about agricultural land use, the NSW Government should consider adopting further ‘considerations’ in the PPRD SEPP to provide councils with clear direction on how to respond to developments on and around State Significant Agricultural Land (SSAL). In addition, the NSW Government should provide councils a checklist of considerations to guide development decisions that impact agricultural land.</p>	<p>Supported</p> <p>The NSW Government supports a phased approach for statutory implementation of a State Significant Agricultural Land Use Policy to strengthen planning for agriculture.</p> <p>The Department of Primary Industries (DPI) is developing a draft policy that will be exhibited for public comment.</p> <p>Once it is finalised, the policy will focus on implementation through the strategic planning framework.</p>
<p>2 The objectives, permitted land uses and application of the RU1, RU2 and RU4 zone should be reviewed by DPE and DPI to ensure there is a clear determination of priority for agriculture (and therefore other permitted uses) in these zones. Following this review the NSW Government should ensure there are clear policies governing land use and consideration of development proposals consistent with these zone objectives.</p>	<p>Supported in part</p> <p>The NSW Government recognises that each rural land use zone must be uniquely structured to achieve its strategic intent to deliver the diverse range of local, regional, and state priorities.</p> <p>The Department of Planning and Environment (DPE) will work with DPI to review the RU1 and RU4 zones to ensure they can be used to prioritise agricultural land uses.</p>

Location

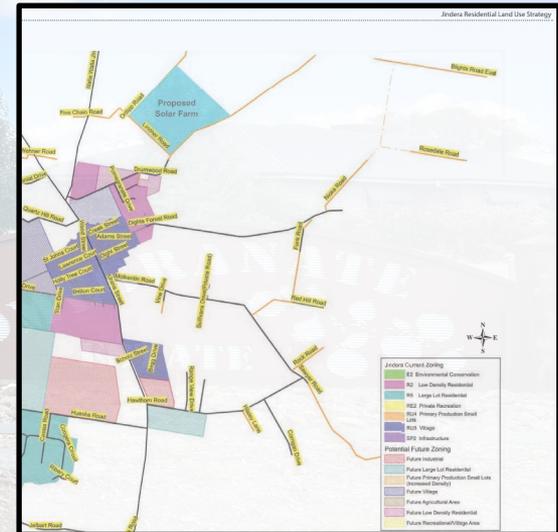
Whilst the DPE Assessment report states that the location is not a growth corridor for Jindera, the Jindera Residential Land Use Strategy does identify future low density growth and initial Council concerns also noted this as an area of consideration.

It is appropriate to note the development that has occurred in the area in the years prior to the application. Importantly, the growth of Pomegranate Estate occurred in 2016, meaning these landholders purchased property unaware of potential solar development.

The land for the Solar Farm itself is RU1 but directly adjoins R2 and is within 500m-1km of the local golf course and cemetery.

Landscape Architect report considers panoramas from isolated viewpoints on a property – common sense tells us all that this is not an accurate representation of cumulative effects as individuals enter and move through properties!

We draw the panel's attention towards immediately neighbouring land uses and to consider the appropriateness of this location beyond just its own strict RU1 zone but in higher consideration of its location to the greater township and residential properties.



Future Impacts

The DPE Report states that the site would not have “significant impact” on local community or landholders and states that property devaluation is not significant (despite the fact that there is not sufficient data on this impact in Australia!) However, what to the future impacts on our ability to work our and develop land in flexible manners that capitalise on future economic directions?

Under the RU1 Zoning in Hume Council, we are open to pursue business in:

- Agritourism
- Bed and Breakfast Accommodation
- Camping Grounds
- Dual Occupancies
- Farm Stay Accommodation
- Function Centres
- Exploration of subdivision with application for rezoning.

Many of these are options that we have and are considering for the future of our Heritage Property (the oldest dwelling in the region with intact quarters that lodged Captain Hovell) and each of these would be limited and impacted upon by the location of such an “industrialised farming” landscape.



We draw the panel’s attention towards community perceptions towards Solar Farming as “unappealing”, as evidenced through Community Consultations in this and other Australian proposals, and ask that consideration be given towards the impact on other developments that also offer potential for regional development?