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By email: cameron.ashe@dpie.nsw.gov.au

Dear Mr Ashe

Subject: Response to Submissions – Gundry Solar Farm (SSD-48225958)

Conservation Programs, Heritage and Regulation (CPHR) have reviewed the Gundry Solar Farm Response to Submissions (RTS) documentation, including the Submissions Report and the updated Flood Impact and Risk Assessment (FIRA). There are several issues that require attention regarding the Biodiversity Management Plan (BMP) and Flooding.

Keyacris scurra habitat rehabilitation

The development footprint has avoided direct impacts to the *Keyacris scurra* habitat identified onsite. However, the proposed change in land use surrounding this area poses a risk of indirect and prescribed impacts. The BMP should include measures to minimise and mitigate the risk of further degradation from occurring due to these potential impacts.

Prescribed impacts to the White-fronted Chat (WFC)

Section 4.1.1 of the Submissions Report concludes that a prescribed impact to WFC will not occur; however, this lacks adequate justification. No evidence is presented that indicates the thistle on site is not being used as foraging or breeding habitat by the species. Therefore, a prescribed impact under Clause 6.1(1)(a)(iv) of the *Biodiversity Conservation Regulation 2017* remains applicable.

The BMP must include the mitigation measures for the species identified in the Submissions Report to address the risk of a prescribed impact.

An assessment of thistle extent within the development footprint and targeted bird surveys during WFC breeding season are necessary to determine the actual impact on the species resulting from the development and whether a prescribed impact is to occur. These measures were previously recommended by CPHR in previous communications on 25/07/23 and 10/12/24 but have not been incorporated. This information can be included in the BMP.

Conditions of Consent

The conditions of consent should include a requirement that the BMP be prepared to the satisfaction of both CPHR and DPHI, and that it be finalised prior to the commencement of construction.

Flooding

The FIRA (WRM. Report Number: 2067-02-B6 dated 17 June 2025) was updated to include a flood risk assessment up to the Probable Maximum Flood (PMF) and additional information to support the design. The FIRA recommends that the project infrastructure be re-assessed for flood risk during the detailed design stage. Therefore, the planning determination authority should be satisfied that deferring this assessment to the detailed design phase is adequate to address the potential consequences of inundation risks to electrical equipment, including the substation. It is important to note that the FIRA does not elaborate on the specific consequences of inundation in terms of potential plant shutdown. Detailed floodplain management comments are provided in **Attachment 1**.

CPHR - Flooding does not need to be included in the post approval process and decision. However, detailed flood risk management advice is provided in the attachment to assist the approval authority to inform its decisions on this proposal.

If you have any further questions about this issue, please contact Mr Louis Cameron, Conservation Planning Officer, Regional Delivery at rog.southeast@environment.nsw.gov.au.

Yours sincerely



Allison Treweek 1/08/2025

**A/Director - South East
Conservation Programs, Heritage and Regulation
Department of Climate Change, Energy, the Environment and Water**

Attachment 1 - Detailed Floodplain Management Comments

An updated Flood Risk and Impacts Assessment (FIRA) dated 17 June 2025 was provided to address previous agency advice (10/12/24 - DOC24/993692) including advice from the NSW SES and demonstrate compliance with the SEARs (28/09/24 - DOC22/861501). The FIRA now includes as assessment of risk up to the Probable Maximum Flood (PMF), additional information to support the design including warning times for varying risks identified and additional information to support the determination on public safety risks due to flood isolation. The FIRA has also recommended that the Project infrastructure be re-assessed for flood risk during the detailed design stage, specifically for infrastructure located outside the main Gundry Creek PMF extent. The flood risk considerations below will enable a design that is more robust for the infrastructure and should therefore be considered during the detailed design stage.

Based on the information presented in the FIRA, it appears there might be some confusion in the estimation and use of flood warning times given that there are no gauges within the Gundry Creek catchment and no official Bureau of Meteorology (BOM) flood warnings being issued at the project location. This may impact how the proposed emergency response planning is implemented, specifically the decision to shut down plant equipment and electrical infrastructure. The 8-hour flood warning time in the FIRA from the onset of heavy rainfall to flood reaching its peak or the 6 to 9-hour travel time for Mulwaree River to reach Goulburn (as referenced by WRM from the 2022 Goulburn Floodplain Risk Management Study and Plan (FRMSP) by GRCHydro) is an incorrect interpretation by WRM. As the project area is located within the upper reaches of Mulwaree River catchment, the travel time for onset flood on the site will be much quicker than the adopted FRMSP, which is measured from a gauge located downstream of the project area (The Towers gauge ID 2122725). As the waterways within the project area are not subject to any official flood warnings issued by the Bureau, it is unlikely that there would be adequate warning time for the plant operator to respond and react. Therefore, it is recommended that the trigger used for flood response including trigger for plant operations should be determined by the severe weather warnings or extreme rainfalls forecast within the project area which may lead to effective response times in the proposed flood emergency management plan in the FIRA. The emergency plan should recognise that response times are important however forecast rainfalls from severe weather warnings may be significantly different to actual rainfall and resultant flood levels on the site and access roads to the site.

As detailed in the previous advice (10/12/24 - DOC24/993692), the substation platform appears to be located within a floodway area. This will impact the flow behaviour and cause damages to the infrastructure and therefore should be resolved in the FIRA in the event it cannot be resolved by design and requires relocation. It is assumed that further work will be required during the detailed design stage as indicated in the FIRA. The design should allow for the conveyance of water around the substation rather than through it to ensure that the impact of the floodway and flood behaviour on the substation is addressed. The impact of the proposed substation in the floodway to the flood behaviour should therefore be resolved to enable the consent authority to be satisfied the substation will not fail due to inundation or cause adverse impacts including erosion.

The FIRA does not address the consequence of flooding to power shutdown including the implication on other critical utilities such as telecommunication and the impacts to the community through a loss of power. It is therefore necessary for DPHI to consider whether the design should be re-assessed through the detailed design stage as proposed, however it is advisable that the robustness of power plant operation avoids the need for shutdown.

The flood levels in the existing and proposed scenarios should be included in the FIRA to enable a design that is informed by an understanding of flood risks and approval processes that are robust for the infrastructure and the community. The outstanding shortfalls in the FIRA makes determination by the approval authority difficult and may present issues for the proponent to meet design requirements at the proposed later detailed design stage.

On the issue of public safety risks associated with flood isolation as previously raised in agency advice (10/12/24 - DOC24/993692), the FIRA has also determined that the operation will be monitored and controlled remotely from an offsite operations centre 24 hours a day. No staff is expected to be onsite unless to undertake maintenance works and inspection activities, which will be scheduled only during business hours. The planning determination authority should satisfy itself that the risk to public safety including risks to future workers and operators of the site are therefore adequately addressed.