



Your ref: SSD-67105475

Our ref: DOC25/925035

Nicholas Kumar
Senior Environmental Assessment Officer
Department of Planning, Housing and Infrastructure - NSW Planning Group
Via Major Projects Portal: PAE-97580461

Dear Nicholas

Subject: Romani Battery Energy Storage System (BESS) (SSD 67105475) EIS

Thank you for your email dated 27 October 2025 seeking advice from the Regional Delivery Division (RD) of the NSW Department of Climate Change, Energy, the Environment and Water about the Environmental Impact Statement (EIS).

We have reviewed the exhibited EIS against the Secretary's Environmental Assessment Requirements (SEARs) issued to the proponent on 1 March 2024 and revised on 19 June 2025.

RD considers the EIS does meet the Secretary's requirements for flood risk management, contingent on the proponent addressing issues 1 to 4 identified in **Attachment A**.

RD considers that the EIS does not meet the SEARs for biodiversity and further work is required on the Biodiversity Development Assessment Report (BDAR).

The key issues identified are:

- Further consultation with RD is required for Pink-tailed Legless Lizard
- Survey effort for threatened species does not meet BAM requirements
- Vegetation zones require further justification
- There is insufficient detail on actions taken to avoid and minimise biodiversity impacts
- There is insufficient detail about measures to mitigate impacts.

These matters will need to be addressed to ensure the final BDAR complies with the Biodiversity Assessment Method (BAM).

A summary of our assessment and advice is provided in **Attachment A**. Detailed advice is provided in **Attachment B**.

All plans required as a Condition of Approval that relate to flood risk management or biodiversity should be developed in consultation with, and to the satisfaction of RD, so our issues are adequately addressed.

If you have any questions about this advice, please contact Mel Cotterill, Principal Conservation Planning Officer, via planning.southwest@dcceew.nsw.gov.au or 02 6022 0614.

Yours sincerely



Helen Waudby

28 November 2025

Acting Director, South West

Regional Delivery

Conservation Programs, Heritage and Regulation Group

NSW Department of Climate Change, Energy, the Environment and Water

ATTACHMENT A – RD Assessment Summary for Romani BESS Environmental Impact Statement (SSD 67105475)

ATTACHMENT B – Detailed advice for Romani BESS Environmental Impact Statement (SSD 67105475)

ATTACHMENT A RD Assessment Summary for Romani BESS Environmental Impact Statement (SSD 67105475)

Key Issues

The following issues and recommendations are to be resolved prior to determination.

Flood Risk Management

1. The hydrological analysis, hydraulic modelling, and outputs provided in the SWIA require review

- 1.1. Hydraulic modelling and mapping outputs should be revised to include an appropriate grid size which accurately represents flood behaviour.
- 1.2. Incorporate the detailed design of the proposed development into the hydraulic model to accurately investigate the impact on flood behaviour. Where practicable, include any fill and ancillary works.
- 1.3. Provide further detail on the hydrological analysis and adopted inputs used to inform the SWIA.
- 1.4. Adhere to the NSW Specific Tab of the ARR Data Hub regarding losses adopted.

2. Further assessment of sensitivity to climate change impacts is required

- 2.1. Conduct further assessment to define the impact of the proposed development on flood behaviour for the 0.5 and 0.2% AEP flood events as proxies for assessing the sensitivity to climate change.

3. The SWIA does not appropriately map the hydraulic (flood function) categories

- 3.1. Define and map the flood function categories for the existing and proposed development scenarios.
- 3.2. Demonstrate the compatibility of the proposed development with the flood function of the land.

4. The SWIA does not demonstrate that emergency management matters have been discussed with Council and the NSW SES

- 4.1. Actively engage with the Edward River Council and NSW SES to demonstrate that emergency management matters have been discussed and, where applicable, supported.
- 4.2. Investigate the impact of regional riverine flooding to inform emergency management matters.

Biodiversity

Candidate Species

- 5.1. Interim advice is being developed by the department for this species; undertake further consultation with RD to confirm whether further assessment is required.
- 6.1. Provide a map showing the locations of all threatened flora species observed and consult further with RD to confirm whether further surveys or assessment is required.

Native Vegetation Mapping

- 7.1. Update the BDAR with clear justification for vegetation zone mapping, based on the plot data consistent with the requirements of the BAM.

Development footprint

- 8.1. Amend the development footprint to assess all offsite works associated with connection to the X5 transmission line, or adequately describe why these works will not have biodiversity impacts outside of the assessed development footprint.

Changes to the BAM

- 9.1. Update the BDAR sections 1.1.3.3 and 5.4.1 to remove references to clause 6.31 of the BC Regulation to justify not updating relevant information in the BDAR when updated information is available.

Avoid and minimise

- 10.1. Undertake further impact avoidance or demonstrate why further impact avoidance cannot be reasonably achieved for areas where no permanent infrastructure is planned and document this in Section 7 of the BDAR.
- 10.2. Update Section 7 of the BDAR to include justification for selection of the development footprint location with reference to mapping and description of relevant biodiversity values (including threatened species locations) within the broader allotments that the project is located.

Mitigation measures

- 11.1. Update Section 8.5 of the BDAR to detail additional appropriate auditable mitigation and management measures that follow the SMART principles.

ATTACHMENT B Detailed advice for Romani BESS Environmental Impact Statement (SSD 67105475)

Flood Risk Management

RD has reviewed the flood risk management component in Section 6.9 of the EIS and Appendix O, Surface Water Impact Assessment (SWIA) (Engeny, 2025).

The EIS does address the Secretary's requirements for flood risk management, contingent on the proponent addressing the issues listed below during the detailed design phase of the project.

The SWIA quantitatively assesses the impact of flooding at the subject site. However, further work is required to address the flood risk management SEARs issued in our advice dated 13 February 2024. To fully address the SEARs for flood risk management, the proponent should conduct additional modelling and assessment to inform a revised SWIA during the detailed design phase of the project. Specifically, the revised SWIA should address the following deficiencies:

1. The hydrological analysis, hydraulic modelling, and outputs provided in the SWIA require review

The mapping outputs in the SWIA do not accurately represent flood behaviour. The SWIA indicates that a 'cell size of 20m with a 10m SGS size was adopted in the Local Project Model'. However, the mapping outputs do not reflect this resolution.

The SWIA fails to sufficiently describe how the proposed development scenario was represented in the hydraulic model. It is assumed that this representation is simply based on varying the Mannings 'n' values, but it is not clear. Once finalised, the detailed design should be incorporated into the hydraulic model to accurately investigate the impact of the proposed site conditions on flood behaviour. This should include any fill and ancillary works.

It is not clear in the SWIA which critical storm duration and temporal patterns were adopted for use in the study. Additionally, the design inflows and hydrographs into the Local Project Model, derived from the Regional Catchment Model, are not provided.

Furthermore, when determining loss values, RD recommends the proponent adhere to current NSW guidance. That guidance suggests the probability neutral burst initial loss values available through the Australian Rainfall and Runoff (ARR) Data Hub are to be used as per the losses hierarchy.

Recommendations:

- 1.1. Hydraulic modelling and mapping outputs should be revised to include an appropriate grid size which accurately represents flood behaviour.
- 1.2. Incorporate the detailed design of the proposed development into the hydraulic model to accurately investigate the impact on flood behaviour. Where practicable, include any fill and ancillary works.
- 1.3. Provide further detail on the hydrological analysis and adopted inputs used to inform the SWIA.
- 1.4. Adhere to the [NSW Specific Tab of the ARR Data Hub](#) regarding losses adopted.

2. Further assessment of sensitivity to climate change impacts is required

The SWIA simply reports on the changes to flood extent, across the project site only, for the 0.5 and 0.2% annual exceedance probability (AEP) flood events. Further assessment is required to define the impact of the proposed development on flood behaviour for the 0.5 and 0.2% AEP flood events as proxies for assessing the sensitivity to climate change. The assessment should consider the impact to direction of flow, velocities, flood levels, hazards and hydraulic (flood function) categories both on and off site.

Recommendations:

- 2.1. Conduct further assessment to define the impact of the proposed development on flood behaviour for the 0.5 and 0.2% AEP flood events as proxies for assessing the sensitivity to climate change.

3. The SWIA does not appropriately map the hydraulic (flood function) categories

We require the mapping of the flood function categories and demonstration of the project's compatibility with the defined flood functions. The categorisation of the flood function must be completed in accordance with guidance provided in the *NSW Flood Risk Management Manual* (DPE 2023), specifically *Flood Function – Flood Risk Management Guideline FB02* (DPE 2023).

The mapping of flood function categories is provided for the existing site conditions, but the adopted criteria used to define the flood function categories is not consistent with the *NSW Flood Risk Management Manual*.

Recommendations:

- 3.1. Define and map the flood function categories for the existing and proposed development scenarios.
- 3.2. Demonstrate the compatibility of the proposed development with the flood function of the land.

4. The SWIA does not demonstrate that emergency management matters have been discussed with Council and the NSW SES

RD acknowledges that during operation few full-time staff are to be located on site, so the flood risk posed to life is minimal. However, it is necessary that emergency management, access, and contingency measures for the development consider the full range of flood risk, including the extreme flood event.

As stated in our SEARs letter dated 13 February 2024 these matters must be discussed with, and have the support of, the Edward River Council and NSW SES. The NSW SES can be contacted via rra@ses.nsw.gov.au.

In addition to the impacts of local catchment flooding, RD recommends that emergency management matters also consider the impact of regional riverine flooding originating from the Murrumbidgee and Murray Rivers, and their tributaries and effluents.

Recommendations:

- 4.1. Actively engage with the Edward River Council and NSW SES to demonstrate that emergency management matters have been discussed and, where applicable, supported.
- 4.2. Investigate the impact of regional riverine flooding to inform emergency management matters.

Biodiversity

The Biodiversity Development Assessment Report (BDAR) at Appendix G does not meet the SEARs for biodiversity.

Specific advice on the BDAR and related sections are:

Candidate Species

5. Exclusion of candidate species must be consistent with BAM

Exclusion of the Pink-tailed Legless Lizard (*Aprasia parapulchella*) from further assessment is not compliant with the requirements of the BAM. This species has been located in the Murrumbidgee

IBRA subregion and is not reliant on 'rocky areas' in the Riverina region, and habitat when considered as vegetation condition, does not appear to be degraded (i.e. VI scores or floristic data).

The distribution mapping and interpretive guide for *A. parapulchella* have been developed to support species experts in preparing expert reports. In general, where *A. parapulchella* is predicted as a candidate species in BAM-C an expert report is required.

Recommendations:

- 5.1. Interim advice is being developed by the department for this species; undertake further consultation with RD to confirm whether further assessment is required.

6. Review survey effort to ensure the credit liability is reliable

Section 2.2.3.3 of the BDAR identifies the two phase grid-based large area survey method was used to survey for threatened flora species in accordance with the guideline *Surveying threatened plants and their habitats* (DPIE 2020), as the development footprint was initially part of a larger proposal. This approach is generally applicable to areas of suitable habitat greater than 50 ha.

Maireana cheelii, *Swainsona murrayana* and *Lepidium monoplacoides* were all recorded in the original larger footprint and there is a reasonable likelihood that these species occur in the unsurveyed parts of the smaller BESS disturbance footprint.

Recommendations:

- 6.1. Provide a map showing the locations of all threatened flora species observed and consult further with RD to confirm whether further surveys or assessment is required.

Native Vegetation Mapping

7. The vegetation zones mapped require further justification

Describe the vegetation zones for PCT 164 including how each of the three vegetation zones for this PCT have been defined by broad condition state.

Recommendations:

- 7.1. Update the BDAR with clear justification for vegetation zone mapping, based on the plot data consistent with the requirements of the BAM.

Development footprint

8. The development footprint must include all ancillary and temporary works

The development footprint must include all ancillary works, including temporary works. The connection to the X5 transmission line appears to be outside the development footprint.

Recommendations:

- 8.1. Amend the development footprint to assess all offsite works associated with connection to the X5 transmission line, or adequately describe why these works will not have biodiversity impacts outside of the assessed development footprint.

Changes to the BAM

9. Changes to published databases are not changes to the BAM

Section 1.1.3.3 of the BDAR relies on clause 6.31 of the *Biodiversity Conservation Regulation 2017* (BC Regulation) to justify not using updated information from published databases. Provisions for making and amending the BAM are established by Part 6 of the *Biodiversity Conservation Act 2016*

(BC Act) and require an order by the Minister for the Environment. Changes to the TBDC and the NSW BioNet Atlas are not made under that part and do not constitute changes in the BAM as referred to under Clause 6.31 of the BC Regulation.

Chapter 1.4 of the BAM is clear. When preparing a BDAR, the assessor must use BioNet including the TBDC and information that is updated periodically.

Recommendations:

- 9.1. Update the BDAR sections 1.1.3.3 and 5.4.1 to remove references to clause 6.31 of the BC Regulation to justify not updating relevant information in the BDAR when updated information is available.

Avoid and minimise

10. Update the BDAR to document further evidence of impact avoidance and minimisation

The avoid, minimise and offset hierarchy under the BC Act requires the proponent to first take all reasonable measures to avoid then minimise impacts on biodiversity values, prior to offsetting residual impacts.

The development footprint includes areas shown as being occupied by the 200MW BESS and a construction compound and laydown, however, there appears to be no infrastructure planned within a significant proportion of these areas. Additionally, removing the solar farm from the development does not demonstrate avoidance of biodiversity values, given the solar farm is likely to be developed later as stated in chapter 7.1.2 of the BDAR.

The BDAR and spatial data do not provide a location or description of habitat where threatened species were recorded during surveys for the original development footprint. There is no evidence that habitats where these species occur do not extend into the current development footprint, or whether the species will be impacted by the project.

As an example, the Southern Bell Frog (*Litoria raniformris*) was recorded in drainage channels to the north of the proposed footprint. Table 6.1 indicates there are disused irrigation channels in the development footprint that may be used by amphibians during prolonged rainfall events. It is not clear if there is connectivity between the channels in the development footprint and those where the species was recorded and whether the species may potentially occur and be impacted.

Recommendations:

- 10.1. Undertake further impact avoidance or demonstrate why further impact avoidance cannot be reasonably achieved for areas where no permanent infrastructure is planned and document this in Section 7 of the BDAR.
- 10.2. Update Section 7 of the BDAR to include justification for selection of the development footprint location with reference to mapping and description of relevant biodiversity values (including threatened species locations) within the broader allotments that the project is located.

Mitigation measures

11. Mitigation measures must inform CEMP and BMP

Mitigation measures in the BDAR inform the anticipated Construction Environmental Management Plan (CEMP) and the Biodiversity Management Plan (BMP). Conditions of consent will likely prescribe the content and effect of the BMP.

To ensure the CEMP and BMP are effective, the measures provided in section 8.5 and Table 8-7 of the BDAR should follow the SMART principles (specific, measurable, achievable, relevant and time-bound).

The BMP must specify actions including pre-clearing surveys, fencing and signage to mark the associated no-go zones, and unexpected finds. Environmental sensitive no-go zones must be specifically defined and mapped in the BDAR to ensure these are clear in the BMP and CEMP.

Recommendations:

- 11.1. Update Section 8.5 of the BDAR to detail additional appropriate auditable mitigation and management measures that follow the SMART principles.