

Our ref: HMS ID 12239

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## Advice on Environmental Impact Statement – State Significant Development

**Proposal:** Romani Battery Energy Storage System

**Major Project reference:** SSD-6710547

**Received:** 27 October 2025

Dear Nicholas,

Thank you for your referral seeking advice on the above State Significant Development proposal.

In preparing this advice Heritage NSW has reviewed the following documents:

- Relevant sections of the Environmental Impact Statement: Romani BESS – prepared by Environmental Resources Management Australia Pty Ltd, dated 7 October 2025
- Appendix H: Aboriginal Cultural Heritage Assessment Report – Romani BESS – prepared by Environmental Resources Management Australia Pty Ltd, dated 12 August 2025

Heritage NSW acknowledges that the Project has undergone several iterations. Due to current challenges in securing a suitable transmission connection, the solar energy component has been removed from the development application. The application is understood to now solely relate to the construction and operation of a Battery Energy Storage System (BESS) within a reduced Project Area of approximately 21 hectares.

The Aboriginal Cultural Heritage Assessment Report (ACHAR) was informed by desktop research and field surveys and was prepared in consultation with Registered Aboriginal Parties (RAPs). Five new Aboriginal sites were identified during the February 2024 survey for the previous project design, with an additional six sites recorded in July 2024. No previously recorded or newly identified Aboriginal sites were found during the April or July 2025 surveys for the current BESS Project Area. The ACHAR concludes that, due to the reduced scope and footprint of the current project, no known Aboriginal sites will be impacted.

Following review of the documentation, Heritage NSW requests additional information to address identified discrepancies and to substantiate the conclusions presented in the ACHAR. This

information is necessary to determine whether the ACHAR adequately responds to the Secretary's Environmental Assessment Requirements (SEARs), including the recommendations for the management of Aboriginal cultural heritage. Heritage NSW recommends that the Department of Planning, Housing and Infrastructure (DPHI) request the applicant to address the matters outlined in **Attachment A** prior to determining the application.

Please note that the comments provided relate only to Aboriginal cultural heritage regulation matters. If you have any questions about this correspondence, please contact Marika Low, Senior Assessments Officer at Heritage NSW on (02) 9873 8500 or [heritagemailbox@environment.nsw.gov.au](mailto:heritagemailbox@environment.nsw.gov.au)

Yours sincerely,

*Corey O'Driscoll*

Corey O'Driscoll  
A/Practice Lead – Major Projects  
Heritage NSW  
Department of Climate Change, Energy, the Environment and Water  
As Delegate under *National Parks and Wildlife Act 1974*  
17 November 2025

## Attachment A – Detailed Aboriginal heritage advice for SSD-6710547

### Background review, predictive modelling and Aboriginal cultural heritage sensitivity

The ACHAR contains discrepancies between the environmental and archaeological background, predictive modelling (which indicate high archaeological potential), and the survey results, which suggest otherwise. The following comments relate to addressing these discrepancies and ensuring the report reflects current information.

1. Heritage NSW notes that the Aboriginal Heritage Information Management System (AHIMS) search is greater than 12 months old at the time of submission. As per Requirement 1b of the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* ('Code of Practice'; DECCW 2010), AHIMS searches must be contemporaneous with the project (less than 12 months). Please update the AHIMS search and review for currency.
2. Section 6 of the ACHAR requires updating to reflect current information. Several projects cited have more recent assessments available (e.g., Bullawah Wind Farm ACHAR [2024], EnergyConnect NSW – Eastern Section Addendum ACHAR Stage 1 [2024]). Additionally, the prevalence of unexpected subsurface finds in the region, including on Project EnergyConnect, suggests that earlier predictive models may need reconsideration.

Please review and update the archaeological background (Section 6) and related sections, including the predictive model, to ensure they align with current knowledge and meet Requirements 1–4 of the Code of Practice. This should include detailed analysis of previous archaeological work, demonstrating environmental similarities and differences with the current Project Area, and explaining how the results of these past studies inform and influence predictions for the current project.

3. The ACHAR requires a more detailed assessment of the potential for subsurface archaeological deposits, particularly in areas lacking surface cultural material. While the report states that the assessment of Potential Archaeological Deposit (PAD) considered factors such as past Aboriginal occupation patterns, geomorphology, soil types, and land use, it does not explain how each of these factors specifically informed the predictive model for the BESS Project Area or how these criteria were applied in the field. Evidence from the region indicates that vertosols can contain archaeological material, and the Murrumbidgee Depression Plains, Shepparton Formation, and palaeochannels (Gum Creek and Yanco Systems) are associated with alluvial processes, which are known to bury and preserve archaeological materials. Subsurface testing is generally required to detect intact deposits in such contexts, especially given the prevalence of unexpected finds on Project EnergyConnect and across the region more broadly. To address this:
  - a. Update the predictive model to include a nuanced assessment of the potential for subsurface archaeological deposits (i.e., PAD) in areas lacking surface cultural material, informed by recent archaeological findings and the specific environmental context of the BESS Project Area.
  - b. Revise the ACHAR to explain how PAD assessment was applied during the survey and provide evidence supporting the conclusion that no PADs exist and that test excavations are not required. Where adequate justification cannot be provided, a program of test excavation may be required.

4. Figure 1.3 in the Stage 2/3 draft methodology provided to RAPs shows the current BESS Project Area as being located within an area of 'High' cultural heritage sensitivity. However, it is unclear how these sensitivity levels were determined and how they relate to the predictive model in the ACHAR. To address this please update the ACHAR to:
  - a. Explain the process used to assess sensitivity levels across the Project Area.
  - b. Clarify how these sensitivity areas correspond to the predictive model developed for the project.
5. The ACHAR contains inconsistencies regarding the cultural heritage sensitivity assessment for the BESS Project Area. Table 7-3 lists landforms with both 'Moderate' and 'Low' sensitivity; however, only one landform classification—"Flood plain (Palaeochannel Landform) / Hay Plain"—is identified. Furthermore, Section 6.4.3 and Figure 8.2 indicate that the entire BESS Project Area is of 'Moderate' / 'Medium' sensitivity. To address this discrepancy:
  - a. Please clarify the rationale for classifying certain areas within the "Flood plain (Palaeochannel Landform) / Hay Plain" as having lower sensitivity and reference the specific survey results that support this determination.
  - b. Provide a figure delineating areas of low versus moderate sensitivity to support Table 7-3.
  - c. Please confirm whether areas of differing sensitivity require distinct management approaches.

#### Results, discussion and management implications

6. Please update the ACHAR to include details of the Aboriginal sites identified and recorded during the earlier phases of assessment for this project. Although these sites are now outside the current project boundary owing to changes in size and scope of the proposal, they were recorded as part of the assessment and must be reported in accordance with Requirements 6 and 7 of the Code of Practice. The ACHAR must also include an assessment of significance for these sites, noting that this information may be included as an Appendix to meet these requirements.
7. Figure 8.2 indicates the BESS Project Area is assessed as being of 'Medium' cultural heritage sensitivity following the surveys while Section 8.4 concludes that "*the distribution of recorded sites is consistent with the predictive model in Section 6*". These conclusions, however, are not supported and appear inconsistent with the absence of Aboriginal sites or PADs within the BESS Project Area. To address this discrepancy please clarify:
  - a. Whether the 'Medium' sensitivity relates to potential subsurface archaeological deposits and if not, confirm what the concluded sensitivity rating relates to.
  - b. What this means for management—how will areas of medium sensitivity be managed (e.g. do they test excavations prior to ground disturbance)?
8. Please revise Section 8.4 to include a more detailed and analytical discussion. In accordance with Requirement 11 of the Code of Practice, the discussion must interpret the assessment results within an archaeological framework that reconstructs Aboriginal settlement history and is contextualised locally and regionally. This discussion must also address discrepancies between predictive statements and survey findings (e.g., no Aboriginal sites or PADs identified despite predicted high sensitivity), as this is not adequately considered in the current report.

### Aboriginal community consultation

9. The ACHAR contains inconsistencies regarding the dates on which draft versions of the ACHAR were provided to RAPs. Section 4.4 states that Version 1 was sent on 30 April 2025 and the final version on 12 August 2025. However, these dates do not align with the records in the Consultation Log (Appendix A) or the draft report consultation records in Appendix J. Please clarify these discrepancies.
10. Please provide evidence that the Stage 4 draft ACHAR was sent to Nicholas Smith for review and comment on 4 October 2024 and 6 May 2025, as reported in the Consultation Log (Appendix A).
11. Consultation record provided in Appendix J indicate that the Stage 4 Draft ACHAR consultation emails were sent to 'Amanda Clarke' on 4/10/2024 and 6/5/2025, however this individual is not listed as a RAP for the project in Table 4-1 of the ACHAR. Please clarify this discrepancy and confirm whether the RAP list must be updated to include this individual.