

Appendix S

Draft Aboriginal Cultural Heritage Assessment Report

Penrith HV Battery Energy Storage System

Aboriginal Cultural Heritage Assessment Report

DRAFT

October 2025



***Navin
Officer***

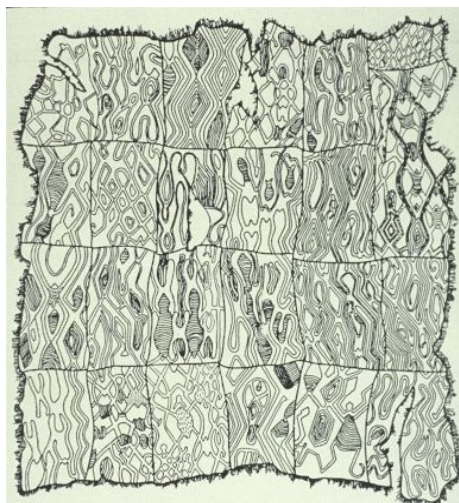
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NOHC acknowledges Australia's Aboriginal and Torres Strait Islander people, their many diverse communities across our nation and their rich culture. We pay respect to their Elders past and present. We acknowledge Aboriginal and Torres Strait Islander peoples as Australia's first peoples and as the Traditional Owners and custodians of the land and water across the Australian landscape and seascape. We recognise and value the ongoing contribution of Aboriginal people to Australian life and how their contribution continues to enrich our society. In our daily work we recognise, cherish, celebrate and defend the evidence of Aboriginal and Torres Strait Islander peoples rich and complex history and prehistory which extends back from the present day into a deep and distant past. We understand that this archaeological evidence has meaning to the descendants of those who created it. Through our research and conservation efforts we strive to unlock hidden meanings from these traces of the past and to make that knowledge available to current and future generations of Aboriginal and Torres Strait Islander people.

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EXECUTIVE SUMMARY

Navin Officer Heritage Consultants Pty Ltd (NOHC) has been commissioned by Aurecon Group, on behalf of Ausconnex, to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the proposed Penrith HV Battery Energy Storage System (BESS) (hereafter the 'subject area').

The Penrith HV BESS project involves the development, construction, operation and decommissioning of a grid-scale HV BESS with a capacity to supply up to 100MW of power and the ability to store up to 200MWh of energy adjacent to the existing Penrith Substation. The project is located inside the fence line of the existing transmission substation on a grassed area previously used as an outdoor switching station.

Main findings

The following conclusions have been reached in relation to the subject area:

- The study area has been subject to extensive surface and subsurface disturbances from 1891 to present day. Due to the cumulative impact within the current study area, there is no proposed harm to Aboriginal objects from the proposed project.

The following recommendations are made:

1. The protocols for the unanticipated discovery of archaeological material and suspected human remains (presented in Appendix 2) be adopted and complied with during construction activities involving ground surface disturbance and excavation
2. The Aboriginal community consultation process for this project is still in progress. This draft report has been provided to the registered Aboriginal stakeholders for review and will be updated to document and address any submissions before being finalised.
3. A copy of the final report will be submitted to the Environment and Heritage Group of the Department of Climate Change, Energy, the Environment and Water for registration on the AHIMS database.

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GLOSSARY AND DEFINITIONS

Aboriginal object	Defined in the NPW Act as "any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains".
Aboriginal place	An area of land that is or was of special significance with respect to Aboriginal culture and is declared to be an Aboriginal place under section 84 of the NPW Act.
Aboriginal resource and gathering	An Aboriginal site feature related to everyday activities such as food gathering, hunting, or collection and manufacture of materials and goods for use or trade (OEH 2012:8).
Aboriginal site	An Aboriginal object or Aboriginal place associated with past or contemporary Aboriginal occupation of NSW.
Aboriginal heritage impact permit (AHIP)	An AHIP is the statutory instrument issued by DCCEEW under section 90 of the NPW Act to manage harm or potential harm to Aboriginal objects and places (OEH 2017:1).
AHIMS	Aboriginal Heritage Information Management System – a database of known Aboriginal site records in NSW and a repository of Aboriginal heritage survey, assessment and investigation reports.
Archaeological site	A place or location with material traces or evidence of Aboriginal land use. The boundaries of an archaeological site may be defined by the spatial extent of visible Aboriginal objects, or direct evidence of their location; obvious physical boundaries where present; or identification by the Aboriginal community based on cultural information (DECCW 2010a:14).
Art (rock art)	Images made by Aboriginal people on rock surfaces in the past. Rock art can be found in shelters, caves, overhangs, rock platforms, and across rock formations. Techniques include painting, drawing, scratching, carving engraving, pitting, conjoining, abrading and the use of a range of binding agents and the use of natural pigments obtained from clays, charcoal and plants (DECCW 2010a:30; OEH 2012:8).
Artefact	Objects such as stone tools, and associated flaked material, spears, manuports, grindstones, discarded stone flakes, modified glass or shell demonstrating evidence of use of the area by Aboriginal people (OEH 2012:8). Stone artefacts are the most common type of Aboriginal object and are usually the only remains left at the locations where Aboriginal people lived in the past (DECCW 2010a:28).
Artefact scatter	A formerly used site type consisting of two or more stone artefacts situated in proximity to each other. Typically, this category did not include isolated finds. The use of the term 'scatter' was intended to be descriptive and did not infer the original human behaviour which formed the site. Now referred to as an 'artefact' site feature (see Artefact).

Background discard/scatter

There is no single concept for background discard or 'scatter', and therefore no formal definition. Commonly agreed is that background discard of artefacts occurs in the absence of 'focussed' activity involving the production and/or discard of stone artefacts in a particular location. An example of unfocussed activity is occasional discard of isolated artefacts during travel along a route or pathway. Examples of 'focussed' activities are camping, knapping and heat-treating stone, cooking in a hearth, and processing food with stone tools.

Definitions of background scatter comprising only qualitative criteria do not specify the numbers (quantity) or density (artefacts/m²) of artefacts required to differentiate activity areas from background discard.

Burials

A traditional or contemporary (post-contact) burial of an Aboriginal person, which may occur outside designated cemeteries and may not be marked (OEH 2012:8). Aboriginal ancestral remains are most frequently found in middens, sand dunes, lunettes, bordering dunes and other sandy or soft sedimentary soils (DECCW 2010a:34).

DCCEEW

Department of Climate Change, Energy, the Environment and Water

EP&A Act

Environmental Planning and Assessment Act 1979 (NSW)

Grinding grooves

Grooves in a rock surface resulting from manufacture of stone tools such as ground edge hatchets and spears, may also include rounded depressions resulting from grinding of seeds and grains (OEH 2012:9).

Isolated find

A formerly used site type defined as a single stone artefact, not located within a rock shelter, which occurs without any associated evidence of Aboriginal occupation. Isolated finds may represent single discard events, be constituent components of background scatter, or be indicative of a larger obscured, remnant or disturbed site. Now referred to as an 'artefact' site feature (see Artefact).

Lithic assemblage

A collection of whole and fragmentary stone artefacts and manuports obtained from an Aboriginal site, either by collecting items scattered on the present ground surface (see Artefact scatter) or recovered during controlled archaeological excavation.

Modified tree

Trees which show the marks of modification as a result of cutting of bark from the trunk for use in the production of shields, canoes, boomerangs, burial shrouds, for medicinal purposes, foot holds etc, or alternately intentional carving of the heartwood of the tree to form a permanent marker to indicate ceremonial use/significance of a nearby area. These carvings may also act as territorial or burial markers (OEH 2012:9).

NOHC

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NPW Act

National Parks and Wildlife Act 1974 (NSW)

NPW Regulation

National Parks and Wildlife Regulation 2019

Open camp site

A formerly used site type defined as a stone artefact scatter, not located within a rock shelter, containing two or more artefacts. The term 'open camp site' was based on ethnographic modelling suggesting that most artefact occurrences resulted from activities at camp sites. However, in order to separate the site description from the interpretation, both open camp sites and isolated finds are now referred to as 'artefact' sites (see Artefact).

OEH

NSW Office of Environment and Heritage, now Heritage NSW

Potential archaeological deposit (PAD)

An area where Aboriginal objects may occur below the ground surface (OEH 2012:9).

RAPs

Registered Aboriginal Parties

Shell

An accumulation or deposit of shellfish from beach, estuarine, lacustrine or riverine species resulting from Aboriginal gathering and consumption. Usually found in deposits previously referred to as shell middens. Must be found in association with other objects like stone tools, fish bones, charcoal, fireplaces/hearths, and burials. Will vary greatly in size and components (OEH 2012:10).



1 INTRODUCTION

1.1 Background to this report

Navin Officer Heritage Consultants Pty Ltd (NOHC) has been commissioned by Aurecon Group, on behalf of Ausconnex, to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the proposed Penrith HV Battery Energy Storage System (BESS) (hereafter the 'subject area').

The project is being assessed as a State Significant Development (SSD) under Part 4 of the *Environmental Planning & Assessment Act 1979* (Application Number: SSD-78368474). Planning Secretary's Environmental Assessment Requirements (SEARs) for the project issued on 19 December 2024 identified Aboriginal heritage as a key issue that must be addressed by the Environmental Impact Statement (EIS).

The SEARs contain the following environmental assessment requirements in relation to Aboriginal heritage:

- *An Aboriginal Cultural Heritage Assessment Report (ACHAR) prepared in accordance with the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (OEH, 2011) and the Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW (DECCW, 2010), identifying, describing, and assessing any impacts to any Aboriginal cultural heritage sites or values associated with the site (including impacts from any proposed earth works, construction works and road upgrades), including results of archaeological test excavations (where required), undertaken in accordance with the relevant standards and requirements;*
- *evidence of adequate consultation with Aboriginal communities in determining and assessing impacts, identifying and selecting options for avoidance of Aboriginal cultural heritage and identifying appropriate mitigation measures (including the final proposed measures), having regard to the Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW, 2010); and*
- *assess the impact to historic heritage having regard to the Guidelines for Preparing a Statement of Heritage Impact.*

This report has been prepared as supporting documentation for the EIS, to satisfy the Aboriginal heritage requirements of the SEARs.

1.2 Location of the subject area

The Penrith HV BESS project is located within an appropriately zoned industrial area, with the project site directly adjacent to the existing Penrith Transmission Substation at 2235-2249 Castlereagh Road, Penrith (Lot 5 DP 1017480) (Figure 1-1). The Penrith HV BESS project is within the Penrith City Council local government area (LGA) around 30kilometres (km) west of the Parramatta central business district (CBD).

1.3 Proposed development

The Penrith HV BESS project involves the development, construction, operation and decommissioning of a grid-scale HV BESS with a capacity to supply up to 100MW of power and the ability to store up to 200MWh of energy adjacent to the existing Penrith Substation. The project is located inside the fence line of the existing transmission substation on a grassed area previously used as an outdoor switching station.



The Penrith HV BESS project includes the following key components:

- Electrical infrastructure
 - a 100MW/200MWh HV BESS comprised of 48 battery modules installed in enclosures (thermal cabinet) and associated ancillary infrastructure. Lithium-ion phosphate is the preferred Lithium-ion battery chemistry for the project for reasons of safety and widespread availability from BESS Original Equipment Manufacturers (OEM). The battery module includes an integrated AC power inverter;
 - MV/Step Up Transformers, Auxiliary Transformer and Ring Main Units (RMUs);
 - potential harmonic filters (need and location to be confirmed during further design development);
 - 33 kilovolt (kV) Switchroom and control room; and
 - installation of 33kV underground cables and entry point for HV BESS cabling to connect the HV BESS to the Penrith Substation via new and existing conduits
- other permanent ancillary infrastructure including:
 - earth grading and levelling works to allow for installation of concrete pads for the BESS modules and associated infrastructure;
 - operations and maintenance building;
 - car parking;
 - security fencing, lighting, signage and lightning protection;
 - fire detection and suppression equipment;
- internal access track (about 6m wide) and driveway access off Thornton Drive;
- formalised underground stormwater network, and provision for water detention (for water quality and fire water purposes);
 - vegetation/ tree replacement, as required; and
 - potential noise barrier (pending detailed noise impact assessment).
- Temporary construction facilities include:
 - site office;
 - construction compounds and laydown areas; and
 - stormwater and sediment controls for the project site.

The overall project footprint is about 0.9 hectares (ha). This includes the temporary construction facilities as well the 33kV grid connection.



1.4 Objectives of this report

The report describes the results of the investigation to identify Aboriginal cultural heritage values and sites within the subject area, assesses the harm the proposed development may cause, and outlines management recommendations for actions to avoid, minimise or mitigate the impact. The principle aims are to:

- outline the statutory requirements relevant to the subject area with regard to Aboriginal cultural heritage (Section 2);
- undertake Aboriginal community consultation in order to identify and assess the cultural values of the subject area, and document the consultation process for the project (Section 3);
- provide a description of the environmental and landscape context of the subject area (Section 4);
- discuss the data currently available on Aboriginal objects and places in the region, and the information this provides on past Aboriginal habitation and land use (Section 5);
- describe the field methods and results of the archaeological investigation undertaken as part of this assessment (Section 6);
- identify the nature and extent of Aboriginal objects and places, and areas of archaeological potential, within the subject area (Section 6);
- describe the cultural heritage values and assess the significance of Aboriginal objects and places in the subject area (Section 7);
- assess the impacts of the proposed development on Aboriginal cultural heritage values (Section 8);
- provide management recommendations to avoid and minimise harm, and mitigate any heritage impacts, based on legislative requirements, the results of the archaeological investigation, and the views and recommendations of Registered Aboriginal Parties (Section 9).

1.5 Methodology

This report has been developed in accordance with the following NSW Department of Climate Change, Energy, the Environment and Water guidelines, noting that after discussions with Heritage NSW and taking into consideration the past disturbance of the subject land, stages 2-4 of the consultation have been combined for this project.

- *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (Department of Environment, Climate Change and Water [DECCW] 2010a)
- *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010b)
- *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (Office of Environment and Heritage [OEH] 2011).

1.6 Contributors

This report was prepared by Ben Sybert (Senior Archaeologist). It was reviewed by Nicola Hayes (Principal Archaeologist).



1.7 Limitations

1.7.1 Restricted information and confidentiality

Information in this report relating to the exact location of Aboriginal sites should not be published or promoted in the public domain.

No information provided by Aboriginal stakeholders in this report has been specifically identified as requiring access restrictions due to its cultural sensitivity.

No information in this report has been classified as confidential.





2 STATUTORY AND POLICY CONTEXT

Aboriginal cultural heritage in New South Wales is protected by commonwealth and state legislation, and associated regulations and guidelines. The following are relevant to the subject area:

- *National Parks and Wildlife Act 1974* (NSW)
 - National Parks and Wildlife Regulation 2019
- *Environmental Planning and Assessment Act 1979* (NSW)

2.1 National Parks and Wildlife Act 1974 (NSW)

Part 6 of the *National Parks and Wildlife Act 1974* (NPW Act) provides protection for Aboriginal cultural heritage in New South Wales, including Aboriginal objects and declared Aboriginal places.

An **Aboriginal object** is defined as:

"[...] any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains."

An **Aboriginal place** is any area of land in New South Wales declared by the Minister for the Environment to be of special significance to Aboriginal culture.

It is an offence under s.86(4) of the NPW Act to harm (destroy, deface, or damage) or desecrate an Aboriginal object or place. The definition of harm includes moving an Aboriginal object from the land on which it is situated. Where harm cannot be avoided, an Aboriginal heritage impact permit (AHIP) issued by the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) under s.90 of the NPW Act will be required.

An AHIP application must be accompanied by an Aboriginal cultural heritage assessment report (ACHAR), which details the results of an archaeological investigation, assesses the Aboriginal cultural heritage values associated with the area, and identifies any potential harm the proposed activity may cause. Consultation with Aboriginal communities must also be undertaken in relation to the AHIP application and adhere to the consultation process set out in Clause 60 of the National Parks and Wildlife Regulation 2009.

The Aboriginal Heritage Information Management System (AHIMS) was also established to collate information on known Aboriginal objects, sites and places. The AHIMS is a database kept by DCCEEW which contains information about Aboriginal objects and places in New South Wales, including site records and cultural heritage assessment reports. If an Aboriginal object is found that is not already recorded on the AHIMS database, it is a requirement under s.89A of the Act to notify DCCEEW of the object's location.

2.2 Environmental Planning and Assessment Act 1979 (NSW)

The *Environmental Planning and Assessment Act 1979* (EP&A Act) requires that environmental impacts are considered in land-use planning and development approval processes. One of the objectives of the Act is to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage).

The EP&A Act contains provisions enabling the making of environmental planning instruments. These include State environmental planning policies (SEPPs), which deal with matters of State or regional environmental planning significance within NSW; and Local Environmental Plans (LEPs), which guide planning decisions for local government areas (LGAs).



There are three main parts of the EP&A Act that outline the management of Aboriginal heritage. Part 3 governs the preparation of planning instruments such as Local Environmental Plans. Part 4 relates to development assessment and consent. Part 5 considers infrastructure and environmental impact assessment.

2.2.1 State significant development and state significant infrastructure

Planning approval pathways have been created in the EP&A Act to assess projects classed as state significant development (SSD) and state significant infrastructure (SSI). A range of development types can be declared to be SSD or SSI due to their size, economic value, or if they are in a sensitive environmental area. SSI may also be declared to be critical state significant infrastructure (CSSI) if it is a high priority project that "is essential for the State for economic, environmental or social reasons" but is not relevant to the assessment of this application (SSD-78368474) which is for private infrastructure.

The relevant environmental planning instrument is Division 4.7 of the EP&A Act. The proposed development is classed as a State significant development.

The identification, assessment and mitigation of potential heritage impacts is managed by the environmental impact assessment process. Key issues which require detailed assessment are specified in the Planning Secretary's Environmental Assessment Requirements (SEARs), and, subject to approval in conditions of project approval.

Under Section 4.41 of the EP&A Act, the requirement to obtain an AHIP does not apply to any SSD that has been previously granted development consent.



3 CONSULTATION PROCESS

The *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW) establish the requirements for consultation with Aboriginal people as part of the heritage assessment process in cases where AHIPs are required. These guidelines are also often specified in SEARS even in cases where AHIPs are not required.

The aim of undertaking the consultation is to understand the cultural heritage values present in the subject area, and the views and concerns of Aboriginal people about the proposed project.

The requirements specify four stages of consultation:

- Stage 1 – Notification of project proposal and registration of interest
- Stage 2 – Presentation of information about the proposed project
- Stage 3 – Gathering information about cultural significance
- Stage 4 – Review of draft cultural heritage assessment report

The actions for each stage of consultation are summarised below.

3.1 Consultation stages

3.1.1 Stage 1 – Notification of project proposal and registration of interest

Relevant organisations are contacted with a request to provide information about potential Aboriginal stakeholders who may have an interest in the subject area and hold knowledge relevant to determining the cultural significance of Aboriginal objects and places. A public notice containing a brief project overview and inviting expressions of interest from the Aboriginal community is also placed in a local newspaper.

Aboriginal people on the list of potential stakeholders are notified of the proposed project and invited to register an interest in being involved in consultation.

3.1.2 Stage 2 – Presentation of information about the proposed project; Stage 3 – Gathering information about cultural significance and Stage 4 – Review of draft cultural heritage assessment report

In consultation with Heritage NSW, stages 2-4 have been combined for the Penrith HV BESS. This is based on the evidence that previous disturbance of the subject land has been extensive and is likely to have removed any *insitu* evidence of Aboriginal cultural heritage on the subject land if such once existed. It was therefore agreed that a reduced scope of works was appropriate for this ACHAR. No field investigations are warranted. All RAPs will be presented with information about the project and invited to review the draft ACHAR in order to understand the nature of the proposed development and the rationale for the assessment of low potential to impact to Aboriginal Objects and at the same time they will have the opportunity to provide any cultural information related to the subject area. Their input will be incorporated into the final report.

The report will be finalised after the proponent's responses to each submission are provided and documented.

3.2 Summary of Aboriginal community consultation

A consultation log, copies of correspondence, and feedback on the draft report from registered Aboriginal parties are attached in Appendix 1 and summarised in Table 3-1.



Table 3-1 Summary of Aboriginal cultural heritage consultation

Stage	Action	Date commenced	Date completed	Details
1	Notification of project proposal was sent to: - Deerubbin Local Aboriginal Land Council (MLALC) - Penrith City Council - Greater Sydney Local Land Services (GSLALS) - Native Title Services Corporation Ltd (NTSCorp) - National Native Title Tribunal (NNTT) - Office of the Registrar <i>Aboriginal Land Rights Act 1983</i> (ORALRA)	26/9/2025	10/10/2025	Seventy-seven Aboriginal people and organisations were identified as potential stakeholders.
	A newspaper advertisement was placed in the <i>Western Weekender</i>	2/10/2025	16/10/2025	
	NNTT Register Search	11/08/2025	11/08/2025	No registered native title claimants, native title holders, or Indigenous land use agreements (ILUAs) were identified within the subject area.
	Registration of interest of Aboriginal stakeholders:	26/9/2025	10/10/2025	Registrations of interest in the project were received from the following 17 Aboriginal people and organisations. A1 Indigenous Services Black Duck Aboriginal Corporation Didge Ngunawal Clan Guntawang Aboriginal Resources Incorporated Kamilaroi Yankuntjatjara Working Group



Stage	Action	Date commenced	Date completed	Details
				Muragadi Heritage Indigenous Corporation Murra Bidgee Mullangari Aboriginal Corporation Ngambaa Cultural Connections Thoorga Nura Scott Franks on the behalf of the Wonnarua PBC and Yarrawalk Pty Ltd Wailwan Aboriginal Group Yulay Cultural Services Yurrandaali Long Gully Cultural Services Marri Culture & Heritage Paul Bell Indigenous Site Specialist One other group which wishes to have their name not shared.
2, 3 & 4	Presentation of information about the proposed project to Registered Aboriginal Parties (RAPs). Gathering information about cultural significance. Review of draft cultural heritage assessment report by RAPs	<>	<....>	Stage 2-4 have been combined for this project. The draft report along with information about the project and a request for information about cultural significance and any comments on the draft report was sent to RAPs. Responses required within 28 days [This stage in progress during exhibition process]

3.3 Submissions from Registered Aboriginal Parties

This section to be completed following receipt of comments on the draft report from Aboriginal stakeholders. This feedback will be provided in the final ACHAR post EIS exhibition.



4 ENVIRONMENTAL CONTEXT

The study area is located on a flat plain landform within the broader Cumberland Plain landscape. The nearest watercourse is Peach Tree Creek 550m to the west of the study area. Peach tree creek is a tributary of the Nepean River which is approximately 800 metres east of the study area. The surrounding landscape is industrial in nature and has been cleared of all old growth vegetation with only modern regrowth remaining (Figure 4-1-Figure 4-5).

4.1 Land-use history

The land encompassed by the study area was privately owned from 1892-1922 by Francis Henry Woodriff (Esquire). It was then owned by the Nepean Cooperative Dairy and Refrigerating Society LTF during which the site was cleared of vegetation and land used for agricultural purposes. It was then owned by the Electricity Commission of NSW from 1955-1993. During this time the transmission substation was constructed along with a switchyard and substation facility building. Imagery from 1955.1956 indicates that ash from the Penrith Power Station may have been spread across the southeastern portions of the study area prior to the construction of the switchyard. The substation was converted to a switchyard in 1970, and the powerhouse equipment was dismantled in 1974.

From 1993-1996 ownership was transferred to Prospect Energy and from 1996 onward the study area has been in the hands of Integral Energy Australia. In 2008, the Penrith substation infrastructure was demolished following approval of DA to rebuild the Penrith Transmission Substation and internalise outdoor switching equipment in a substation control building. After which, proposal the area was grassed, and some screening trees were planted.

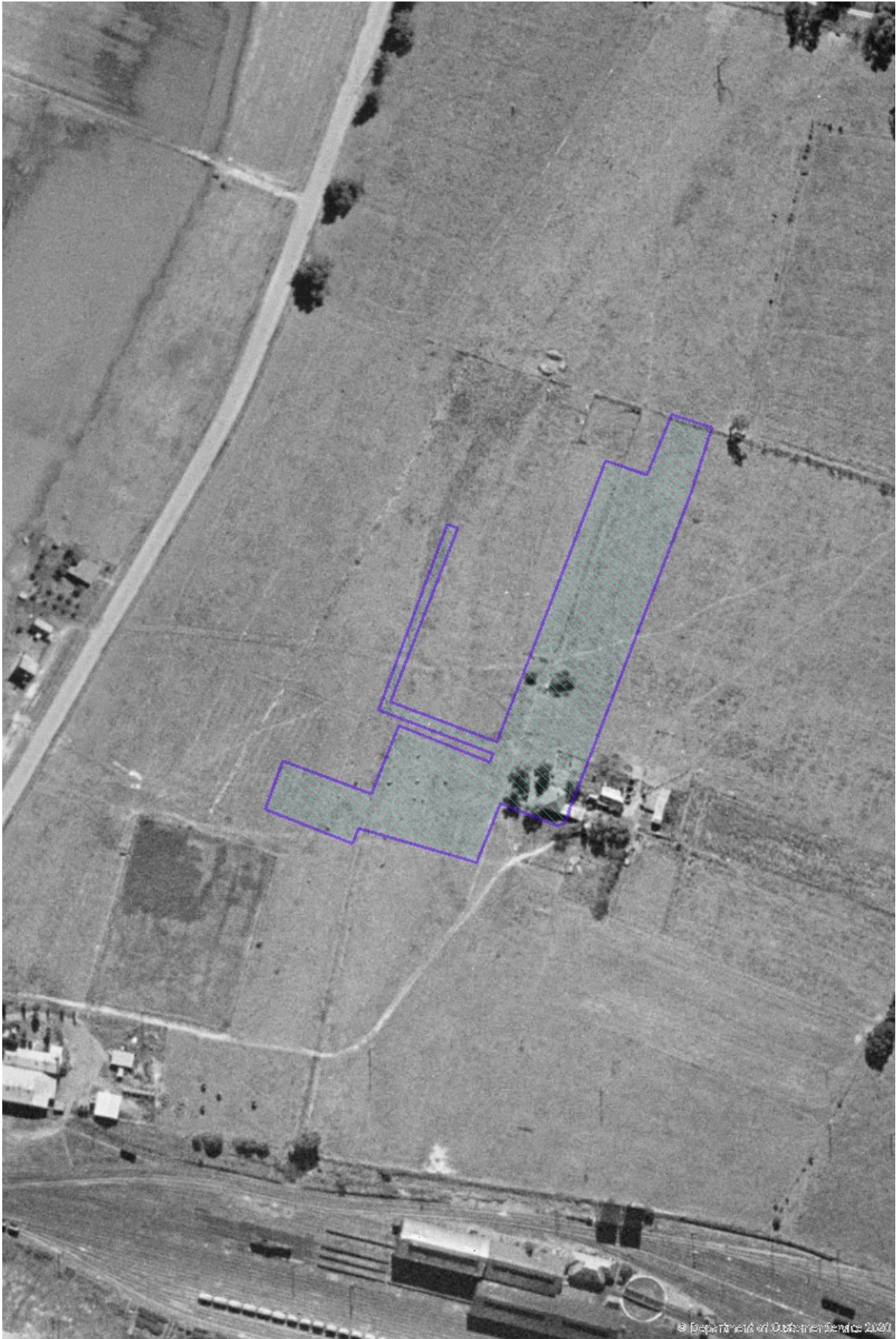


Figure 4-1 Study Area 1943 Agricultural Land Use



Figure 4-2 1955 Land used by Electricity Commission of NSW



Figure 4-3 1986 Land used as Substation and Switchyard

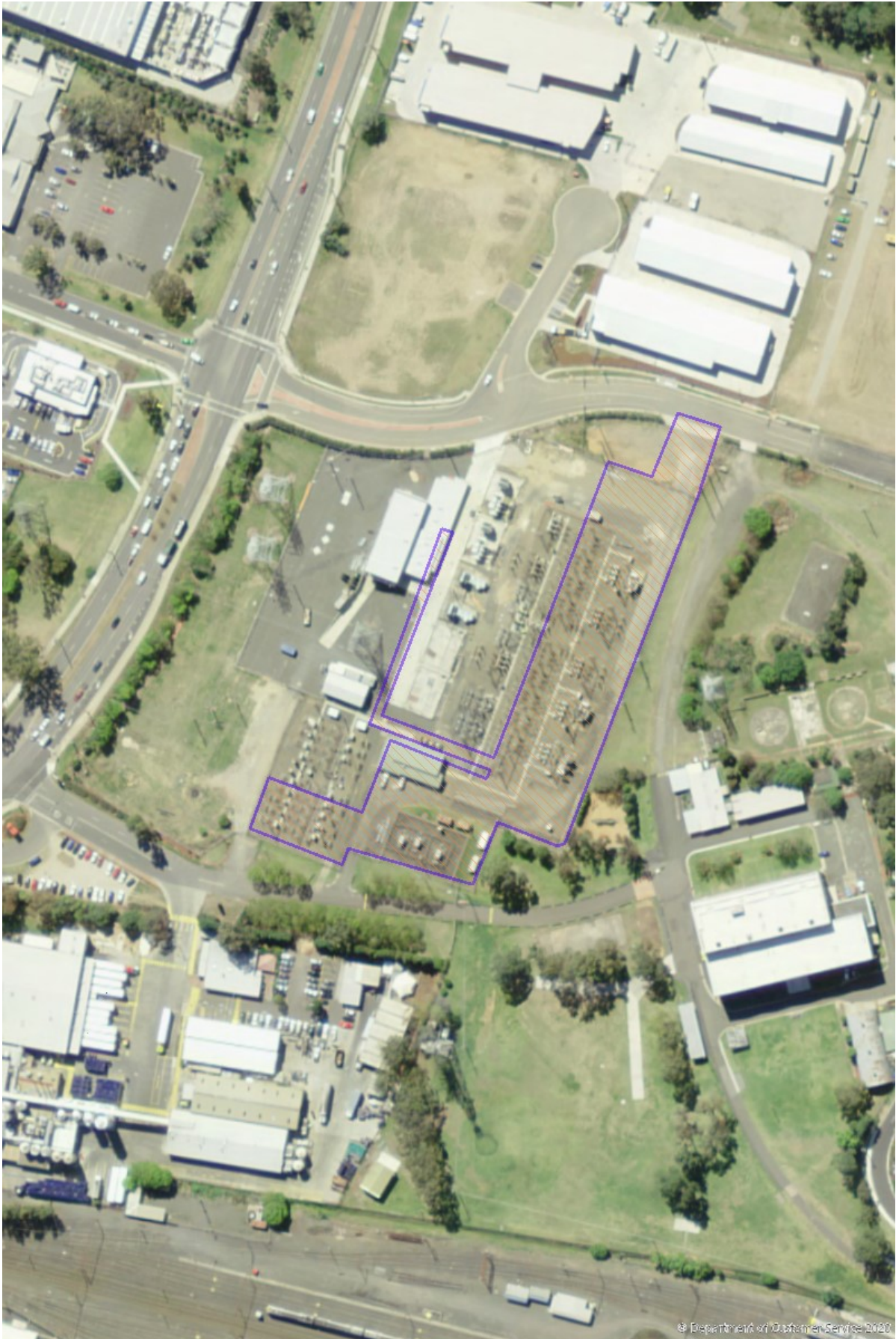


Figure 4-4 2006 Land used as Substation and Switchyard

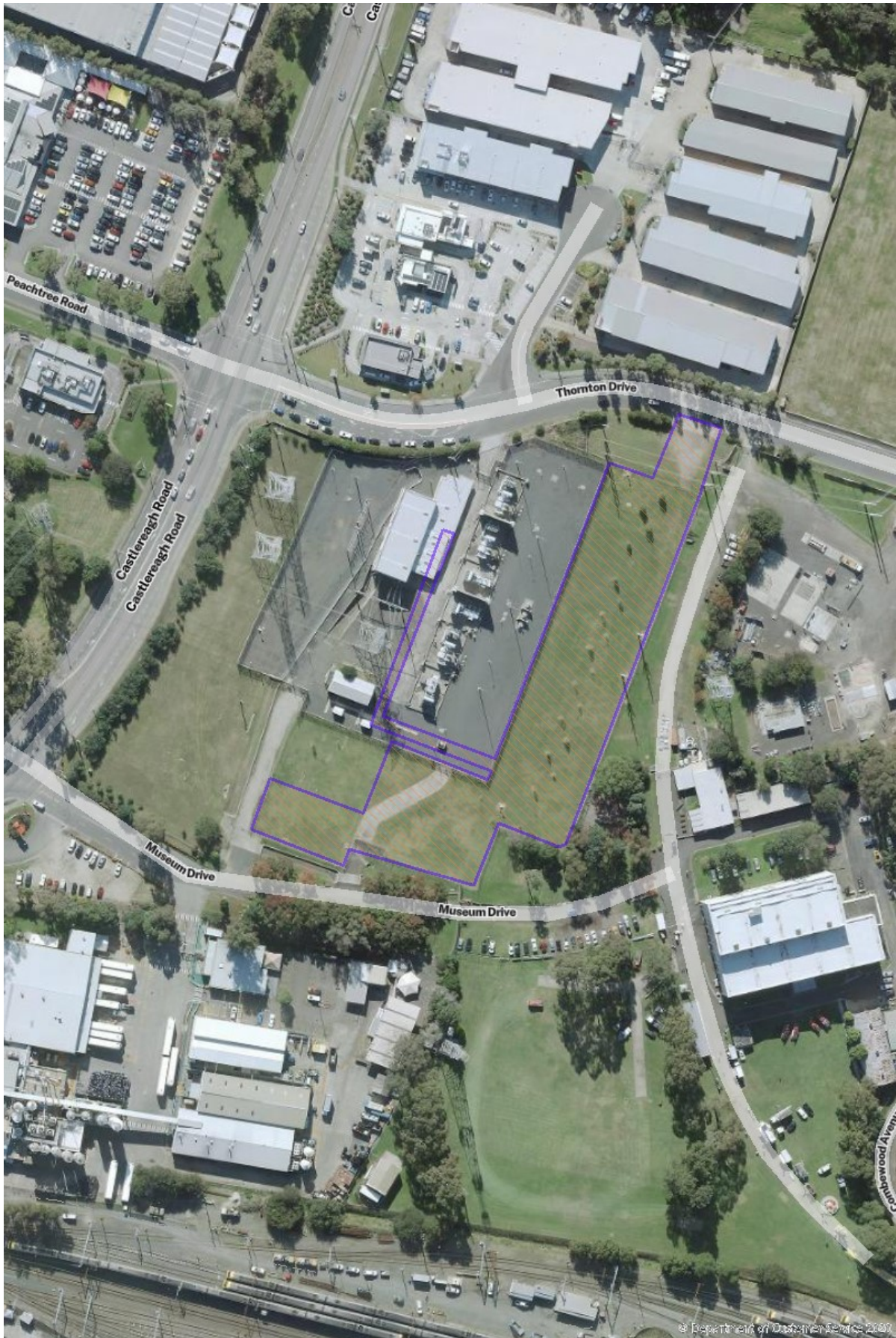


Figure 4-5 2025 Switchyard internalised and former area grassed over



4.2 Timeline of Impacts

Table 4-1 provides a timeline for historical impacts to the subject area based on Section 4.1. Each impact listed contributes to the cumulative impacts to the subject area.

Table 4-1 Timeline of Impacts

Year	Impact
1892-1922	Francis Henry Woodriff (Esquire) – private ownership.
1922 -1955	The site was cleared of vegetation and used for agricultural purposes
1955/1956	Historical imagery from 1955/1956 indicates that dark coloured ash from the Penrith Power Station may have been spread across the southeastern portions of the site before its development as a switchyard. Additionally, a drainage channel running through the approximate centre of the property, near the western boundary, appears to have been filled
1955-1961	The Site was subsequently developed as the transmission substation by the Electricity Commission in 1955, including the construction of a switchyard and substation facility building
1955-present	Below ground works within the proposal site have included: • a sewer main running north south though the western half of the site • seven underground electrical conduits from the substation building • construction area incorporating the entire western end of the site (15m x 3m deep) related to drainage upgrading • minor cut and fill works have occurred on the site as part of the substation construction with 2.1m of fill within the substation site.
1970	The substation was converted to a switch yard, with powerhouse equipment dismantled in 1974
2008	The Penrith substation infrastructure was demolished following approval of DA to rebuild the Penrith Transmission Substation and internalise outdoor switching equipment in a substation control building. After which, proposal the area was grassed, and some screening trees were planted.



5 ABORIGINAL CULTURAL CONTEXT

5.1 Introduction

There have been numerous attempts at mapping the pre-contact and contact territories of Aboriginal people in the region around Sydney (e.g.: Capell 1970; Eades 1976; Mathews 1901a, 1901b; Ross 1988; Tindale 1974). The exact boundaries between Aboriginal people which existed at 1788 are, however, impossible to reconstruct because of the often-fluid nature of the boundaries of clan estates and band ranges, and the lack of reliable data available from that period of time. The primary data is limited, as early observers did not document how Aboriginal people perceived their own groups, or how they differentiated themselves from one another.

Tindale (1974) places the Tharawal tribe in the area south from Botany Bay and Port Hacking to the Shoalhaven River and inland to Campbelltown, Picton and Camden. To the west of this tribal area, Tindale placed the Gandangara tribe, and to the north the Daruk tribe. Local research by Kohen (1982: 3) indicates that Aboriginal people inhabiting the Mulgoa Valley/Glenmore Park area at the time of European contact were Daruk and were known as the 'Mulgoa Tribe'.

5.2 Ethnohistoric Information

References to Aboriginal people of the Sydney region are found in the journals, diaries and general writings of the early colonists, explorers and settlers. The 'natives' were one of the main subjects of interest to those who arrived in the First Fleet and 'all the journals contain frequent references to them' (Fitzhardinge 1961:102).

Accounts written by early visitors to Australia which document the more obvious details of Aboriginal life include Bradley (1786), Collins (1798), Hunter (1793), Phillip (1789), Tench (1789, 1793, 1961) and White (1790). Although these early commentators were not trained in anthropology or linguistics they provided some useful information regarding Aboriginal people around the Sydney region.

Tench (1789:79) describes the equipment of Aboriginal people as 'Exclusive of their weapons of offence, and a few stone hatchets very rudely fashioned, their ingenuity is confined to manufacturing small nets, ...and to fishhooks made of bone, neither of which are skilfully executed'. Tench also notes the use of bark canoes for fishing (Tench 1789:81-82).

Comments were made on the types of Aboriginal shelters observed. These were described as consisting 'only of pieces of bark laid together in the form of an oven, open at one end, and very low, though long enough for a man to lie at full length in ... they depend less on them for shelter, than on the caverns with which the rocks abound' (Tench 1789:80). Collins observed that the huts were 'often large enough to hold six to eight people' (Collins 1798:555). These shelters were often grouped together.

Within a short period of time after white settlement the Sydney Aboriginal population was greatly reduced as a result of two epidemics (most probably) smallpox. The first occurred only a short time after settlement in 1789 and the second in 1829-1831 (Butlin 1983). The first outbreak of the disease is believed to have killed 50% of the Aboriginal population (Collins 1798:53, Ross 1988:49, Tench 1961:146, Turbet 1989:10). Loss of life on such a scale caused a major social reorganisation of Aboriginal people around the area (Ross 1988:49) with 'remnants of bands combining to form new groups' (Kohen 1986:30). Therefore, the anthropological observations and other observations by chroniclers of the time do not depict the pre-settlement situation accurately.

There are other accounts dating from the early 1800s that provide more detailed references to Aboriginal life in the Sydney region. However, the information must be interpreted and used with caution due to the immense changes that occurred in the Aboriginal population and society during the early years of settlement (McDonald 1994:34).

Detailed anthropological work focussing on a systematic documenting of Aboriginal society was not undertaken until the late 19th century, beginning with R.H. Mathews' work (Mathews 1895, 1898,



1901a, 1901b, 1901c, 1904, 1908, Mathews and Everitt 1900). His anthropological work was, however, undertaken with a greatly changed population of people after more than a hundred years of contact. It does not therefore represent the situation at the time of contact or reflect pre-contact society. He documented some myths and also vocabulary of Aboriginal groups around the Sydney region.

5.3 Material Culture

The Sydney Basin has been the subject of intensive archaeological survey and assessment for many years. This research has resulted in the recording of thousands of Aboriginal sites and a wide range of site types and features. The most prevalent sites or features include isolated finds (single stone artefacts, open artefact scatters or camp sites, middens, rock shelters containing surface artefacts and/or occupation deposit and/or rock art, open grinding groove sites, and open engraving sites. Rare site types include scarred trees, quarry and procurement sites, burials, and stone arrangements, carved trees, and traditional story or other ceremonial places.

Archaeological studies in the Sydney Basin have generated hundreds of reports and monographs and a number of academic theses. Studies generally fall into four categories - projects which have been carried out within a research-oriented academic framework, larger scale planning and management studies (e.g. regional heritage studies), archaeological surveys carried out by interested amateurs and impact assessment studies which have been carried out by professionals within a commercial contracting framework. The latter deal with specific localities subject to development proposals and constitute a large proportion of the archaeological research carried out to date.

Aboriginal people have lived in the Sydney region for at least 20,000 years (Stockton & Holland 1974). Late Pleistocene occupation sites have been identified around the fringes of the Sydney Basin at Shaws Creek (13,000BP) (**B**efore **P**resent) in the Blue Mountain foothills, and at Mangrove Creek (11,000BP) at Loggers Shelter (Attenbrow 1987). Nanson et al (1987) have suggested that artefacts found in gravels of the Cranebrook Terrace indicate Aboriginal occupation over 40,000 years ago; however, there is some doubt as to the contextual integrity of these artefacts.

The majority of both open and rock shelter sites in the Sydney region date to within the last 3,000 years. A similar trend in occupation age occurs in dated deposits in NSW coastal sites. This has led many researchers to propose that population and occupation intensity increased from this period (Attenbrow 1987, Kohen 1986, McDonald & Rich 1993, McDonald 1994). The increased use of shelters postdates the time when sea levels stabilised after the last ice age around 5000 years ago (the Holocene Stillstand). Following the stabilisation of sea levels, the development of coastal estuaries, mangrove flats and sand barriers would have increased the resource diversity, predictability, and the potential productivity of coastal environments for Aboriginal people. In contrast, occupation during the late Pleistocene (prior to 10,000BP) may have been sporadic and the Aboriginal population relatively small.

The stone technologies used by Aboriginal people within the Sydney Basin have not remained static and a sequence of broad scale changes through time have been consistently identified. This is known as the Eastern Regional Sequence and can be applied with various degrees of success and allowances for regional differences, to sites throughout eastern seaboard of Australia. McDonald notes that the introduction of ground implements around 4000 years BP and shell fishhooks in the last 1,000 years were major technological innovations (McDonald 1994:69).

5.4 The Cumberland Plain

The Penrith HV BESS project study area is located on the Cumberland Plain. Hundreds of Aboriginal sites; predominantly open artefact scatters (also referred to as open camp sites), have been recorded within the Plain. The campsites vary greatly in size from small sparse scatters to large concentrations of artefacts, with the larger denser sites tending to occur in close proximity to stone source localities and permanent water sources. Stone materials used in artefact manufacture at the sites reflect this proximity. Sites adjacent to the Hawkesbury/Nepean River contain higher proportions of chert and other fine-grained rocks found in the river gravels, while sites further east and south contain higher proportions of silcrete. Other site types known include scarred trees, raw material extraction/procurement sites, stratified deposits and grinding grooves where there are exposures of Minchinbury sandstone in the Wianamatta shales and clays.



Draft

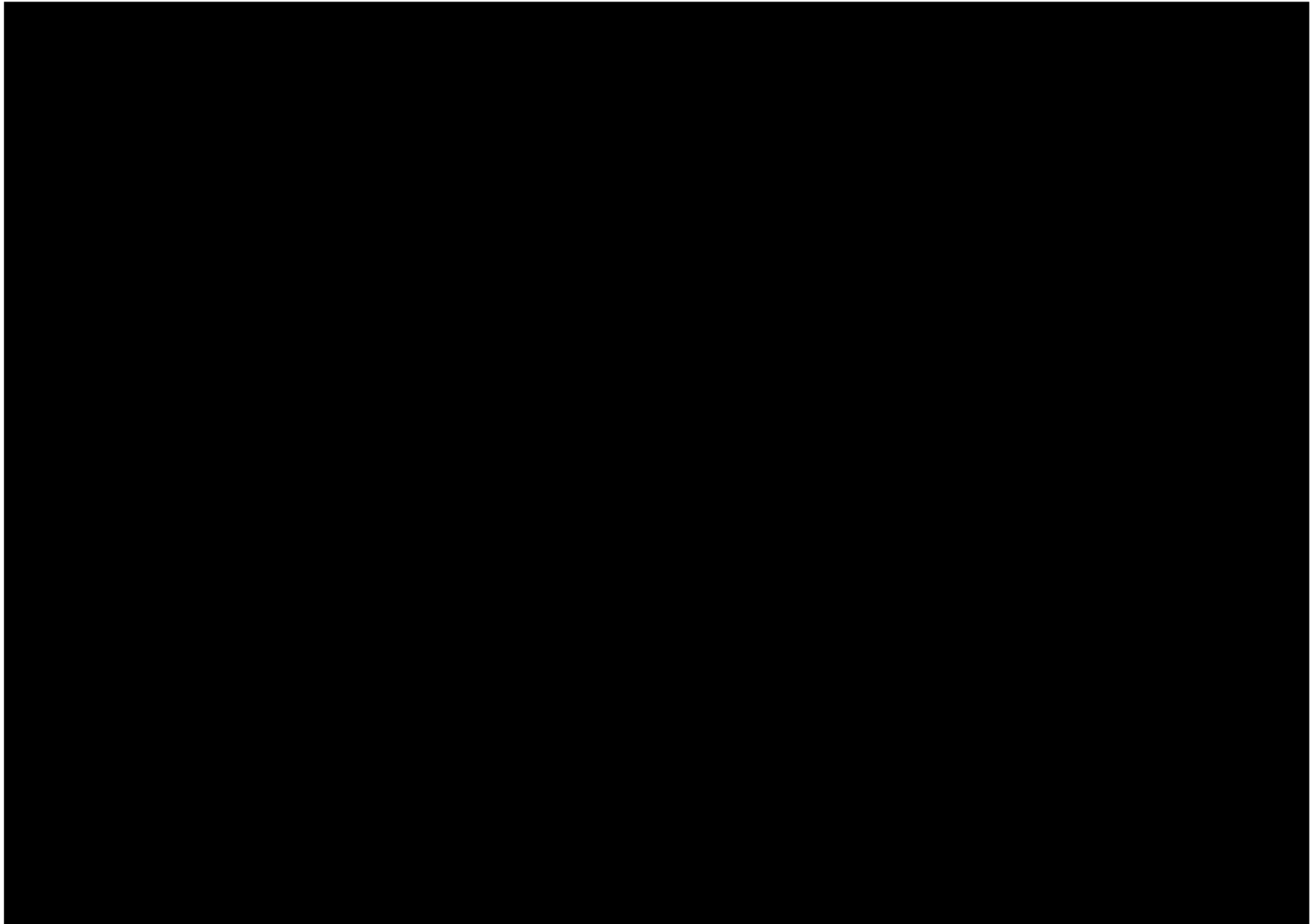


Figure 5-1 Previously recorded sites within 1 kilometre of the study area [



5.5 Aboriginal Heritage Information Management System

The Aboriginal Heritage Information Management System (AHIMS) is a database containing records of the Aboriginal sites (Aboriginal objects and places) that have been reported in New South Wales. An extensive search of the AHIMS database was undertaken on 11 August 2025 (Client Service ID: 1032361). The search covered a one-kilometre buffer centred on the subject area. The search results are summarised in Table 5-1 and attached in Appendix 3. AHIMS registered sites in proximity to the subject area are shown.

Table 5-1 Summary of registered Aboriginal sites in the vicinity of the subject area.

Site ID	Site Description	Approximate distance from Study Area (m)
45-5-5191	Artefact	167
45-5-4361	Artefact, PAD	544
45-5-5019	PAD	560
45-5-0290	Artefact	730
45-5-0522	Artefact	787
45-5-2491	Artefact	912
45-5-0541	Artefact	987

The nearest AHIMS site is Museum Drive Penrith AFT 1 (AHIMS 45-5-5191) located 167 metres west of the study area. This site is from a test excavation conducted by Kelleher Nightingale Consulting as part of the Jane Street & Mulgoa Road Infrastructure Upgrade. A total of 45 artefacts were recovered from four test pits. The majority of the artefacts assemblages was unmodified flaking debitage including complete flakes and flake fragments. The artefacts were located in two distinct bands. First, a low-density band of silcrete artefacts within a disturbed fill layer in the upper 50cm followed by a high-density band of indurated mudstone and tuff between 80-100cm.



6 ARCHAEOLOGICAL INVESTIGATION

The subject land includes a hardstand area, and the remainder is within the substation property boundary and has been previously graded and levelled (see Figure 1-1). Due to the extensive previous disturbance and cumulative impacts within the study area any field survey and site visits, were deemed unnecessary by Heritage NSW. The ACHAR methodology and the investigations were tailored to reflect the very low likelihood of Aboriginal cultural values including archaeological evidence remaining intact within the subject land.



7 CULTURAL HERITAGE VALUES AND STATEMENT OF SIGNIFICANCE

7.1 Assessment criteria

The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance defines cultural significance as 'aesthetic, historic, scientific, social or spiritual value for past, present or future generations' (Australia ICOMOS Burra Charter, 2013a).

Assessing the Aboriginal cultural significance of a place involves identifying the range of values that are present and assessing them against relevant criteria, in order to define why a place is important and inform future planning and management. Table 7-1 provides definitions of these values and outlines the criteria for assessment.

Table 7-1 Criteria used to assess the cultural significance of a place

Definition of value	Assessment criteria (after OEH 2011:10)
Historic value refers to the associations of a place with a historically important person, event, phase or activity in an Aboriginal community (OEH 2011:9).	Is the subject area important to the cultural or natural history of the local area and/or region and/or state?
Scientific (or archaeological) value refers to the information content of a place and its ability to reveal more about an aspect of the past through examination or investigation of the place, including the use of archaeological techniques (Australia ICOMOS 2013b). Sites may meet this criterion because they: contain intact archaeological deposits, have potential to answer research questions on past human behaviour, are very old or contain significant time depth, contain large artefactual assemblages or material diversity, are well preserved, or form part of a larger site complex or cultural landscape.	Does the subject area have potential to yield information that will contribute to an understanding of the cultural or natural history of the local area and/or region and/or state?
Aesthetic value refers to the sensory and perceptual experience of a place—that is, how we respond to visual and non-visual aspects such as sounds, smells and other factors having a strong impact on human thoughts, feelings and attitudes. Aesthetic qualities may include the concept of beauty and formal aesthetic ideals (Australia ICOMOS 2013b:3).	Is the subject area important in demonstrating aesthetic characteristics in the local area and/or region and/or state?
Social (or cultural) value refers to the spiritual, traditional, historical or contemporary associations and attachments the place or area has for Aboriginal people. Social or cultural value is how people express their connection with a place and the meaning that place has for them (OEH 2011:8). Spiritual value is included in the definition of social value, and refers to the intangible values and meanings embodied in or evoked by a place which give it importance in the spiritual identity, or the traditional knowledge, art and practices of Aboriginal people (Australia ICOMOS 2013b:4).	Does the subject area have a strong or special association with a particular community or cultural group for social, cultural or spiritual reasons?



The *Aboriginal cultural heritage consultation requirements for proponents 2010* identify that 'Aboriginal people are the primary determinants of the cultural significance of their heritage' (DECCW 2010:iii). The significance of a place can be the result of a number of factors including continuity of tradition, occupation or action; historical association; custodianship or concern for the protection and maintenance of places; and the value of sites as tangible and meaningful links with the lifestyle and values of ancestors. Aboriginal cultural significance may or may not parallel the archaeological significance of a site.

The following assessment of significance is made with reference to the criteria outlined above.

7.2 Significance assessment

It should be noted that Aboriginal social (or cultural) value can only be determined by the Aboriginal community, and that confirmation of this assessment of significance is dependent on submissions on the draft report by Registered Aboriginal Parties.

7.2.1 Historic value

No sites are assessed as having historical value

7.2.2 Research or scientific value

No sites are assessed as having research or scientific value.

7.2.3 Aesthetic value

No sites are assessed as having aesthetic value.

7.2.4 Aboriginal cultural value

Aboriginal social (or cultural) value is determined by the Aboriginal community. However, it is noted that the subject land has a long history of modification for its ongoing use as an electricity a substation.

[Place Holder: Any comments on cultural value by RAPs received post submission, and in response to the report draft will be summarised here in the final version of the ACHAR.]



8 ASSESSMENT OF IMPACTS

8.1 Potential development impacts

The Penrith HV BESS project involves the development, construction, operation and decommissioning of a grid-scale HV BESS with a capacity to supply up to 100MW of power and the ability to store up to 200MWh of energy adjacent to the existing Penrith Substation. The project is located inside the fence line of the existing transmission substation on a grassed area previously used as a switching station.

Direct impacts proposed within the project are:

- earth grading and levelling works to allow for the installation of concrete pads for the BESS modules and associated infrastructure;
- installation of 33kV underground cables and entry point for HV BESS cabling to connect the HV BESS to the Penrith Substation via new conduits;
- formalised underground stormwater network, and provision for water detention (for water quality and fire water purposes; and
- temporary construction compounds and laydown areas.

8.2 Cumulative Impacts

Significant surface and subsurface impacts were identified as having already been undertaken in the subject area. The land use history of the study area demonstrates impacts from agricultural and dairy farming, use as a potential dumping ground from the adjacent power station in 1955, decontamination activity following the decommissioning of the power station, and various impacts from the construction of transmission substation and switchyard. These disturbances and modification activities affected the entirety of the study area (Figure 4-1-Figure 4-5) These impacts were confirmed from review of historical aerial imagery of study area.

8.3 Proposed harm

There is no potential harm to Aboriginal sites due to the extensive cumulative impacts within the study area.

8.4 Avoiding and minimising harm

8.4.1 Ecologically sustainable development

Ecologically sustainable development (ESD), defined in s.6 of the *Protection of the Environment Administration Act 1991* (NSW), requires the effective integration of social, economic and environmental considerations (including cultural heritage) in the decision-making process. ESD principles should be considered when assessing the likely harm of a proposed development on Aboriginal cultural heritage, in particular the principle of intergenerational equity and the precautionary principle.

Intergenerational equity means the present generation should ensure the health, diversity and productivity of the environment (including cultural heritage) is maintained or enhanced for the benefit of future generations (Commonwealth of Australia 2002:5). In terms of Aboriginal cultural heritage, this means considering the potential impact of the proposal on Aboriginal objects and places in the context of existing and future developments in a region, and how this will affect opportunities for future generations of Aboriginal people to enjoy the cultural benefits of the Aboriginal sites that remain. Information about the integrity, rarity or representativeness of the Aboriginal sites proposed to be impacted, and how they illustrate past Aboriginal occupation and land use, will be relevant to understanding of the cumulative impacts of a proposal and the consideration of intergenerational equity (Godwin 2011:88; Department of Environment and Climate Change 2009:26).



The precautionary principle means that where there are threats or potential threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation (Commonwealth of Australia 2002:5).



9 CONCLUSIONS AND RECOMMENDATIONS

The following conclusions have been reached in relation to the subject area:

The study area has been subject to extensive surface and subsurface disturbances from 1891 to present day. Due to the cumulative impact within the current study area, there is no proposed harm to Aboriginal objects from the proposed project.

The following recommendations are made:

4. The protocols for the unanticipated discovery of archaeological material and suspected human remains (presented in Appendix 2) be adopted and complied with during construction activities involving ground surface disturbance and excavation
5. The Aboriginal community consultation process for this project is still in progress. This draft report has been provided to the registered Aboriginal stakeholders for review and will be updated to document and address any submissions before being finalised.
6. A copy of the final report will be submitted to the Environment and Heritage Group of the Department of Climate Change, Energy, the Environment and Water for registration on the AHIMS database.



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APPENDIX 1

ABORIGINAL COMMUNITY CONSULTATION

See attached documents:

- Consultation log
- Consultation records



Consultation log

Stage 1.1 – Email / mail letters to agencies Deadline: 14 days 10 October 2025

Agency	Date Contacted	Response Summary
Deerubbin LALC	26 September 2025	Contact information given and asked to be registered
Penrith City Council	26 September 2025	No list of knowledge holders
GSLLS	26 September 2025	Referred to Heritage NSW.
NNTT	26 September 2025	Provided response with no Native Title holders over subject area.
NTSCorp	26 September 2025	No response
Heritage NSW	10 September 2025	Provided a list of RAPS for the subject area
Office of Registrar	26 September 2025	Referred to Deerubbin LALC.

Notice Western Weekender on October 2nd **Deadline: 14 days**

Response Deadline: 17/10//2025	
Newspaper: Western Weekender	Date of Issue: 02/10/2025
Registered Aboriginal Party	Response Received
XXXX	None



Date	Organisation	Representative	Method of Communication	Description	Response received
Stage 1.2 – Notification of project proposal and registration of interest					
26 September	A1 Indigenous Services	Carolyn Hickey	Emailed letter	Information about project and invitation to register interest	Registration for project, correspondence via email, details may be shared with Heritage NSW and LALC
	Amanda Hickey Cultural Services	Amanda Hickey	Emailed letter	Information about project and invitation to register interest	
	Aragung Aboriginal Cultural Heritage Site Assessments	Jamie Eastwood	Emailed letter	Information about project and invitation to register interest	
	B.H. Heritage Consultants	Ralph Hampton; Nola Hampton	Emailed letter	Information about project and invitation to register interest	
	Badu (Murrin Clan/Peoples)	Karia Lea Bond	Emailed letter	Information about project and invitation to register interest	
	Barking Owl Aboriginal Corporation	Mrs Jody Kulakowski (Director)	Emailed letter	Information about project and invitation to register interest	
	Barraby Cultural Services	Lee Field (Manager)	Emailed letter	Information about project and invitation to register interest	
	Bidjawong Aboriginal Corporation	James Carroll	Emailed letter	Information about project and invitation to register interest	
	Bilinga (Murrin Clan/Peoples)	Simalene Carriage	Emailed letter	Information about project and invitation to register interest	
	Black Duck Aboriginal Corporation	Dean Carroll	Emailed letter	Information about project and invitation to register interest	Registration for project
	Butucarbin Aboriginal Corporation	Jennifer Beale	Emailed letter	Information about project and invitation to register interest	
	Clive Freeman	Clive Freeman	Emailed letter	Information about project and invitation to register interest	



Date	Organisation	Representative	Method of Communication	Description	Response received
	Cullendulla (Murrin Clan/Peoples)	Corey Smith	Emailed letter	Information about project and invitation to register interest	
	Darug Boorooberongal Elders Aboriginal Corporation	Paul Hand (chairperson)	Emailed letter	Information about project and invitation to register interest	
	Dharug Custodian Aboriginal Corporation	Justine Coplin	Emailed letter	Information about project and invitation to register interest	
	Darug Land Observations	Jamie Workman; Anna Workman; Anna O'Hara	Emailed letter	Information about project and invitation to register interest	Email bounced so also mailed letter
	Deerubbin Local Aboriginal Land Council	Kevin Cavanagh	Emailed letter	Information about project and invitation to register interest	No response but registered for by project by NOHC.
	Dharug (Murrin Clan/Peoples)	Andrew Bond	Emailed letter	Information about project and invitation to register interest	
	Dharug Ngurra Aboriginal Corporation	Dirk Schmitt	Emailed letter	Information about project and invitation to register interest	
	Dhinawan Culture & Heritage Pty Ltd	Stephen Fields	Emailed letter	Information about project and invitation to register interest	
	Didge Ngunawal Clan	Lilly Carroll; Paul Boyd	Emailed letter	Information about project and invitation to register interest	Registration for project
	DJMD Consultancy	Darren Duncan	Emailed letter	Information about project and invitation to register interest	
	Galamaay Cultural Consultants (GCC)	Robert Slater	Emailed letter	Information about project and invitation to register interest	
	Gilay Consultants	Carol Slater	Emailed letter	Information about project and invitation to register interest	
	Ginninderra Aboriginal Corporation	Steven Johnson; Krystle Carroll	Emailed letter	Information about project and invitation to register interest	



Date	Organisation	Representative	Method of Communication	Description	Response received
	Goobah Development PTY LTD (Murrin Clan/Peoples)	Basil Smith	Emailed letter	Information about project and invitation to register interest	
	Goodradigbee Cultural & Heritage Aboriginal Corporation	Caine Carroll	Emailed letter	Information about project and invitation to register interest	
	Gulaga	Wendy Smith	Emailed letter	Information about project and invitation to register interest	
	Gunjeewong Cultural Heritage Aboriginal Corporation	Shayne Dickson	Emailed letter	Information about project and invitation to register interest	Email bounced so also mailed letter
	Guntawang Aboriginal Resources Incorporated	Wendy Morgan	Emailed letter	Information about project and invitation to register interest	Registration for project
	Gunyuu (Murrin Clan/Peoples)	Kylie Ann Bell	Emailed letter	Information about project and invitation to register interest	
	HSB Consultants; HSB Heritage Consultants	Patricia Hampton	Emailed letter	Information about project and invitation to register interest	
	Jerringong (Murrin Clan/Peoples)	Joanne Anne Stewart	Emailed letter	Information about project and invitation to register interest	
	Julia Narayan	-	Emailed letter	Information about project and invitation to register interest	
	Kamilaroi Yankuntjatjara Working Group	Phil Khan	Emailed letter	Information about project and invitation to register interest	Registration for project.
	Konanggo Aboriginal Cultural Heritage Services	Robert Young	Emailed letter	Information about project and invitation to register interest	
	Koori Digs Services	Korri Currell	Emailed letter	Information about project and invitation to register interest	
	Minnamunnung	Aaron Broad	Posted letter	Information about project and invitation to register interest	



Date	Organisation	Representative	Method of Communication	Description	Response received
	Mundawari Heritage Consultants	Dean Delponte	Emailed letter	Information about project and invitation to register interest	
	Munyunga (Murrin Clan/Peoples)	Kaya Dawn Bell	Emailed letter	Information about project and invitation to register interest	
	Mura Indigenous Corporation (icn:8991)	Phillip Carroll	Emailed letter	Information about project and invitation to register interest	
	Muragadi Heritage Indigenous Corporation	Jesse Johnson	Emailed letter	Information about project and invitation to register interest	Registration for project.
	Murra Bidgee Mullangari Aboriginal Corporation	Darleen Johnson; Ryan Johnson	Emailed letter	Information about project and invitation to register interest	Registration for project, preferred consultation is email or phone call.
	Murramarang (Murrin Clan/Peoples)	Roxanne Smith	Emailed letter	Information about project and invitation to register interest	
	Murrumbul (Murrin Clan/Peoples)	Mark Henry	Emailed letter	Information about project and invitation to register interest	
	Muswellbrook Cultural Consultants	Andrew Horton	Emailed letter	Information about project and invitation to register interest	
	Ngambaa Cultural Connections	Kaarina Slater	Emailed letter	Information about project and invitation to register interest	Registration for project.
	Nundagurri (Murrin Clan/Peoples)	Newton Carriage	Emailed letter	Information about project and invitation to register interest	
	Pemulwuy (Murrin Clan/Peoples)	Pemulwuy Johnson	Emailed letter	Information about project and invitation to register interest	
	Rane Consulting	Tony Williams	Emailed letter	Information about project and invitation to register interest	
	Thauaira	Shane Carriage	Emailed letter	Information about project and invitation to register interest	



Date	Organisation	Representative	Method of Communication	Description	Response received
	Thawun Aboriginal Consultancy	Jason Mitchell	Emailed letter	Information about project and invitation to register interest	
	Thomas Dahlstrom	Thomas Dahlstrom or Kahliyrh Bell	Emailed letter	Information about project and invitation to register interest	
	Thoorga Nura	John Carriage (Chief Executive Officer)	Emailed letter	Information about project and invitation to register interest	Registration for project, preferred method of consultation is via email.
	Scott Franks on the behalf of the Wonnarua PBC and Yarrawalk Pty Ltd	Scott Franks	Emailed letter	Information about project and invitation to register interest	Registration for project.
	Waawaar Awaa Aboriginal Corporation	Rodney Gunther	Emailed letter	Information about project and invitation to register interest	
	Wailwan Aboriginal Group	Philip Slater		Information about project and invitation to register interest	Registration for project, preferred method consultation is via email.
	Walbunja (Murrin Clan/Peoples)	Hika Te Kowhai		Information about project and invitation to register interest	
	Walgalu (Murrin Clan/Peoples)	Ronald Stewart		Information about project and invitation to register interest	
	Warragil Cultural Services	Aaron Slater (Manager)		Information about project and invitation to register interest	
	Widescope Indigenous Group	Steven Hickey; Donna Hickey		Information about project and invitation to register interest	
	Wingikara (Murrin Clan/Peoples)	Hayley Bell		Information about project and invitation to register interest	
	Woka Aboriginal Corporation	Steven Johnson		Information about project and invitation to register interest	



Date	Organisation	Representative	Method of Communication	Description	Response received
	Wori Wooolywa	Daniel Chalker		Information about project and invitation to register interest	
	Wullung (Murrin Clan/Peoples)	Lee-Roy James Boota		Information about project and invitation to register interest	
	Wurramay Pty Ltd	Kerrie Slater; Vicky Slater		Information about project and invitation to register interest	
	Yerramurra (Murrin Clan/Peoples) and Taste of Tradition Native Aboriginal Corporation	Robert Parson		Information about project and invitation to register interest	
	Yulay Cultural Services	Arika Jalomaki (Manager)		Information about project and invitation to register interest	Registration for project.
	Yurrandaali	Bo Field (Manager)		Information about project and invitation to register interest	Registration for project
	Yurwang Gundana Consultancy Cultural Heritage Services.	Dean Bell ; Merekai Bell		Information about project and invitation to register interest	
	Bariyan Cultural Connections	Kayelene Slater		Information about project and invitation to register interest	
	Wallanbah Aboriginal Site Conveyancing	Kelvin Boney		Information about project and invitation to register interest	
	RAW Cultural Healing	Raymond Weatherall		Information about project and invitation to register interest	
	Gali Heritage Consultants	Helen Slater		Information about project and invitation to register interest	
	Ninnum	Kevin Campbell , Marnya Donovan		Information about project and invitation to register interest	
	Long Gully Cultural Services	Ethan Trewlynn	email	Information about project and invitation to register interest	Registration for project



Date	Organisation	Representative	Method of Communication	Description	Response received
	Guthers Aboriginal Corporation	Trystan Treloar		Information about project and invitation to register interest	
	Damo digs	Damien Morrison		Information about project and invitation to register interest	
	Gadu chts	Colin Walker – Chairperson		Information about project and invitation to register interest	
	Bill Trewlynn	Bill Trewlynn		Information about project and invitation to register interest	
	Nattai Aboriginal Culture & Heritage Consultation Service	Alan Medhurst		Information about project and invitation to register interest	
	Mura Gadi Aboriginal Corporation	Tiarna Bird		Information about project and invitation to register interest	
	Yerrowah	Teyarah Henry		Information about project and invitation to register interest	
	Wallangang Aboriginal Corporation	Joanne Timbery		Information about project and invitation to register interest	
	Ross Tangye	Ross Tangye		Information about project and invitation to register interest	
	Paul Webb	Paul Webb		Information about project and invitation to register interest	
	Gadhungal Marring	Nigel Millgate		Information about project and invitation to register interest	
	Matthew Dingle	Matthew Dingle		Information about project and invitation to register interest	
	Turtle Dreaming	Lynette Hartley		Information about project and invitation to register interest	



Date	Organisation	Representative	Method of Communication	Description	Response received
	Guugaburra Yiramiilan	Steven Carroll		Information about project and invitation to register interest	
	Marri Culture & Heritage	Robbie Simpson		Information about project and invitation to register interest	Registration for project.
	Paul Bell Indigenous Site Specialist	Paul Bell		Information about project and invitation to register interest	Registration for project.
Stage 2 – Presentation of information about the proposed project, and Stage 3 – Gathering information about cultural significance and Stage 4 – Review of draft cultural heritage assessment report (as described in the methodology these stages are combined so that registered Aboriginal Parties will be asked to review the draft report and provide any comment on cultural values.					
	[Place Holder Note: This section will be completed post submission of the draft report, once consultation process has been completed]				



**PROPOSED FOR THE PENRITH HV BATTERY
ENERGY STORAGE SYSTEM (BESS)
CULTURAL HERITAGE ASSESSMENT
ABORIGINAL STAKEHOLDER REGISTRATION**

Ausconnex proposes to construct and operate a grid-scale, high voltage (HV) Battery Energy Storage System located 50km west of the Sydney CBD at the Penrith Transmission Substation, in the Penrith City Council Local Government Area. Construction would be within on hardstand within the footprint of the existing Guildford West transmission substation and would include battery storage capacity up to 100 megawatts and associated infrastructure.

Navin Officer Heritage Consultants Pty Ltd has been commissioned by Ausconnex to conduct a cultural heritage assessment for the Penrith HV Battery Energy Storage System (BESS) project.

As per the Aboriginal cultural heritage consultation requirements for proponents 2010, we are implementing a program of Aboriginal stakeholder consultation as an integral part of this assessment.

We invite Aboriginal people and organisations who wish to participate in the program, and who hold cultural knowledge relevant to determining the cultural significance of objects and places in the project area, to register an interest in the project.

Please forward expressions of interest to:

The Secretary

Navin Officer Heritage Consultants

4/71 Leichhardt Street

Kingston ACT 2604

The closing date for registration is 16th October 2025

WW57 267

Thursday, October 2, 2025 « the western weekender

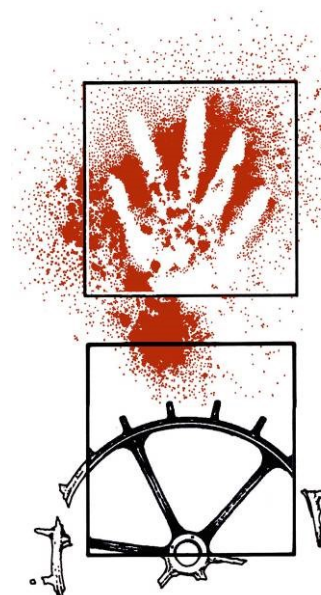
19



Example Letter – Invitation to Register

26 September 2025

The Secretary



**Navin
Officer**

*heritage
consultants*

abn: 28 092 901 605

Dear Sir/Madam,

Re: Implementation of the Heritage NSW Aboriginal cultural heritage consultation requirements for proponents (DECCW 2010) for the Penrith HV BESS Project

Navin Officer Heritage Consultants Pty Ltd has been commissioned by Ausconnex to conduct a cultural heritage assessment for the Penrith HV Battery Energy Storage System (BESS) project.

Please note that the relevant Aurecon contact on behalf of the proponent, Ausconnex, is:

Katie Mackenzie. Katie.Mackenzie@aurecongroup.com

The property is known as Penrith Transmission Substation located at 2235-2249 Castlereagh Road, Penrith (Lot 5 DP 1017480), within the Penrith City Council Local Government Area (please see attached map). The project involves the development, construction and operation of a grid-scale, high voltage (HV) Battery Energy Storage System at the Penrith Transmission Substation.

The Penrith HV BESS project is a state significant development and is subject to Secretary's environmental assessment requirements which require an ACHAR. The project is located inside the fenceline of the existing transmission substation on a grassed area previously used as a switching station. As such, Heritage NSW has determined that the project will be subject to an ACHAR which will not involve any fieldwork components.

The purpose of the community consultation with relevant Aboriginal people is to assist Ausconnex in the preparation of an ACHAR.

I am therefore writing to inform you of this development proposal and invite registration as an interested group. Can you also please indicate your preferred method of consultation.

The closing date for this registration of interest is 10th October 2025.

Please respond in writing to:

The Secretary
Navin Officer Heritage Consultants
4/71 Leichhardt Street
KINGSTON ACT 2604

or by fax to: (02) 6282 9416

or by email to: navinofficer@nohc.com.au



Please note it is a requirement of the *Aboriginal cultural heritage consultation requirements for proponents 2010* that we provide your name to the NSW Office of Environment and Heritage and to the Local Aboriginal Land council unless you specify otherwise.

Yours faithfully,

Ben Sybert

Ben Sybert, Senior Archaeologist





From: Barry Gunther <Barry.Gunther@dceew.nsw.gov.au>
Sent: Wednesday, 10 September 2025 1:38 PM
To: Nicola Hayes <nhayes@nohc.com.au>
Cc: Alison Lamond <alison.lamond@dceew.nsw.gov.au>
Subject: Heritage NSW Aboriginal stakeholder list for Penrith Transmission Substation at 2235-2249 Castlereagh Road, Penrith

You don't often get email from barry.gunther@dceew.nsw.gov.au. [Learn why this is important](#)
Hi Nicola,

Please find attached the Heritage NSW Aboriginal stakeholder list for Penrith Transmission Substation at 2235-2249 Castlereagh Road, Penrith.

regards

Barry Gunther
Aboriginal Senior Assessment Officer
Heritage NSW
Department of Climate Change,
Energy, the Environment and Water



Registrations Received



10/1/25, 12:55 PM

Mail - Ben Sybert - Outlook

**Contact:** Carolyn Hickey**Mobile:** 0411650057**Email:** Cazadirect@live.com**Address:** 73 Russell St, Emu Plains, NSW 2750**ABN:** 20 616 970 327

Good afternoon

Thank you for your email. I would like to formally register my interest in being involved in all levels of consultation for this project. This includes attending meetings, preparing reports, sharing cultural information and participating in available fieldwork.

About Carolyn Hickey

I am a Traditional Owner with over 25 years of experience in preserving Aboriginal cultural heritage. My extensive cultural knowledge is essential in determining the significance of Aboriginal objects and values within the project area.

I am happy to proceed with correspondence via email.

I have attached A1 Indigenous Services Insurances.

A1 INDIGENOUS SERVICES, Represents over 100 Indigenous Locals

I agree to my details being shared with OEH and the LALC. Please feel free to contact me using the details provided above.

Kind regards,
Carolyn & Julie Hickey

Re: Penrith HV Battery Energy Storage System

From dean carroll <dean.carroll85@hotmail.com>**Date** Thu 9/25/2025 6:58 PM**To** Ben Sybert <bsybert@nohc.com.au>

You don't often get email from dean.carroll85@hotmail.com. [Learn why this is important](#)
Morning Ben,

Black Duck Aboriginal Corporation would like to register its interest in this Project, we live and connect to country in this area.

Im available for any field work or consultation regarding this ACHR.

Regards Dean



Re: Penrith HV Battery Energy Storage System

From Darleen Johnson <murrabidgeemullangari@yahoo.com.au>
Date Thu 10/2/2025 11:26 PM
To Ben Sybert <bsybert@nohc.com.au>

Hi Ben
Email or mobile number contact
Thanks
Darleen
0490051102

Re: Penrith HV Battery Energy Storage System

From lilly carroll <didgengunawalclan@yahoo.com.au>
Date Thu 9/25/2025 8:24 PM
To Ben Sybert <bsybert@nohc.com.au>

Hi Ben

DNC would like to register an interest into Penrith HV battery energy storage system project. We live next to Penrith Long time, no hear Ben, hoping all is well!

Kind regards
Paul boyd and Lily Carroll
Directors DNC
0426823944
[Sent from Yahoo Mail for iPhone](#)

Re: Penrith HV Battery Energy Storage System

From Wendy Morgan <wenissa01@hotmail.com>
Date Mon 9/29/2025 11:28 PM
To Ben Sybert <bsybert@nohc.com.au>

You don't often get email from wenissa01@hotmail.com. [Learn why this is important](#)

Hi Ben,

Guntawang Aboriginal Resources Inc would like to express our interest in the ACHA process for the Penrith HV Battery Energy Storage System project.

Guntawang has an experience cultural and heritage officer who has worked with Sydney University to identify the differences between Indigenous Australian's bone structure to Non- Indigenous People. He has participated and co-ordinated a repatriation of Aboriginal skeletal remains to the land from which she belonged. He has years of experience in identifying Aboriginal artefacts. He has worked with numerous Archaeologist on similar projects. Guntawang would like to be included in any field work or excavation involved with this project.

[REDACTED]
We look forward to working with you.

Kind regards

Wendy Morgan
CEO GARI
0414 964 657



Re: Penrith HV Battery Energy Storage System

From Ethan Trewlynn <ethan3trewlynn@gmail.com>
Date Thu 9/25/2025 7:47 PM
To Ben Sybert <bsybert@nohc.com.au>
Cc Nicola Hayes <nhayes@nohc.com.au>

You don't often get email from ethan3trewlynn@gmail.com. [Learn why this is important](#)

Hi Ben,

I would like to register Long Gully Cultural Services for this project.
 I'm a Penrith local born and raised in the area, I know exactly where the site is.
 Penrith is a significant area due to the location having the nepean river and Blue Mountains west of the river.

Kind regards,

Ethan

Re: Penrith HV Battery Energy Storage System

From Robert John Simpson <robbiesimpson21@gmail.com>
Date Fri 9/26/2025 12:11 AM
To Ben Sybert <bsybert@nohc.com.au>

You don't often get email from robbiesimpson21@gmail.com. [Learn why this is important](#)

Hi Ben

Thank you for your email and positive engagement and consultation with Marri Culture and Heritage seeking Aboriginal Cultural Heritage input and Aboriginal Cultural Heritage Assessment & Reports.(ACHAR) - Marri Culture & Heritage would like to register our interest for further consultation as a RAP.

Regards

Robbie Simpson

Re: Penrith HV Battery Energy Storage System


jesse johnson <muragadi@yahoo.com.au>
 To: Ben Sybert



Tue 9/30/2025 3:35 PM

Hi Ben
 Please register Muragadi for the above project, we have done many projects in the project area and surrounding areas.
 Thanks



Anthony
 Director
 Muragadi Heritage Indigenous Corporation

0467180149
muragadi@yahoo.com.au
muragadi@yahoo.com.au
 PO Box 6410, Rouse Hill NSW 2155

[Create Your Own Free Signature](#)

Re: Penrith HV Battery Energy Storage System

From Kaarina Slater <ngambaa.culturalconnections@gmail.com>
Date Thu 9/25/2025 11:26 PM
To Ben Sybert <bsybert@nohc.com.au>

You don't often get email from ngambaa.culturalconnections@gmail.com. [Learn why this is important](#)

On behalf of ngambaa cultural connections I would like to register my expression of interest for this project

Kaarina Emily slater
 0448 917 593



Re: Penrith HV Battery Energy Storage System

From Paul Bell <paulbell847@gmail.com>
 Date Sun 9/28/2025 11:03 PM
 To Ben Sybert <bsybert@nohc.com.au>

You don't often get email from paulbell847@gmail.com. [Learn why this is important](#)

Hi There,

Thank you for the invitation to participate in the consultation process for this project. I would like to register my interest in being involved and request to be considered for all field work associated with the project.

I am happy to provide references, insurance details, and any additional information you may require.

I look forward to reviewing Stages 2 and 3 of the project.

Kind regards,

Paul Bell

Paul Bell Indigenous Site Specialist

Re: Penrith HV Battery Energy Storage System

From Phil Khan <philipkhan.acn@live.com.au>
 Date Tue 9/30/2025 11:04 PM
 To Ben Sybert <bsybert@nohc.com.au>

3 attachments (284 KB)

Outlook-i0okd54u; 2025 Icare.pdf; Public liability 2025.pdf;

You don't often get email from philipkhan.acn@live.com.au. [Learn why this is important](#)

Hi Ben,

Thank you for informing us that **Navin Officer Heritage Consultants** will be involved in an Aboriginal Cultural Heritage Assessment at **Penrith HV Battery Energy Storage System**. Additionally, we appreciate the invitation extended to Aboriginal organisations to register their interest in participating in the community consultation process.

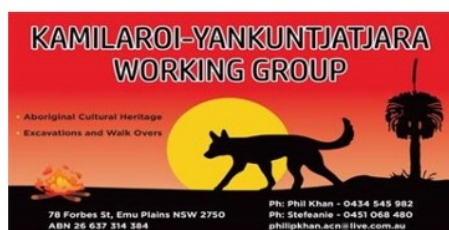
As a senior Aboriginal person for the past 51 years, I have been deeply engaged in the protection and preservation of Aboriginal Cultural Heritage throughout the Sydney Basin, with a particular focus on Western Sydney. On behalf of the Kamilaroi-Yankuntjatjara Working Group, I wish to formally submit our organisation's registration of interest. We are keen to be involved and participate in all levels of consultation and project involvement.

Specifically, we are interested in attending all meetings, participating in the available fieldwork, and receiving a copy of the final report. To support our involvement, I have attached a copy of the Kamilaroi-Yankuntjatjara Working Group's Public Liability Insurance and Workers Compensation certificate.

Our Registered Aboriginal Parties (RAPs) have up to 16 years of experience in Cultural Heritage work, which includes manual excavation (digging), sieving, identifying artefacts, setting up transits, setting up and packing equipment, conducting site surveys, and attending various meetings such as focus groups, Connecting with Country sessions, and interpretation discussions.

We look forward to the opportunity to contribute to this important assessment and to collaborate closely with **Navin Officer Heritage Consultants** in the preservation of our cultural heritage.

Kinds Regards
 Phil Khan – Director
 P 0451068480
 Email: philipkhan.acn@live.com.au
 ABN 26 637 314 384





Re: Penrith HV Battery Energy Storage System

From Thoorga Thoorga <thoorganura@gmail.com>
Date Thu 9/25/2025 5:59 PM
To Ben Sybert <bsybert@nohc.com.au>

You don't often get email from thoorganura@gmail.com. [Learn why this is important](#)

Good morning Ben,

Thank you for your email to register for this project. I accept and wish to be consulted moving forward.
 My preferred method of contact is via email but I am available by phone if needed.
 0423 705 768

Regards
 John

Re: Penrith HV Battery Energy Storage System

From Phillip Boney <Waarlan12@outlook.com>
Date Thu 9/25/2025 7:11 PM
To Ben Sybert <bsybert@nohc.com.au>

You don't often get email from waarlan12@outlook.com. [Learn why this is important](#)

Hey Ben Phil Boney here thank you for your email regarding this project. I would like to register my interest in all stages of this project please in consultation, surveys, and fieldwork my best contact would be email or phone if you require my number please do not hesitate to reach out and I will be happy to send it to you. I hope that I'm successful with working with you guys on this project as I would like to meet your team for future reference

Regards Phil Boney
 Wailwan Aboriginal Group 🍌🍌

Re: Penrith HV Battery Energy Storage System

From Scott Franks <scott@yarrawalk.com.au>
Date Thu 9/25/2025 6:20 PM
To Ben Sybert <bsybert@nohc.com.au>

You don't often get email from scott@yarrawalk.com.au. [Learn why this is important](#)

Dear Team,

Could you please register our interest in this project.

Warm regards,
Scott Franks
 CEO – Yarrawalk Pty Ltd
 📧 scott@yarrawalk.com.au
 ☎ 0404 171 544
 Dharawal Country
www.yarrawalk.com.au



The information contained in this e-mail message and any attached files may be confidential and may contain copyright material of Yarrawalk Pty Ltd or third parties. Any unauthorised use, disclosure or copying of this e-mail and/or its attachments is prohibited. If you have received this e-mail in error, please notify the sender immediately by return e-mail and delete all copies of the message and attachments. Before opening or using attachments, please check them for viruses or defects. Our liability is limited to resupplying the e-mail and attached files. Content and views expressed in this e-mail may be those of the sender and are not necessarily endorsed by Yarrawalk



Re: Penrith HV Battery Energy Storage System

From Arika J <yulayculturalservices@gmail.com>
Date Thu 9/25/2025 6:27 PM
To Ben Sybert <bsybert@nohc.com.au>

You don't often get email from yulayculturalservices@gmail.com. [Learn why this is important](#)

Dear Ben,

Yulay cultural service's would like to register and be involved in this project.

Kind regards,

Arika Jalomaki

Re: Penrith HV Battery Energy Storage System

From Bo Field <yurraandaali_cs@hotmail.com>
Date Thu 10/2/2025 12:09 AM
To Ben Sybert <bsybert@nohc.com.au>
Cc Nicola Hayes <nhayes@nohc.com.au>

You don't often get email from yurraandaali_cs@hotmail.com. [Learn why this is important](#)

Good afternoon

I would like to register my interest in this project.

Regards,

Bo Field - Manager
Yurraandaali Cultural Services
0403 048 263 | yurraandaali_cs@hotmail.com



APPENDIX 2

UNANTICIPATED DISCOVERY PROTOCOLS



Protocol to follow in the event that Aboriginal object(s) or historical relics (other than human remains) are encountered and no AHIP has been approved

In the event that object(s) which are suspected of being Aboriginal object(s) or relic(s) are encountered during development works, then the following protocol will be followed:

1. Cease any further excavation or ground disturbance, in the area of the find(s);
 - a. The discoverer of the find(s) will notify machinery operators in the immediate vicinity of the find(s) so that work can be temporarily halted; and
 - b. The site supervisor and the Principal will be informed of the find(s).
2. Do not remove any find(s) or unnecessarily disturb the area of the find(s);
3. Ensure that the area of the find(s) is adequately marked as a no-go area for machinery or further disturbance, and that the potential for accidental impact is avoided;
4. Note the location and nature of the finds, and report the find to:
 - a. Relevant project personnel responsible for project and construction direction and management, and
 - b. Report the find to the Heritage NSW.
5. Where feasible, ensure that any excavation remains open so that the finds can be recorded and verified. An excavation may be backfilled if this is necessary to comply with work safety requirements, and where this action has been approved by Heritage NSW. An excavation that remains open should only be left unattended if it is safe and adequate protective fencing is installed around it.
6. Following consultation with the relevant statutory authority (Heritage NSW), and, where advised, any other relevant stakeholder groups, the significance of the finds should be assessed and an appropriate management strategy followed. Depending on project resources and the nature of the find(s), this process may require input from a consulting heritage specialist.
7. Development works in the area of the find(s) may re-commence, if and when outlined by the management strategy, developed in consultation with, and approved by the relevant statutory authority.



APPENDIX 3

EXTENSIVE AHIMS SEARCH RESULTS

