

# Aboriginal Cultural Heritage Assessment Report

(PUBLIC REDACTED VERSION)

Griffith Battery Energy Storage System

at

Yoogali, NSW

Prepared for

Griffith BESS Co Pty Ltd

Version 1.2

11/11/25

**Authors:**

D. Wall,

E. Mendham

& J. Durrant

*Red-Gum Environmental Consulting Pty Ltd*

94 Kirby Flat Road,


Yackandandah, VIC 3749

Phone: 0402 344 574

ABN: 797 823 838 29

[damian.wall@red-gum.com.au](mailto:damian.wall@red-gum.com.au)



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## EXECUTIVE SUMMARY

Red-Gum Environmental Consulting Pty Ltd (Red-Gum) was commissioned by Eku Energy on behalf of Griffith BESS Co Pty Ltd (‘the Proponent’) to prepare this Aboriginal Cultural Heritage Assessment (ACHA) Report to address the potential impacts to Aboriginal Cultural Heritage associated with a proposed Battery Energy Storage System (BESS) and associated infrastructure, known as the ‘Griffith BESS’, within an existing approved solar farm development at Yoogali near Griffith, New South Wales (the project).

The Project will be assessed as a State Significant Development (SSD) under Part 4, Division 4.7 of the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act). Accordingly, an Environmental Impact Statement (EIS) for the Project is required. Secretary’s Environmental Assessment Requirements (SEARs) were issued on 23 June 2025. Red-Gum has been engaged to prepare the Aboriginal Cultural Heritage Assessment (ACHA) in support of the EIS. The EIS must meet the minimum form and content requirements as prescribed by Part 8, Division 5 of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation) and must have regard to the *State Significant Development Guidelines* and the *Large-Scale Solar Energy Guideline (2022)*. The Secretary of the DPPI Environmental Assessment Requirements (SEARs) relating to Aboriginal heritage were as follows:

- An assessment of the impact to Aboriginal cultural heritage items (cultural and archaeological) 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), including results of archaeological test excavations (if required).
- Evidence of consultation with Aboriginal communities in determining and assessing impacts, developing options and selecting options and mitigation measures (including the final proposed measures), having regard to the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW, 2010).

While Red-Gum has not been officially engaged to assess the development in terms of *historic heritage* (as required by the SEARs), the ACHAR has attempted to assess the impact to historic heritage values that may be present on site and any connections to the Aboriginal Cultural landscape and interactions with Aboriginal people in the region.

The development is known as the Griffith BESS. The study area is within the Griffith Local Aboriginal Land Council (Griffith LALC) area. The entirety of the subject land is zoned RU1 – Primary Production within the Griffith Local Environmental Plan 2014. It is approximately 8 kilometres southeast from the Griffith town centre, 3 kilometres southeast of the Yoogali suburban centre, and 500 metres south of the Griffith Substation.

The Griffith BESS would cover approximately 3.62 hectares and involves the construction and operation of a battery storage facility and associated infrastructure. The project involves the construction, operation and decommissioning of a BESS with a nominal capacity of up to 100 MW / 1,000 MWh and a direct connection to the existing TransGrid managed 132 kV Griffith Substation. The development includes an underground 132kV transmission connection between the Project’s onsite substation and the adjacent Griffith Substation, either underneath Irrigation Way and the Yanco Griffith railway or overhead via new poles. The broader study area, including the BESS site and transmission corridor, is approximately 7 hectares in size.

The development is predominantly located at 15 Bob Irvin Road, Yoogali 2680. The Project also includes small sections of Bob Irvin Road, Irrigation Way and Hamilton Road easements for access and transmission lines. The address for the development is as follows:

- BESS AREA: 15 Bob Irvin Road Bob Irvin Road, road reserve; 2//DP1252779
- Transmission corridor: 15 Bob Irvin Road Irrigation Way, MR8 Irrigation Way, Yanco-Griffith Railway Irrigation Way, drainage reserve 11 Hamilton Road, Griffith Substation 2788 Centofanti Road; 2//DP1252779 Irrigation Way 11//DP1198376 2500//DP1195971 1//DP865611 139/-/DP751709

Surrounding the site at 15 Bob Irvin Road Yoogali (2//DP1252779) is the approved Yoogali Solar Farm, currently being developed in parallel, yet independent of this development, by EDP Renewables. A TransGrid overhead 132kV transmission line runs along the northern boundary of the BESS Site and southeast to northwest through the entire parcel of land, before turning north to connect to the Griffith Substation.

The development will be a typical BESS installation, consisting of lithium-ion batteries, a Battery Management System (BMS) for monitoring, inverters to convert DC to AC electricity, a cooling system, noise suppression systems and a control system. The Project would also involve perimeter fencing, vegetative screening planting, internal access tracks and road upgrade works.

The BESS has been configured within the broader landholding in a way to minimise the reduction in size of the co-located Yoogali Solar Farm, whilst also retaining proximity to the Griffith Substation and access via Bob Irvin Road. Access to the BESS will be facilitated via a new access point along Bob Irvin Road, independent to another similar proposed access for the Yoogali Solar Farm. The proposal involves the following key features for the BESS, ancillary infrastructure and mitigative measures:

- The BESS of assembly containers containing lithium-ion batteries, a Battery Management System (BMS) for monitoring, a switching room, control building, inverters to convert DC to AC electricity, transformers, a cooling system, noise suppression systems and a control system within a control building.
- A 6-metre-wide access way and internal access track from Bob Irvin Road to the BESS site and onsite parking.
- A temporary construction laydown area, storage and maintenance areas.
- A direct transmission connection and associated easement to one of the bays at the nearby 132kV/330kV Griffith Substation through an underground cable or overhead power to traverse Irrigation Way and the Yanco Griffith railway.
- Perimeter security fencing and native vegetative screening planting, and onsite lighting.

Other energy infrastructure is planned or completed in proximity to the Project. These include the Griffith Solar Farm (operational) and Riverina Solar Farm (planning stage) which are to the north of the Assessment Area.

An Aboriginal heritage survey was undertaken to inform this ACHA. The initial survey was undertaken on 3<sup>rd</sup> October 2025, coordinated and managed by Damian Wall of Red-Gum Environmental Consulting Pty Ltd. The survey used an 'exposure-based' approach whereby particular focus was placed on areas exhibiting higher potential, as indicated by landform features and erosional exposures. The intent of the survey was to undertake a full survey of the 'Assessment Area', with a particular focus on the 'Development Footprint'. All parts of the Assessment Area were able to be accessed by pedestrian survey.

Heritage NSW provides the AHIMS database which holds information concerning previously recorded Aboriginal sites in NSW. An extensive AHIMS search conducted on 17/01/25 and again on 13/10/25 returned zero (0) records within the site boundary or property and eight (8) records within a five (5) kilometre buffer of the site (**Map 5**). The closest Aboriginal cultural heritage site to the development area was recorded 170 metres north of the site (49-2-0153 "Yoogali Site 3, Artefact) (**Map 5**). There were 35 site types in the broader AHIMS rectangular search area of approximately 22km west-east and 13 km north-south (with the Yoogali site approximately central). The dominant site type was stone artefacts.

During the pedestrian survey, a total of 2.6 Ha was traversed by the survey team based on a 5m buffer of the GPS recorded survey routes, allowing also for the three (3) Traditional Owner survey participants. The survey centred on twelve (12) exposure sites (totalling 0.68 Ha). No (zero) artefacts or Potential Archaeological Deposits (PAD) were recorded during the survey period. It is considered that the paucity of finds had as much to do with the nature of the study area and its long history of intensive agriculture (irrigated cropping in the main).

Effective Survey Coverage (ESC) was achieved for 29% of the observable surface relative to the total 'Impact Area' (4.2 Ha). The Impact Area includes all proposed development features that will (or in likely to) result in ground disturbance and the layout design was current at the time of publication of this report. Overall, ESC is considered to have been **Low to Moderate** for an agronomic / cropped landscape.

Given that no (zero) new areas of Aboriginal heritage were identified during the survey, and the long history of agricultural pursuits and its associated impacts on the landscape, Red-Gum contends that no (zero) Survey Units within the Assessment Area warrant further archaeological investigation. Further, the proposal area is predicted to be of low or very low archaeological potential and sensitivity and hence, the survey results are assessed to have provided a reasonably reliable indication of the archaeological status of the area.

Nonetheless, the following recommendations are made, considering the EP&A Act and relevant NSW Legislation, the results of the desktop and field assessment as documented in this report and the type of development proposed and the nature of proposed impacts:

- Rec 1:** The Proponent should ensure that all employees and contractors are aware that it is an offence under Section 86 of the NPW Act to harm or desecrate an Aboriginal object unless that harm has been subject to approval as part of the necessary approvals process.
- Rec 2:** Protection of Cultural Knowledge: Any cultural knowledge shared throughout this process must remain under community control. Approvals must be sought from the relevant contributors before any material is published, used in reports, or shared publicly.

- Rec 3:** No further archaeological research is considered to be necessary or warranted in regard to the proposed Griffith BESS project. No areas of potential archaeological deposits or Aboriginal heritage objects have been identified.
- Rec 4:** Prior to ground disturbance, the proponent is to engage a heritage specialist to prepare a Cultural Heritage Management Plan (ACHMP) to address the potential for finding additional Aboriginal artefacts during construction following development consent. The ACHMP will outline an unexpected finds protocol and an unexpected skeletal remains protocol, and induction policies that will include a cultural heritage awareness procedure. Preparation of the ACHMP should be undertaken in consultation with the Griffith LALC and all Traditional Owner RAPs consulted as part of this ACHAR.
- Rec 5:** The Construction Environment Management Plan (CEMP), or equivalent, should reinforce how the cultural landscape is considered throughout the project and detail the rehabilitation of the Assessment Area. This should be undertaken in consultation with the Griffith LALC and all Traditional Owner RAPs consulted as part of this ACHAR.
- Rec 6:** All works proposed must be constrained to within the Assessment Area (including access tracks and lay down areas).
- Rec 7:** Further archaeological assessment would be required if the proposal activity extends beyond the area of the current investigation. This would include consultation with the Griffith LALC, plus all Traditional Owner RAPs consulted as part of this ACHAR and may also include further field survey.
- Rec 8:** All topsoil removed during the construction of road access within the Assessment Area is to remain on site and used in rehabilitation works. This will ensure that in the low likelihood that this soil may contain Aboriginal objects, they will remain 'on country'.



Mr Damian Wall  
BAppSc, MEnvMgt, MAACA  
**Managing Director**

## Acronyms & Abbreviations

<b>AAR</b>	Aboriginal Ancestral Remains
<b>AC</b>	Alternating Current
<b>ACHAR</b>	Aboriginal Cultural Heritage Assessment Report
<b>ACHMP</b>	Aboriginal Cultural Heritage Management Plan
<b>ACHCRP</b>	Aboriginal Cultural Heritage Consultation Requirements for Proponents
<b>AHD</b>	Australian Height Datum
<b>AHIMS</b>	Aboriginal Heritage Information Management System
<b>AHIP</b>	Aboriginal Heritage Impact Permit
<b>AMSL</b>	Above Mean Sea Level
<b>ATSIHP Act</b>	<i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Commonwealth)</i>
<b>BESS</b>	Battery Energy Storage System
<b>CHL</b>	Commonwealth Heritage List
<b>DCCEEW</b>	NSW Department of Climate Change, Energy, the Environment and Water
<b>DPHI</b>	NSW Department of Planning, Housing and Infrastructure
<b>EIS</b>	Environmental Impact Statement
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979 (NSW)</i>
<b>EP&amp;A Regulation</b>	NSW Environmental Planning and Assessment Regulation 2000
<b>EPBC Act</b>	<i>Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)</i>
<b>GDA</b>	Geocentric Datum of Australia
<b>GPS</b>	Global Positioning System
<b>GSV</b>	Ground Surface Visibility
<b>ha</b>	Hectares
<b>Heritage Act</b>	<i>Heritage Act 1977 (NSW)</i>
<b>ICOMOS</b>	International Council on Monuments and Sites
<b>IBRA</b>	Interim Biogeographic Regionalisation for Australia
<b>ka</b>	One thousand years ago (kilo annum)
<b>km</b>	Kilometres
<b>kV</b>	One thousand volts
<b>LALC</b>	Local Aboriginal Land Council
<b>LEP</b>	Local Environmental Plan
<b>LGA</b>	Local Government Area
<b>m</b>	Metres
<b>MW</b>	Megawatt
<b>MWh</b>	Megawatt-hours
<b>MWn</b>	Maximum Generation Capacity AC
<b>MWp</b>	Maximum Generation Capacity DC
<b>NEM</b>	National Electricity Market
<b>NHL</b>	National Heritage List
<b>NPW Act</b>	<i>National Parks and Wildlife Act 1974 (NSW)</i>
<b>NSW</b>	New South Wales
<b>NTS Corp</b>	Native Title Services Corporation
<b>O&amp;M</b>	Operations and Maintenance

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<b>PAD</b>	Potential Archaeological Deposit
<b>RAP</b>	Registered Aboriginal Party
<b>RNE</b>	Register of National Estate
<b>SEARs</b>	Secretary's Environmental Assessment Requirements
<b>SEPP</b>	State Environmental Planning Policy
<b>SHR</b>	State Heritage Register
<b>SSD</b>	State Significant Development
<b>SU</b>	Survey Unit

**Acknowledgements**

Red-Gum gratefully acknowledges the support and input of all the Registered Aboriginal Parties (RAPs) and their representatives who participated in the fieldwork, consultation workshops, as well as review of the Draft ACHAR.

## 1. INTRODUCTION

Red-Gum Environmental Consulting Pty Ltd (Red-Gum) was commissioned by Eku Energy on behalf of Griffith BESS Co Pty Ltd ('the Proponent') to prepare this Aboriginal Cultural Heritage Assessment (ACHA) Report. This ACHAR has been developed to support an Environmental Impact Statement (EIS) for the Project. This ACHAR will address the potential impacts to Aboriginal Cultural Heritage associated with a proposed Battery Energy Storage System (BESS) and associated infrastructure, known as the 'Griffith BESS', within an existing approved solar farm development (**Map 1**) at Yoogali near Griffith, New South Wales (the Project).

The proposed Griffith BESS will be assessed as a State Significant Development (SSD) under Part 4 of the NSW Environmental Planning and Assessment Act 1979 (EP&A Act). Under the NSW planning legislation, an Aboriginal Heritage Impact Permit (AHIP), if it is necessary, is not required for SSD projects. Instead, the Minister for Planning issues consent where appropriate. This consent is informed by an adherence to the Secretary's Environmental Assessment Requirements (SEARs). SEARs for Application Number SSD-85372970 were issued on 23 June 2025. Red-Gum has been engaged to prepare the Aboriginal Cultural Heritage Assessment (ACHA) in support of the Environmental Impact Statement (EIS).

The EIS must meet the minimum form and content requirements as prescribed by Part 8, Division 5 of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation) and must have regard to the *State Significant Development Guidelines* and the *Large-Scale Solar Energy Guideline (2022)*.

The Secretary of the NSW Department of Planning, Housing and Infrastructure (DPHI) Environmental Assessment Requirements (SEARs) relating to Aboriginal heritage were as follows:

- An assessment of the impact to Aboriginal cultural heritage items (cultural and archaeological) 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), including results of archaeological test excavations (if required); and
- Evidence of consultation with Aboriginal communities in determining and assessing impacts, developing options and selecting options and mitigation measures (including the final proposed measures), having regard to the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW, 2010).

While Red-Gum has not been officially engaged to assess the development in terms of *historic heritage* (as required by the SEARs), the ACHAR has attempted to assess the impact to historic heritage values that may be present on site and any connections to the Aboriginal Cultural landscape and interactions with Aboriginal people in the region.

*In this report, 'Assessment Area' is the area subject to Archaeological & Historical assessment and 'Development Footprint / Impact Area' is the area of land that would be directly impacted by the project, including all construction, operational and decommissioning impacts.*

## 1.1 Description of the Proposed Development

The development is known as the Griffith BESS. The study area is within the Griffith Local Aboriginal Land Council (Griffith LALC) area. The entirety of the subject land is zoned RU1 – Primary Production within the Griffith Local Environmental Plan 2014. It is approximately 8 km southeast from the Griffith town centre, 3 km southeast of the Yoogali suburban centre, and 500 m south of the Griffith Substation.

The Griffith BESS would cover approximately 2 hectares and involves the construction and operation of a battery storage facility and associated infrastructure. The project involves the construction, operation and decommissioning of a BESS with a nominal capacity of up to 100 MW / 1,000 MWh and a direct connection to the existing TransGrid managed 132 kV Griffith Substation. The development includes a 132kV transmission connection between the Project's onsite substation and the adjacent Griffith Substation. The connection may be underneath Irrigation Way and the Yanco Griffith railway or via overhead power. The broader study area is approximately 6 hectares in size.

The development will be a typical BESS installation, consisting of lithium-ion batteries, a Battery Management System (BMS) for monitoring, inverters to convert DC to AC electricity, a cooling system, noise suppression systems and a control system. The Project would also involve perimeter fencing, vegetative screening planting, internal access tracks and road upgrade works.

The BESS has been configured within the broader landholding in a way to minimise the reduction in size of the co-located Yoogali Solar Farm, whilst also retaining proximity to the Griffith Substation and access via Bob Irvin Road. Access to the BESS will be facilitated via a new access point along Bob Irvin Road, independent to another similar proposed access for the Yoogali Solar Farm. The proposal involves the following key features for the BESS, ancillary infrastructure and mitigative measures:

- The BESS of assembly containers containing lithium-ion batteries, a Battery Management System (BMS) for monitoring, a switching room, control building, inverters to convert DC to AC electricity, transformers, a cooling system, noise suppression systems and a control system within a control building.
- A 6-metre-wide access way and internal access track from Bob Irvin Road to the BESS site and onsite parking.
- A temporary construction laydown area, storage and maintenance areas.
- A direct transmission connection and associated easement to one of the bays at the nearby 132kV/330kV Griffith Substation through an underground cable or overhead power to traverse Irrigation Way and the Yanco Griffith railway.
- Perimeter security fencing and native vegetative screening planting, and onsite lighting.

Other energy infrastructure is planned or completed in proximity to the Project, including the Griffith Solar Farm (operational, immediately north) and Riverina Solar Farm (in the planning stage, north). The development layout and key features of the project are shown in **Map 1**. The proposal requires public exhibition of the development's assessment documentation (EIS and all accompanying specialist reports), consideration and response to agency and community submissions and the finalisation of the development prior to its determination is expected. Further information on the project is provided in the EIS.

*The Assessment Area has not previously been subject to archaeological survey. Red-Gum Environmental Consulting were engaged in 2025 to undertake assessment of the development area and advise on potential for harm avoidance. Fieldwork, comprising pedestrian survey was undertaken on 3<sup>rd</sup> October 2025.*

## 1.2 Location

The development is predominantly located at 15 Bob Irvin Road, Yoogali 2680. The Project also includes small sections of Bob Irvin Road, Irrigation Way and Hamilton Road easements for access and transmission lines. The proposed BESS is situated in the locality of Yoogali within the Griffith City Council Local Government Area (LGA), NSW. The study area is within the Griffith Local Aboriginal Land Council (Griffith LALC) area. The project is comprised of multiple cadastral lots, detailed in **Table 1**.

- BESS AREA: 15 Bob Irvin Road Bob Irvin Road, road reserve; 2//DP1252779
- Transmission corridor: 15 Bob Irvin Road Irrigation Way, MR8 Irrigation Way, Yanco-Griffith Railway Irrigation Way, drainage reserve 11 Hamilton Road, Griffith Substation 2788 Centofanti Road; 2//DP1252779 Irrigation Way 11//DP1198376 2500//DP1195971 1//DP865611 139/-/DP751709

Surrounding the site at 15 Bob Irvin Road Yoogali (2//DP1252779) is the approved Yoogali Solar Farm, currently being developed in parallel, yet independent of this development, by EDP Renewables. A TransGrid overhead 132kV transmission line runs along the northern boundary of the BESS Site and southeast to northwest through the entire parcel of land, before turning north to connect to the Griffith Substation.

The entirety of the subject land is zoned RU1 – Primary Production within the Griffith Local Environmental Plan 2014. It is approximately 8 km southeast from the Griffith town centre, 3 km southeast of the Yoogali suburban centre, and 500 m south of the Griffith Substation.

**Table 1: Cadastre lots within the Subject Land**

Site	Address	Lot
BESS Area: Battery units Inverters Transformer Switchroom Control building Workshop Water tanks Water detention basin Laydown area Access tracks Primary access Secondary / emergency access	15 Bob Irvin Road Bob Irvin Road, road reserve	2//DP1252779
Transmission Corridor: Underground cable Connection to substation bay	15 Bob Irvin Road Irrigation Way, MR8 Irrigation Way, Yanco-Griffith Railway Irrigation Way, drainage reserve 11 Hamilton Road, Griffith Substation 2788 Centofanti Road	2//DP1252779 Irrigation Way 11//DP1198376 2500//DP1195971 1//DP865611 139/-/DP751709



Figure 1: Proposed Griffith BESS

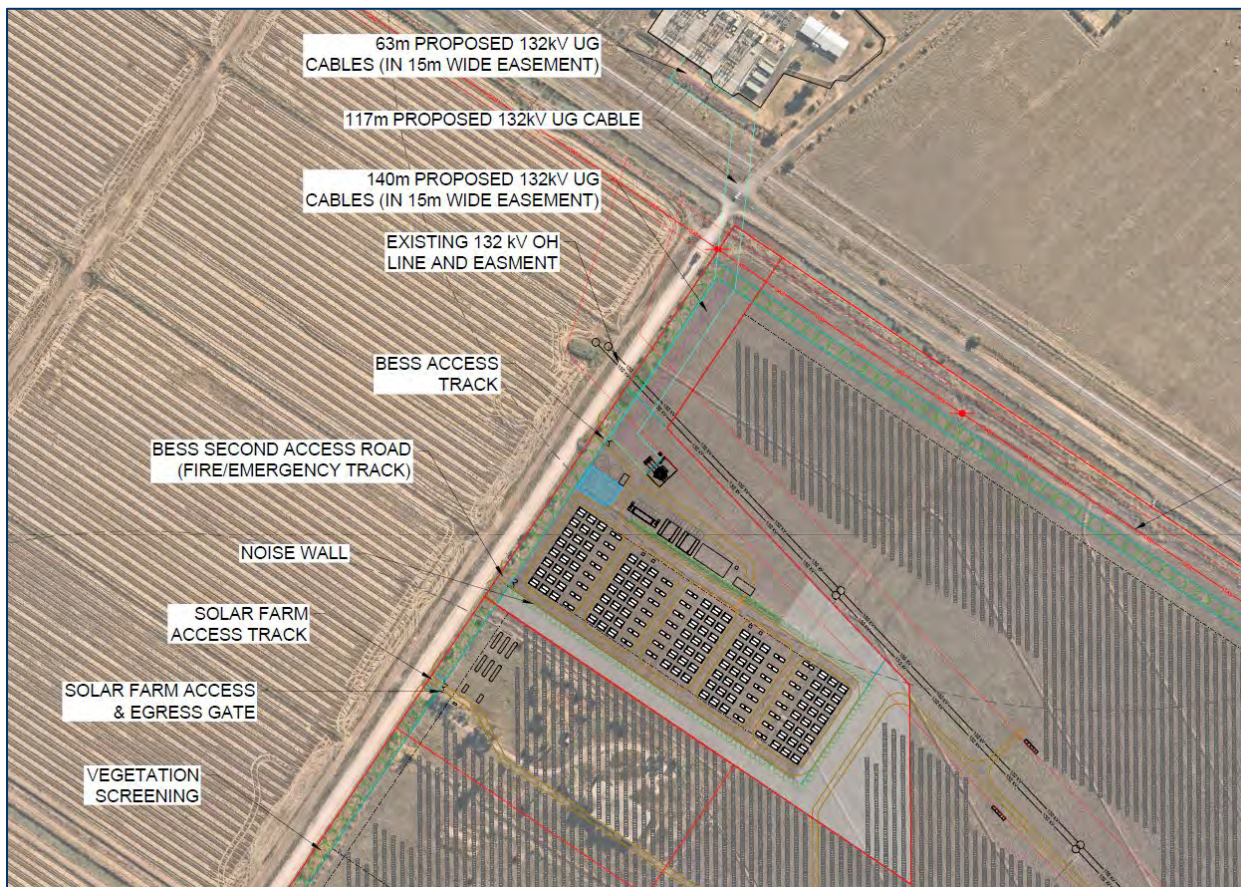


Figure 2: Proposed Griffith BESS

### 1.3 Development Footprint / Impact Area

As shown in **Map 1**, the assessment area is 6.63 Ha, of which the development footprint (or impact area) is approximately 4.1 Ha. The development footprint has been, until recently, used for primary production (laser-levelled irrigated cropping and grazing) and is zoned as RU1 Primary Production under the Griffith Local Environmental Plan 2014. The development site/footprint and surrounding land is characterised by a highly modified agricultural landscape where clearing associated with historical agricultural practices (irrigation, cropping, horticulture and grazing) have resulted in the loss of native vegetation since European settlement. Most recently, the proposed BESS location has been irrigated and cultivated for wheat and rice on a land-formed and laser levelled paddock.

Surrounding land use to the south, east and west is also agricultural, zoned RU1 Primary Production. Surrounding the site at 15 Bob Irvin Road Yoogali (2//DP1252779) will be the approved Yoogali Solar Farm, currently being developed in parallel, yet independent of this development, by EDP Renewables. A TransGrid overhead 132kV transmission line runs along the northern boundary of the BESS Site and southeast to northwest through the entire parcel of land, before turning north to connect to the Griffith Substation. Other energy infrastructure is planned or completed in proximity to the Project. The Griffith Solar Farm is immediately north of the Project, closer to the Griffith Substation.

The development footprint is characterised by a highly modified landscape where clearing associated with historical agricultural practices (irrigated cropping and grazing) have resulted in the loss of most native vegetation. The landscape is a flat plain with an elevation of 130 m in Australian Height Datum (AHD).

The development footprint mostly comprises of areas that have previously been disturbed and laser-levelled for flood irrigation and irrigated crops (wheat and rice). The surrounding locality is characterised by generally open, laser levelled fields (with no canopy), with some narrow stands of planted windbreak vegetation (both indigenous and exotic) along fence lines, irrigation channels with some scattered residential dwellings and gardens. The site is located approximately 2 km west of Mirrool Creek, the largest permanent source of water in the local area. A probable remnant swamp, now a farm dam, is located one kilometre to the north of the area. These features would have supported a wide range of food, medicine and tool making resources in the area.

The study area is located within the broader Murrumbidgee River floodplain region and the soils and geology of the area consist of flood deposits. However, nearby Griffith has areas of conglomerate and sandstone with pebble content. According to MinView (<https://minview.geoscience.nsw.gov.au/>), the geology of the area is characterised as Alluvium floodplain deposits (CZ\_af) - silt, very fine - to medium-grained lithic to quartz-rich sand, clay, with nearby deposits of sandstone and conglomerate near Griffith (Jimberoo Formation (Dmdj) and Mailman Gap Member (Dmdrm)).

For the purposes of this assessment, all land within the development footprint is assumed to be impacted by the proposal. The site of the proposed BESS is a land-formed paddock that has been used for irrigated agriculture. The site consists almost entirely of exotic pastures, with no trees or understorey vegetation, with a few scattered native grass species. Some exotic trees (palms) have been planted along the adjacent roadside along Bob Irvin Road on the west of the site, and there has been some regeneration of, or planting with, native Myall species.



Map 1: Assessment vs Impact Area. Scale 1:3,000. Source: Google Earth, 2025

## 1.4 Objectives

This ACHAR aims to:

- Identify Aboriginal heritage resources within the Assessment Area, including archaeological and intangible cultural heritage values.
- Present the results of Aboriginal community consultation undertaken during the preparation of this report.
- Review relevant historic and Aboriginal heritage databases.
- Review historical and environmental contextual data.
- Utilise sourced background information to develop predictive models for the presence of Aboriginal heritage within the Assessment Area.
- Document the results of an Aboriginal and historic heritage field survey with a focus on the 'Development Footprint'.
- Assess the significance of identified Aboriginal heritage values.
- Evaluate the impact of the proposed works on any identified Aboriginal heritage resources.
- Provide recommendations for the mitigation of impacts and management of identified Aboriginal heritage resources.

## 1.5 Assessment Method

This ACHAR examines Aboriginal and Historic heritage values within the Assessment Area and has been prepared in accordance with the following guidelines:

- *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010a) (Consultation Requirements).
- *Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010b) (Code of Practice).
- *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (OEH 2011) (ACHAR Guide).
- *The Australia International Council on Monuments and Sites, Charter for Places of Cultural Significance* (also known as the Burra Charter, Australia ICOMOS 2013).
- *NSW Heritage Manual*

Preparation of this report includes:

- Desktop research and archaeological site database searches.
- Review of previous assessment for the Assessment Area, and within the local area.
- Consultation with the local Aboriginal community.
- Field survey of the Assessment Area.
- Assessment of heritage significance.
- Impact assessment.
- Preparation of management and mitigation recommendations.

## 1.6 Secretary's Environmental Assessment Requirements (SEARs)

The SEARs (SSD-85372970) for the project were issued on 23 June 2025. The requirements for Aboriginal heritage assessment and where they have been addressed is summarised in **Table 2**. While Red-Gum has not been officially engaged to assess the development in terms of historic heritage (as required by the SEARs), the ACHAR has attempted to assess the impact to historic heritage values that may be present on site and any connections to the Aboriginal Cultural landscape and interactions with Aboriginal people in the region (**Section 10**).

**Table 2: Summary of SEARs requirements for Aboriginal Cultural Heritage and where these are addressed in the current report.**

SEARs Requirement	Section of the ACHAR
An assessment of the impact to Aboriginal cultural heritage items (archaeological and cultural) 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), including results of archaeological test excavations (if required)	Whole report
Provide evidence of consultation with Aboriginal communities in determining and assessing impacts, developing options and selecting options and mitigation measures (including the final proposed measures), having regard to the Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW, 2010)	Section 4

## 1.7 Authorship

A summary of the Red-Gum staff involved in the preparation of this report and their relevant qualifications is provided in **Table 3** below.

**Table 3: Summary of Authors Relevant Qualifications**

Name	Role	Relevant Qualifications & years of relevant experience
<b>Damian Wall (Heritage Consultant)</b>	Fieldwork, Data Manager, Author	<u><b>BApPSc, Parks, Recreation &amp; Heritage, MEnvMgt, GradCert CHM, MEIANZ, CENVP</b></u> Damian has 27 years' experience in ecological and environmental assessment, NRM planning and community liaison. Damian is a Vegetation Quality Assessment Method (VQAM) accredited person in VIC and a Biodiversity Assessment Method (BAM) Accredited Person in NSW (BAAS18081). Damian is listed Aboriginal Cultural Heritage Advisor in VIC, a Full Member of the Australian Association of Consulting Archaeologists Inc (AACAI), is currently completing a Masters of Archaeology & Cultural Heritage Management (Flinders University) and has 25 years' experience in Aboriginal Cultural heritage survey nation-wide.
<b>Dr Jacqui Durrant (Historian)</b>	Contributing Author	<u><b>BApPSc, Parks, Recreation &amp; Heritage (Hons), PhD in Australian cultural history (La Trobe), Full Member Professional Historians Association of Australia.</b></u> Jacqui has over 25 years of experience as a historian specialising in land use history from frontier pastoralism onwards and in Aboriginal history. Jacqui has produced grey literature for Victorian traditional owner groups for submission to the Federal Native Title Tribunal and the Victorian Civil and Administrative Tribunal and has published a number of refereed journal articles and book chapters, including 'Mogullumbidj: First People of Mount Buffalo', Victorian Historical Journal, (91[1], 2020). Her book "Fire on the Plateau" was highly commended in the Victorian Community History Awards 2020. In recent years, Jacqui has worked as a consulting historian and ethnohistorian on over 100 cultural heritage management projects across Victoria and New South Wales, including working on local government heritage studies. Most recently, this included undertaking the background history research for the nomination of the Beechworth Heritage Precinct to the Register of the National Estate, which was listed 16 August 2024.

Name	Role	Relevant Qualifications & years of relevant experience
Dr Emily Mendham	Contributing Author	<b><u>Bachelor of Applied Science (Parks, Recreation and Heritage) (Hons). PhD Environmental Sociology and Human Geography, Charles Sturt University (2010)</u></b> Emily has 15 years experience as a Social Researcher on a range of interdisciplinary and multidisciplinary projects relating to natural resource management in south-east Australia and 2+ years experience as an Environmental Consultant.

## 1.8 Limitations

No obstacles were encountered during the desk-top assessment or field assessment stage for this project.

## 2. LEGISLATION & GUIDELINES

The following section provides an overview of the relevant legislation and guidelines under which this assessment has been prepared.

### 2.1 Commonwealth Legislation

#### 2.1.1 *Environmental Protection and Biodiversity Conservation Act 1999*

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act; as amended 2004) provides the framework for the Commonwealth Government's environmental legislation. The EPBC Act outlines a legal framework for the protection and management of nationally and internationally important flora, fauna, ecological communities and heritage places. Several heritage listings were established under the EPBC Act including the Commonwealth Heritage List (CHL), National Heritage List (NHL) and Register of National Estate (RNE) (now repealed). The assessment and permitting processes of the EPBC Act are triggered when a proposed activity or development could potentially have an impact on one of the matters of national environment significance listed by the Act. Ministerial approval is required under the EPBC Act for proposals involving significant impacts to national/commonwealth heritage places.

*There are no sites listed on the CHL, NHL or RNE listings within the Assessment Area.*

#### 2.1.2 *Aboriginal and Torres Strait Islander Heritage Protection Act 1984*

The *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (ATSIHP Act) assists in the protection of places, areas and objects that 'are of particular significance to Aboriginals in accordance with Aboriginal tradition'. The ATSIHP Act is designed to deal with Aboriginal cultural property (intangible heritage), which are not currently protected under the NSW *National Parks and Wildlife Act 1974* (NPW Act). The Commonwealth Minister can make declarations to protect these areas and objects from specific threats of injury or desecration. The responsible Minister may make a declaration under Section 10 of the ATSIHP Act in situations where state or territory laws do not provide adequate protection of intangible heritage.

*While no formal database of Section 10 applications or declarations is publicly available, this information is registered in gazettal notices within the Federal Register of Legislation. A search of this register did not identify any Section 10 applications or declarations relevant to the Assessment Area.*

### **2.1.3 Native Title Act (1993) (NT Act) (Commonwealth)**

The NT Act provides a framework for the determination of native title claims within Australia, and for negotiations and decision making regarding the use and management of native title lands and waters.

*The proposal would not affect land subject to a native title.*

## **2.2 NSW Legislation**

### **2.2.1 Environmental Planning and Assessment Act 1979**

The *Environmental Planning and Assessment Act 1979* (EP&A Act) regulates a system for environmental planning and assessment for New South Wales. Land use planning requires that environmental impacts, including those on cultural heritage, must be considered when making decisions about the future of a place. It protects Aboriginal heritage by requiring consideration of potential impacts on Aboriginal objects and places when planning and development approvals are sought.

A development is considered significant to the State (State Significant Development, SSD) if it is over a specific size, is in an environmentally sensitive area or will exceed capital investment value. SSD are major projects which require approval from the Minister for Planning or the Independent Planning Commission due to their economic, environmental or social impact.

*The proposed works will be assessed under Part 4, Division 4.7 of the EP&A Act, which establishes an assessment and approval regime for SSD. Part 4, Division 4.7 applies to development that is declared to be SSD by a State Environmental Planning Policy (SEPP).*

*Pursuant to Part 4.41 (d) of the EP&A Act, if approved, an Aboriginal Heritage Impact Permit (AHIP) under Section 90 of the NPW Act is not required for SSD. Instead, all management related to Aboriginal cultural heritage within the Assessment Area would be governed by the policies within an approved Aboriginal Cultural Heritage Management Plan (ACHMP).*

### **Local Environmental Plans**

The EP&A Act allows for the preparation of planning instruments to direct development within NSW. This includes LEPs, which are administered by local government, and principally determine land use and the process for development applications. LEPs usually include a schedule of identified heritage items.

*The Assessment Area is within the Griffith City Council, NSW. The Griffith LEP did not identify any locally listed heritage sites within the Assessment Area.*

### **2.2.2 State Environmental Planning Policy (Planning and Systems) 2021 (Planning and Systems SEPP) (NSW)**

The State Environmental Planning Policy (Planning Systems) 2021 (Planning SEPP) identifies developments declared to be state significant.

*The Griffith BESS is a SSD under the Planning and Systems SEPP.*

### 2.2.3 National Parks and Wildlife Act 1974

The *National Parks and Wildlife Act 1974* (NPW Act) regulates the control and management of all national parks, historic sites, nature reserves, and Aboriginal areas (among others) in NSW and provides statutory protection to all Aboriginal sites within NSW. The main aim of the NPW Act is to conserve the natural and cultural heritage of NSW. Where works will disturb Aboriginal objects, an Aboriginal Heritage Impact Permit (AHIP) would normally be required, but as this development is a SSD, this does not apply.

The NPW Act defines an Aboriginal ‘object’ 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’. The NPW Act defines an Aboriginal Place as ‘any place declared to be an Aboriginal place under section 84 by the Minister’.

Sites of traditional significance that do not necessarily contain archaeological materials may be gazetted as ‘Aboriginal places’ and are protected under Section 84 of the Act. This protection applies to all sites, regardless of their significance or land tenure. *Aboriginal object and places are recorded on the Aboriginal Heritage Information Management System (AHIMS) database. The results of a search of the AHIMS database for registered Aboriginal objects and places is detailed in Section 6.2.*

Part 6 of the NPW Act provides specific protection for Aboriginal objects and declared places. Under Part 6 it is an offence to harm an Aboriginal object or harm or desecrate an Aboriginal place without appropriate consent (AHIP) or defence or where an exemption applies (e.g., emergency fire fighting). As this project is being assessed as a SSD, approval under Part 6 of the National Parks & Wildlife Act 1974 will not be required.

**Harm** an object or place includes any act or omission that—

- a) destroys, defaces or damages the object or place, or
- b) in relation to an object—moves the object from the land on which it had been situated, or
- c) is specified by the regulations, or
- d) causes or permits the object or place to be harmed in a manner referred to in paragraph (a), (b) or (c),
- e) but does not include any act or omission that—
- f) desecrates the object or place, or
- g) is trivial or negligible, or
- h) is excluded from this definition by the regulations.

Under Section 89A of the Act, it is a requirement to notify the Secretary of the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) of the location of an Aboriginal object. Identified Aboriginal items and sites are registered on Aboriginal Heritage Information Management System (AHIMS) that is administered by Heritage NSW. All Aboriginal objects and declared Aboriginal places (by the Minister) are protected under the NPW Act. There are no gazetted Aboriginal places in the study area.

*The development for which this ACHAR has been developed, is SSD under Part 4 of Division 4.7 of the EP&A Act and permits under Section 90 NPW Act are not required. Section 90 of the NPW Act is turned off during the assessment of State Significant projects. Instead, department Secretary's Environmental Assessment Requirements (SEARs) are issued. SSD are major projects that require approval from the Minister for Planning. Instead, Aboriginal cultural heritage will be managed by an Aboriginal Cultural Heritage Management Plan (ACHMP) that will be developed following project approval. The ACHMP will contain the recommendations of this ACHAR, as well as an unexpected finds protocol, results of archaeological excavations, procedures to manage unexpected discoveries of human remains, and any other policies.*

#### **2.2.4 Heritage Act 1977**

The *Heritage Act 1977* (Heritage Act) protects the cultural and natural history of NSW with emphasis on historic (non-Aboriginal) heritage items, including places, buildings, works, relics, moveable objects, precincts, historic shipwrecks and archaeological sites of State or local significance. Protection is provided through protection provisions and the establishment of a Heritage Council and State Heritage Register (SHR). Section 136 of the Heritage Act allows for the Minister or Chair of the Heritage Council to place a 'Stop Work' Order on a building, work, relic or place, that is not subject to an Interim Heritage Order (IHO) or listed on the SHR and that is being or about to be harmed. Work can be stopped for 40 days, whilst the imposition of an IHO is considered. Section 139 of the Heritage Act also prohibits the disturbance of archaeological relics without a gazetted exemption, or an excavation permit issued by the Heritage Council of NSW.

*While the development is assessed as SSD and is therefore not subject to approvals under the Heritage Act, a search of the State Heritage Inventory showed there are no sites in the vicinity of the proposal area (NSW Government 2024).*

#### **State Heritage Register**

The SHR was established under Section 22 of the Heritage Act and is a list of places and objects of particular importance to the people of NSW, including archaeological sites. The SHR is maintained by Heritage NSW and includes a diverse range of over 1500 items, in both private and public ownership. To be listed, an item must be deemed to be of heritage significance for the whole of NSW. Listing on the SHR controls activities such as alteration, damage, demolition and development. When a place is listed on the SHR, the approval of the Heritage Council of NSW is required for any major work.

*There are no SHR items within, or in proximity to, the Assessment Area. See **Section 10**.*

#### **Section 170 Heritage and Conservation Register (S170 Register)**

Under Section 170 of the Heritage Act, NSW government agencies are required to maintain a register of the heritage assets it owns or controls. Under S170A of the Heritage Act, government agencies are required to notify the Heritage Council about decisions affecting assets on the s170 register including removing the item from the register, transferring ownership of a listed item, or vacating and/or demolishing part or all of the item. Government agencies are also required to maintain properties on the S170 and SHR with due diligence in accordance with State Owned Heritage Management Principles approved by the Minister on the advice of the Heritage Council.

*There are no s170 items within, or in proximity to, the Assessment Area.*

### 2.2.5 Native Title Act 1994

The *Native Title Act 1994* was introduced to work in conjunction with the *Commonwealth Native Title Act 1993*. The *Native Title Act* recognises and protects the traditional and continuing rights and interests of Aboriginal and Torres Strait Island people. This may include the right to protect places and areas that are important under traditional law where Native Title has been determined.

*At the time of publication of this ACHAR, the Assessment Area is not located within the boundaries of a native title claim or determination.*

### 2.2.6 Aboriginal Land Right Act 1983

The *Aboriginal Land Rights Act 1983* established Aboriginal Land Councils (at a State and Local Level). In relation to Aboriginal culture and heritage, these bodies have a statutory obligation under Section 52 of the *Aboriginal Land Rights Act 1983* to:

- a) take action to protect the culture and heritage of Aboriginal persons in the council's area, subject to any other law, and
- b) promote awareness in the community of the culture and heritage of Aboriginal persons in the council's area.

*The Assessment Area is within the boundary of the Griffith Local Aboriginal Land Council (LALC).*

## 3. ASSESSMENT METHODOLOGY

### 3.1 Desktop Investigation

The archaeological assessment followed the Code of Practice for the Investigation of Aboriginal Objects in New South Wales (Code of Practice; (DECCW 2010). The Aboriginal cultural heritage assessment followed the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (the Guide; (Office of Environment and Heritage 2011)) and the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (ACHCRs) (State of NSW and Department of Environment 2010). Desktop investigation included completion of a comprehensive review of existing background information to gain a contextual understanding of the cultural landscape associated with the Project. Review of background information included assessment of environmental information (**Section 3**), former historic land use, available ethnographic information, as well as searching existing registered Aboriginal heritage sites, existing AHIPs and reports.

### 3.2 Aboriginal Community Consultation

Aboriginal community consultation was undertaken in accordance with the consultation requirements as is detailed in **Section 4**. In accordance with the Consultation Requirements, consultation with Aboriginal people formed an essential part of the heritage assessment process to:

- 1) Determine potential harm on Aboriginal cultural heritage from proposed activities; and
- 2) Inform management and mitigation measures where it is determined that harm cannot be avoided.

### 3.3 Aboriginal Heritage Survey

An Aboriginal heritage survey was undertaken to inform this ACHAR. The survey was undertaken 3<sup>rd</sup> October 2025, coordinated and managed by Damian Wall of Red-Gum Environmental Consulting Pty Ltd. The intent of the survey was to undertake a full survey of the 'Assessment Area', with a particular focus on the 'Development Footprint'. All parts of the Assessment Area were able to be accessed by foot for the pedestrian survey. The archaeological potential of the Assessment Area is detailed in **Section 9.7**.

GPS were carried by the survey team and used to track log areas covered throughout the survey. A photographic record was kept. Photographs were taken to document the existing environment and landform context of each survey unit. During the survey, no (zero) Aboriginal heritage features were identified. No (zero) locations with potential Aboriginal Ancestral Remains (AAR) were identified. Results of the initial Aboriginal heritage survey was used to refine the predictive modelling completed for the project (**Section 6.4**).

### 3.4 Recording & Assessment Methodology

#### 3.4.1 Previously Recorded Aboriginal sites

If deemed appropriate or necessary, any previously recorded Aboriginal sites within, or in proximity to, the development footprint were to be visited during the survey to assess their current condition and confirm the spatial extent of the registered site.

*There were no (zero) recorded Aboriginal sites affected by the Assessment Area.*

#### 3.4.2 Newly Identified Sites

Newly identified sites were to be recorded in accordance with the requirements in Sections 6-8 of the Code of Practice and the *Guide to completing the AHIMS Site Recording Form*. Details recorded for each newly identified site would include:

- 1) The spatial extent of the site as delineated by either:
  - The spatial extent of the visible objects;
  - Obvious physical boundaries where present; or
  - Identification by the Aboriginal community based on cultural information.
- 2) A photographic record with scale at an appropriate distance to record both the site feature and its context;
- 3) Geospatial information of the site recorded using ArcGIS mapping; and
- 4) Enough detail to enable to registration of the site on AHIMS.

### 3.4.3 Assessment of Archaeological Potential

If found, areas which were identified as areas which had the potential to contain subsurface deposits of Aboriginal objects or the potential for Aboriginal objects to otherwise be obscured by surface conditions were recorded as areas of Potential Archaeological Deposit (PAD). The assessment of areas of PAD was based primarily on an assessment of:

- Whether Aboriginal objects were likely to have been deposited within a location as a result of Aboriginal occupation or through post-depositional processes; and/or
- Whether historic land use or disturbances was likely to result in impact or removal of any Aboriginal objects that may have been present within the assessment area.

### 3.4.4 Cultural Heritage Significance Assessment

Aboriginal heritage sites, objects and places hold value for communities in many ways. The nature of those heritage values is an important consideration when deciding how to manage a heritage site, object or place and balance competing land use options.

Assessment of the Aboriginal cultural heritage significance of the Assessment Area has been completed in accordance with the requirements of the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales* (ACHAR Guide) (Office of Environment and Heritage 2011) and using the four values outlined in the *Burra Charter* of aesthetic, historic, scientific, and social or spiritual significance (Australia ICOMOS, 2013). Assessment has included identification of social, historic, scientific and aesthetic significance which area discussed below:

- **Social or cultural significance** (assessed only by Traditional Owners/First Nations People) refers to the spiritual, traditional, historical or contemporary associations and relationships 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. Aboriginal cultural values may include the consideration of significance of a place for its traditional mythological, historic, traditional resource and aesthetic values or be tied to values associated with the natural environment. Cultural values will also commonly be associated with the archaeological features of the site but may independently, and even contradictorily, stand alongside archaeological or scientific value.
- **Historic significance** (assessed by Traditional Owners/First Nations People and/or non-Aboriginal historical specialists) refers to the associations of a place with a historically important person, event, phase or activity in an Aboriginal community. Historic places do not always have physical evidence of their historic importance (such as structures, planted vegetation or landscape modifications). They may have 'shared' historic values with other (non-Aboriginal) communities and include places of post-contact Aboriginal history. In relation to Aboriginal cultural heritage, many post-contact places and sites would have historic value. Places of historic significance may include sacred or ceremonial sites, and archaeological sites with evidence of technological developments.
- **Scientific (archaeological) significance** (assessed by professional archaeologists) refers to the importance of a landscape, area, place or object because of its rarity, representativeness and the extent to which it may contribute to further understanding and information.

- **Aesthetic significance** (assessed by Traditional Owners and/or non-Aboriginal specialists) refers to the sensory, scenic, architectural, and creative aspects of the place. It is often closely linked with social values. It may consider form, scale, colour, texture and material of the fabric or landscape, and the smell and sounds associated with the place and its use.

*Cultural heritage significance for the Assessment Area was identified through a combination of desktop assessment and consultation undertaken during the preparation of this ACHAR.*

### 3.5 Impact Assessment

Following the identification of Aboriginal cultural significance, an impact assessment would be completed to identify whether any Aboriginal Objects, Places or cultural values have the potential to be harmed through development of the preferred scenario. The impact assessment for the proposal is guided by the definition of harm under the NPW Act, which is limited to impact which ‘...destroys, defaces, damages an object or place or in relation to an object – moves the object from land on which it has been situated’.

- ‘Direct harm’ may occur as a result of activities which disturb the ground surface or identified cultural values including site preparation activities, and the installation of services and infrastructure.
- ‘Indirect harm’ for Aboriginal heritage refers to impacts that may affect sites or features located immediately beyond or within the area of the proposed work. Indirect harm may include impacts from vibration, increased visitation, increased erosion, or changing access to wild resources. The impact assessment evaluates the potential archaeological impacts for the proposal. It assessed the type of harm, the degree of harm, and the consequence of harm for any known Aboriginal sites or areas of potential.

*The direct and indirect impact associated with the Project is assessed in Section 1.*

## 4. ABORIGINAL COMMUNITY CONSULTATION

Aboriginal community consultation acknowledges the right of Aboriginal people to be involved, through direct participation, on matters that directly affect their heritage. Involving Aboriginal people in all facets of the assessment process ensures that they are given adequate opportunity to share information about cultural values, and to actively participate in the development of appropriate management and/or mitigation measures.

The successful identification, assessment and management of Aboriginal cultural heritage values are dependent on an inclusive and transparent consultation process. Aboriginal community consultation for the current assessment was undertaken in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (State of NSW and Department of Environment 2010) (Consultation Requirements) and clause 80C of the NSW National Parks and Wildlife Regulation 2009.

This section contains details of the Aboriginal community consultation undertaken regarding the Aboriginal cultural heritage of the Assessment Area. Consultation with Aboriginal people formed an essential part of the heritage assessment process to:

- 1) Determine potential harm on Aboriginal cultural heritage from proposed activities; and
- 2) Inform decision making for the ACHMP where it is determined that harm cannot be avoided to identified Aboriginal heritage sites.

*The consultation requirements set out four stages of the consultation process. Fulfilment of these requirements for this project is outlined below. All correspondence is recorded in the Aboriginal Heritage Consultation Log in **Appendix A**.*

### 4.1 Stage 1 & 2: Notification of Project Proposal and Registration of Interest

The aim of Stage 1 of the consultation process is to *identify, notify and register Aboriginal people who hold cultural knowledge relevant to determining the cultural significance of Aboriginal objects and/or places in the area of the proposed project*. On behalf of the Proponent, Red-Gum actively sought to fulfil this aim and identify stakeholder groups or people wishing to be consulted about the Project and invite them to register their interest.

A request for information on Aboriginal Stakeholders who may potentially register interest in undertaking an Aboriginal Cultural Heritage Assessment Report (ACHAR) in advance of the proposed Griffith BESS (the Development), was sent to Heritage NSW on 31<sup>st</sup> July 2025 (**Appendix C**). The official response received from Heritage NSW indicated a total of twenty-two (22) Aboriginal individuals or organisations who may have an interest in the Project. Interest in participating in the survey program was received from five (5) Registered Aboriginal Parties or Individuals (RAPs). No specific comment on the methodology or cultural values were received during the review period of the methodology and communication with the Griffith Local Aboriginal Land Council (Griffith LALC) was established.

An invitation to register interest and a proposed assessment methodology letter was sent to each of these identified parties on 14/8/2025 and a period of 30 days was provided for the parties to respond. A copy of this letter is provided as (**Appendix D**).

As per 4.1.2 of the Consultation Requirements, a Public Advert stating the location and nature of the Project and seeking registration of interested Aboriginal parties was run in the Area News on 6/9/25 (**Appendix E**).

A search of the National Native Title Tribunal (NNTT) database online on 17/8/25 by Damian Wall for the Griffith City Council area determined that there was no approved determination of Native Title over the Assessment Area (per 4.1.1 of the guidelines) (**Appendix F**). A search of the Office of the Registrar Aboriginal Land Rights Act 1983 (NSW) was completed on 14/8/25.

Email notifications to Key Stakeholder Agencies, those being Griffith City Council, Local Land Services and Native Title Services Corporation Limited were sent on 14/8/25 (**Appendix H**).

*A full list of the RAPs can be found in **Table 4** and copies of relevant registrations can be found at **Appendix A** & in **Section 4**.*

**Table 4: Registered Aboriginal Parties, October 2025**

Individual / Organisation	Contact
Southern West Yiradyuri Clans corporation (SWYC)	[REDACTED]
Yiramarang	[REDACTED]
Marri Culture & Heritage	[REDACTED]
Individual	[REDACTED]
Individual	[REDACTED]
Guggaburra Yiramiilan	[REDACTED]

## 4.2 Stage 3: Gathering information about Cultural Significance

Stage 3 of the consultation process involved discussion on cultural values and intangible elements of significance. Feedback on the cultural heritage significance of the Assessment Area was requested as part of the survey and assessment methodology. Cultural values were also further discussed with all RAP groups during the completion of the heritage surveys.

## 4.3 Stage 4: Review of Draft Heritage Report

Drafts of the ACHAR were sent to all six (6) registered RAPs on 20/10/25. Each of the RAPs was provided 30 days to provide comments on V1 of the ACHAR and any recommended management and mitigation measures, prior to finalisation. The summarised comments from each round of review is provided in **Table 5** and in **Appendix A**.

**Table 5: Registered Aboriginal Parties Feedback on the Draft ACHAR, October 2025**

Date	From	To	Notes
22/10/25	[REDACTED] Griffith Local Aboriginal Land Council	Mr Damian Wall Red-Gum Environmental	[REDACTED] emailed Damian and stated that "Griffith LALC has no concerns or issues with the positive engagement with local traditional owner RAPS including Griffith LALC methodologies of site surveys including the draft ACHA".

## 5. ENVIRONMENTAL CONTEXT

The distribution and characteristics of Aboriginal cultural values and materials within a landscape are substantially influenced by a range of environmental factors, including topography, geology, landforms, climate, geomorphology, hydrology, and the associated soils and vegetation (Hughes & Sullivan 1984).

These factors govern the availability of resources such as plants, animals, water, and raw materials, as well as the identification of suitable locations for campsites, ceremonial areas, burials, and rock art applications. Variations in site locations across different landforms, resulting from distinct environmental constraints, lead to diverse spatial distributions and forms of archaeological evidence. Consequently, these environmental factors play a key role in the development of predictive models for Aboriginal site locations.

Environmental factors influence the preservation of cultural materials in the face of both natural and anthropogenic forces, thereby impacting the likelihood of site detection during surface surveys. The detection of sites is contingent upon several environmental variables, including surface visibility, which is influenced by the extent and nature of ground cover (e.g., grass, leaf litter), as well as the preservation of the original land surface and its associated cultural materials.

Additionally, the exposure of the landscape and cultural materials through processes such as water erosion, sheet and gully erosion, ploughing, and vehicle tracks further affects the detection of archaeological sites (Hughes & Sullivan 1984). Combined, these environmental processes and activities are integral in assessing the probability of cultural materials—both surface and subsurface—being deposited, preserved, and detected during archaeological surveys.

### 5.1 Bioregion

Interim Biogeographic Regionalisation for Australia (IBRA) represents a landscape-based approach to classifying the land surface of Australia. Eighty-nine biogeographic regions and 419 sub regions have been delineated, each reflecting a unifying set of major environmental influences which shape the occurrence of flora and fauna and their interaction with the physical environment across Australia and its external territories (excluding Antarctica).

The development area is situated on the western edge of the NSW South Western Slopes (NSS) Bioregion, very close to the Riverina Bioregion. The NSS comprises a large area of foothills and ranges from the western fall of the Great Dividing Range to the edge of the Riverina bioregion. Annual rainfall varies from 1200mm in the east to 400mm in the west.

The Riverina Bioregion's climate is dry and semi-arid, with hot summers and cool winters. In Griffith, rainfall is relatively evenly spread across the year, with rainfall generally highest in October (39.9mm) and lowest in February (28mm). July experiences the lowest mean (3.4 degrees Celsius) and January experiences the highest mean maximum temperature (33.4 degrees Celsius) (Bureau of Meteorology 2025).

## 5.2 Geology & Geomorphology

The study area is located within the broader Murrumbidgee River floodplain region and the soils and geology of the area consist of flood deposits. The base geology comprises millennia of flood deposits of black and red clays and silts with sand and gravel. However, nearby Griffith has areas of conglomerate and sandstone with pebble content, on elevated Late Devonian terrain.

According to MinView (<https://minview.geoscience.nsw.gov.au/>), the geology of the area is characterised as Alluvium floodplain deposits (CZ\_af) - silt, very fine - to medium-grained lithic to quartz-rich sand, clay, with nearby deposits of sandstone and conglomerate near Griffith (Jimberoo Formation (Dmdj) and Mailman Gap Member (Dmdrm)) (**Figure 3**). **Map 2** shows the Australian Soils Classification for the area, which is classified as vertosols or cracking clay (alluvium). The study area and surrounding area is completely flat, at 130m AHD. The area has been subject to laser levelling.



**Figure 3: Geology of the proposed site. Location of site shown in red. Source: Minview**



Map 2: Soil types in the vicinity of the study area: Australian Soils Classification (ASC). DPIE 2021. Scale 1:62,500.

### 5.3 NSW Mitchell Landscapes

The assessment area/development footprint is located within the NSW Mitchell Landscape of Murrumbidgee Depression Plains (**Map 3**). This landscape consists of mainly grey cracking and non-cracking clays, as well as sandy loams and brown soils with calcium material, deep brownish sands in lunettes and rises, and scalded yellow duplex soils on backplains (Mitchell 2002). The area is made up of Quaternary alluvial plains with numerous circular depressions - high floodplains or low terraces beyond the reach of average floodwaters. Relief to 10m. Soils are grey to brown clays and clay loams with linear patterns of sandy prior streams.

The area now consists of extensive grasslands of white-top, windmill grass, sand broom, and spear grasses. The area is heavily grazed and invaded by exotic species. Originally, the area is reported to have been myall (*Acacia pendula*), old man saltbush (*Atriplex nummularia*) and bladder saltbush (*Atriplex vesicaria*). Sandy ridges of prior streams supported patches of white cypress pine (*Callitris glaucophylla*), with needlewood (*Hakea leucoptera*), western pittosporum (*Pittosporum phylliraeoides*) and spear grasses (*Austrostipa* sp.).

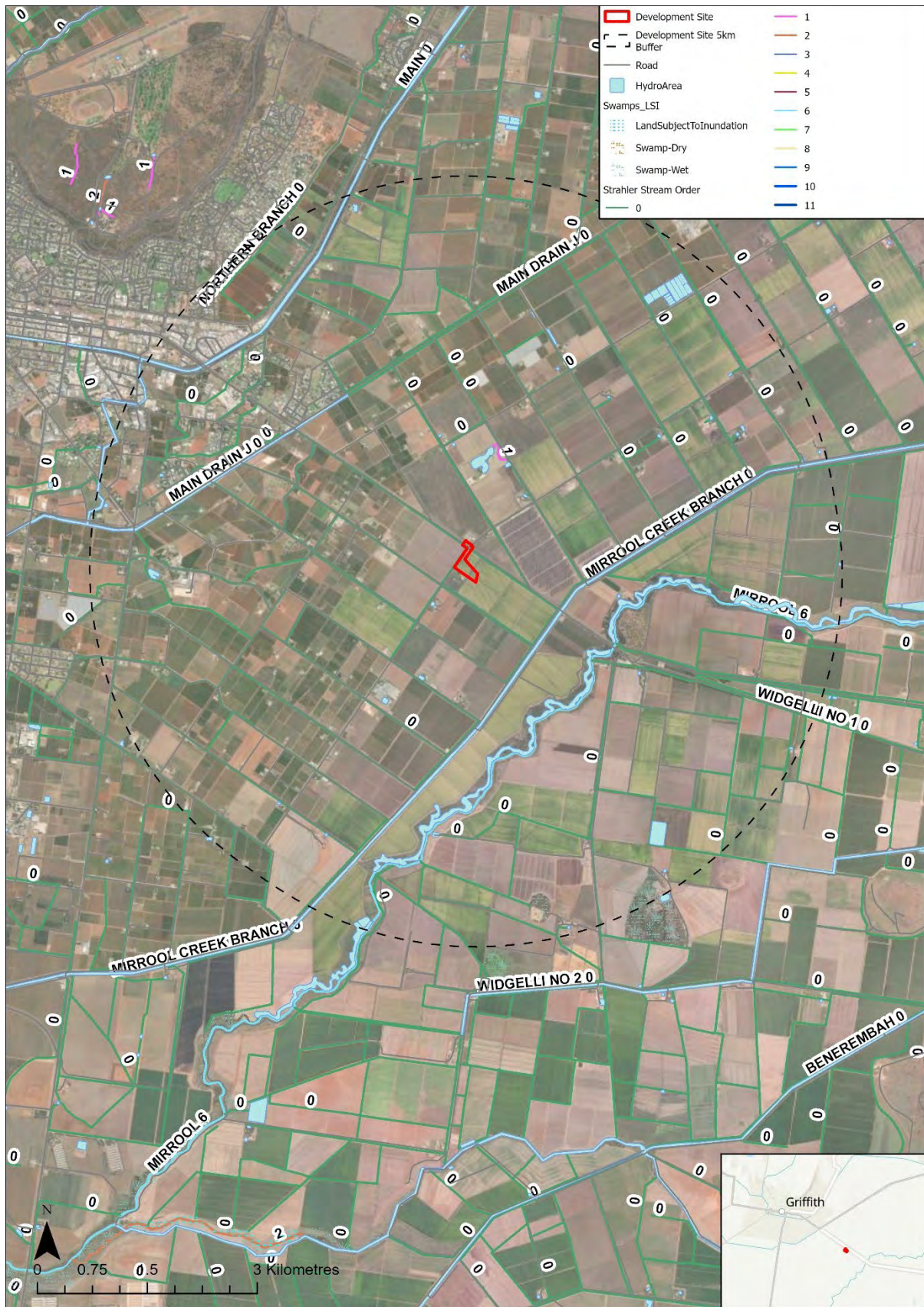
### 5.4 Hydrology

The site is located approximately two kilometres west of Mirrool Creek, the largest permanent source of water in the local area. A probable remnant swamp, now a farm dam, is located one kilometre to the north of the area. These features would have supported a wide range of food, medicine and tool making resources in the area. Mirrool Creek is not a tributary of the Murrumbidgee (it does not drain into this river). The creek is likely to have been a major focus for Aboriginal people.

The area is now criss-crossed by irrigation channels, substantially changing the original hydrology of the area. The proposal site contains two irrigation canals/drains, one along Irrigation Way, and a small portion of one running north-south along Bob Irvin Road as part of the Murrumbidgee Irrigation Area (MIA). There are no farm dams on the site. The site includes a series of retired irrigation water supply channels from when the site was previously flood irrigated for agriculture. The site is not currently irrigated since Yoogali Solar Farm Pty Ltd has leased the lot until 16/01/2060.



**Map 3: NSW Mitchell Landscapes. Scale 1:62,500.**



**Map 4: Hydrological features by Stream Order Classification in the Development footprint. Scale 1:62,500.**

## 5.5 Vegetation

The availability of flora and fauna resources are primary factors influencing patterns of past Aboriginal land use and occupation. Flora resources have been utilised by Aboriginal peoples as food, medicine, ceremony, as well as in the construction of tools, shelter and fire.

In early 2025, Red-Gum assessed all areas of vegetation within the development footprint as part of a preliminary ecological assessment of the site (**Map 1**). Vegetation within the wider development site was also broadly assessed. The development site/footprint and surrounding land is characterised by a highly modified agricultural landscape where clearing is associated with historical agricultural practices (mainly cropping and grazing on laser-levelled paddocks) and historical transport, powerlines and MIA infrastructure have resulted in the loss of native vegetation since European settlement. Most recently, the proposed BESS site paddock has been land formed and laser levelled for flood-irrigation for wheat and rice.

Most of the development footprint has been identified as non-native vegetation being Category 1 – Exempt Land on the Draft Native Vegetation Regulatory Map (**Map 5**). The development footprint also contains exotic roadside vegetation and non-vegetated surface areas such as existing road/rail, substations and irrigation channels. The field assessment determined native vegetation within the proposal site to be generally consistent with the NSW SVTM mapping, which showed PCT 0 – Not native throughout the development footprint.

The proposal footprint is located in an area that is dominated by exotic grass and forb species and possesses limited native vegetation cover of between zero and 2%, consisting of some occasional scattered native grasses. This is well below the criteria (>15% native cover) to be considered a patch of native vegetation in NSW. No native indigenous trees are present.

The majority of BESS development footprint is also classified as non-native vegetation of Category 1 - Exempt Land, apart from side of Bob Irvin Road (where one accessway is proposed to be developed) and Irrigation Way, which is classified as Category 2 - Regulated Land Area, that contains some widely scattered individual Weeping Myall *Acacia pendula* shrubs between exotic dominated roadside vegetation of non-native grass and forb species with less than <2% native vegetation. The Category 2 land is not identified as vulnerable or sensitive.

The shrubs lack sufficient structure and diversity to accurately determine its former PCT and also offers limited habitat for threatened species. Existing native vegetation modelling (NSW pre-1750 and extant SVTM data) suggests these scattered shrubs were once part of PCT 26 - Weeping Myall open woodland of the Riverina and NSW South Western Slopes Bioregion. However, this is no longer the case. The site has been laser levelled for irrigation, and there is no remaining variation or landform evident across the site. The natural vegetation across the area has been completely cleared with no native tree species left within the proposal area and only few scattered native grasses amongst an exotic dominated pasture

Nonetheless, the pre-1750 vegetation systems would have supported a range of floral and faunal resources for local Aboriginal communities to exploit. Pre-settlement Aboriginal peoples would have had access to a variety of faunal sources, such as possums, sugar gliders, wombats, bush rats, rosellas, and skinks. They would also have had access to a wider variety of floral sources than are currently present in the Assessment Area, as the species present were highly desired by European settlers and were therefore cleared very soon after settlement (Clark et al. 2003).



**Map 5: Native vegetation impact & extent within the development footprint.**

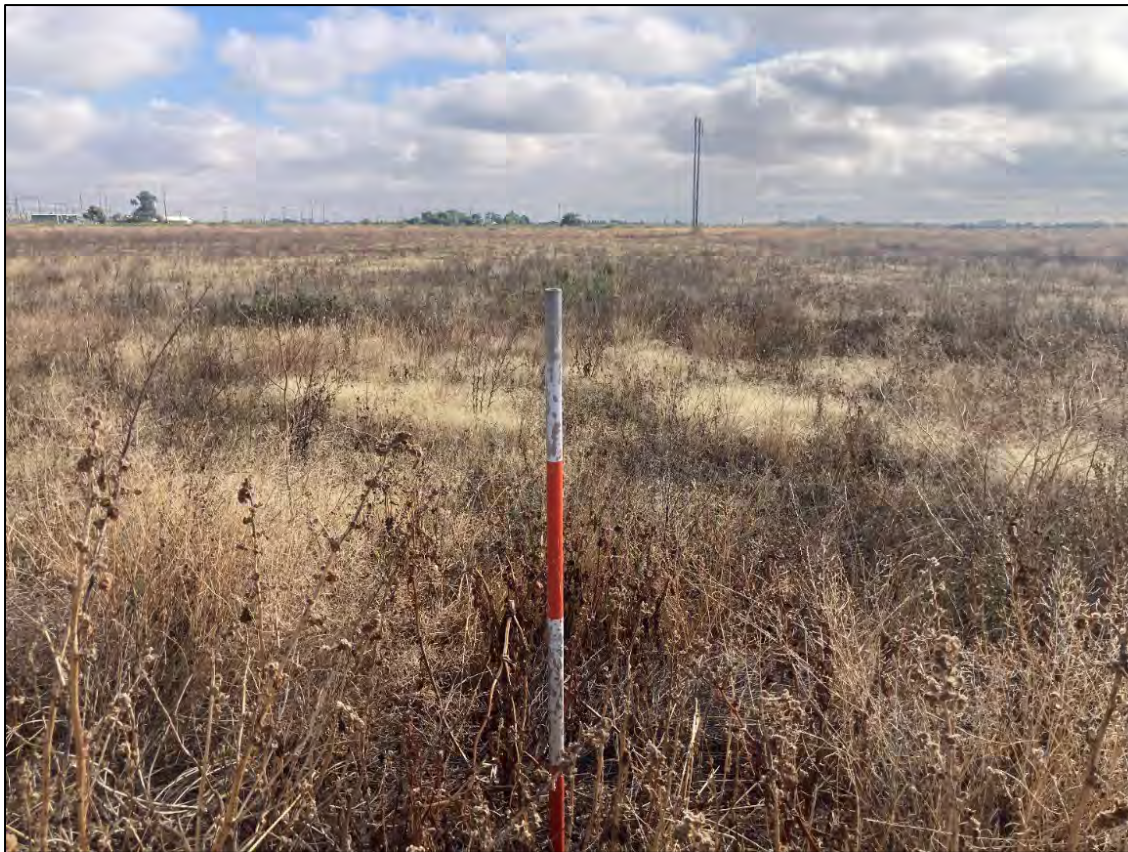
These floral remains would also have had a variety of uses, such as food sources, in tool production, weaving, and medicines. Aboriginal people would have used the roots, tubers, seeds and leaves of many of these plants for food and medicinal purposes, as well as raw materials in the manufacture of tools, baskets and ornaments (Zola & Gott 1992).

Animals including kangaroo, emu, and wallaby would also have provided abundant sources of food, with brush-tailed possums being highly prized for their fur, which were worn as cloaks over one shoulder. Kangaroo teeth were incorporated into decorative items, such as head bands (Attenbrow, 2002). As well as being important food sources, animal products were also used for tool making and fashioning a myriad of utilitarian and ceremonial items. For example, tail sinews are known to have been used to make fastening cord, while 'bone points', which would have functioned as awls or piercers, are often an abundant part of the archaeological record (Attenbrow, 2002).

Regardless of the vegetation community that occupied the site pre-settlement, the area would have provided a wide range of food and material resources for Aboriginal people. Water rushes and marsh vegetation as well as a number of plant-food resources would have grown in nearby. The rivers, creeks, lagoons and swamp areas in the geographic region would have supported various species of fish, eel, frogs and turtle as well as various larger game including kangaroos, wallabies and wombat (Reich 2018).

Stone sources within the lower Murray and Murrumbidgee landscape were not common, with stone heavily reduced and tool production favouring specialised technological strategies, such as blade production, to conserve material (Pardoe, 1995 in Biosis 2019). Wiradjuri used the wood and resin of Cooba or 'Guba' (*Acacia salicina*, *Acacia stenophylla*) to make and repair a range of tools. Cooba was also used as a medicine and is known to be used as a body and mouth wash.

Another tree which would have originally been found at the study area was Weeping Myall (*Acacia pendula*, or Buuri in Wiradjuri). Its seeds are a valuable food source to Aboriginal people and provide a staple flour to make bread with. Tools and weapons such as boomerangs, digging sticks and clubs can be made out of its hard wood. Native Millet (*Panicum decompositum*) would have also grown in the area, and in a good season could also produce large amounts of seed which was harvested and ground into flour to make bread. Meanwhile, another plant in the area, Creeping Saltbush (*Atriplex semibaccata*), had small fruits produced mostly in the summer and autumn, which were used as a dye and for food.



**Photo 1: Site conditions of Griffith BESS at 15 Bob Irvin Road, north west orientation. Photo: D.Wall 2024.**



**Photo 2: Site conditions of Griffith BESS at 15 Bob Irvin Road, north east corner, facing north east. Photo: D.Wall 2024.**



**Photo 3: Site conditions of Griffith BESS at 15 Bob Irvin Road, centre of site, facing south west. Photo: D.Wall, 2024.**



**Photo 4: Site conditions of Griffith BESS along Bob Irvin Road - western boundary with exotic Date Palms and understorey with scattered individual native Myall shrubs. Photo: D.Wall, 2024**



**Photo 5: Site conditions of Griffith BESS from Irrigation Way facing south west. Photo: D.Wall, 2024.**



**Photo 6: Site conditions of Griffith BESS from Irrigation Way facing north over Griffith Substation with exotic trees. Photo: D.Wall 2024.**



**Photo 7: Site conditions of Griffith BESS from Irrigation Way facing north east with Griffith Substation. Photo: D.Wall 2024.**



**Photo 8: Scattered widely spaced occurrences of Weeping Myall *Acacia pendula* with exotic understorey and/or Date Palms along the eastern side of Bob Irvin Road that are proposed to be avoided. Photo: D.Wall, 2024**

## 5.6 Assessment Area Landforms

The study site consists of one landform, being a flat highly modified floodplain (130 AHD) within the broad floodplain of the Murrumbidgee River, and is associated with the Mirrool Creek floodplain. There are no differences observed in the soil types and no micro features such as sand ridges or palaeochannels within the proposal area. Flooding regimes have likely been dramatically altered with the installation of channels and levees as part of the irrigation development. Soils are heavily disturbed and there is unlikely to be any remnant intact profile within at least the upper 20-30 cm. There are no natural water courses or drainage lines across the proposal area, with the nearest permanent water is Mirrool Creek to the east. The Assessment Area has been impacted by European settlement from the mid nineteenth century. The area has, as a result, been under continual agricultural use over a lengthy period of time. These past use impacts are typical for the area:

- vegetation and tree clearance;
- stock impacts;
- irrigation impacts including laser levelling and associated infrastructure;
- fencing.

All of these landscape and soil impacts (discussed further in **Section 7**) reduce the potential for archaeological or heritage sites to remain intact within the landscape.

## 6. ABORIGINAL ARCHAEOLOGICAL CONTEXT

### 6.1 Ethnographic History

#### 6.1.1 *Wiradyuri Country & Language*

Knowledge of Aboriginal people and their land-use patterns and lifestyles prior to non-Aboriginal contact is mainly reliant on documents written by non-Aboriginal people. The inherent bias of the class and cultures of these authors necessarily affect such documents. They were also often describing a culture that they did not fully understand – a culture that was in a heightened state of disruption given the arrival of settlers and disease. Early written records can, however, be used in conjunction with archaeological information and surviving oral histories from members of the Aboriginal community in order to gain a picture of Aboriginal life in the region.

In most contexts where reliable ethnographic descriptions were made anywhere in the Murray Darling basin, the high resource availability was reflected in relatively high population, and this is most likely to have been the case in the study area. Further, as Bowler et al. (Bowler et al. 1976) notes, supported by Pardoe (Pardoe, 2003), regardless of the situation at ‘contact’, we should assume the presence of large numbers of Aboriginal people in the area throughout prehistory on environmental grounds alone.

Norman B. Tindale mapped the Yoolgali area as part of the country of the Wiradjuri (Wiradyuri) Nation, and this mapping is uncontroversial. Tindale wrote that ‘Wiradjuri was one of the largest tribal groupings in Australia, with many hordes’ (‘hordes’ being Tindale’s terms for local area or ‘clan’ groups). Ethnographer Alfred Howitt wrote that he had ‘some little knowledge’ of the Wiradyuri groups between Hay and Yass — a geographical area with Yoogali almost at its centre. Howitt wrote that the people there were divided into a number of sections, which in this case were:

*‘hordes, descent being in the female line. The principal of these divisions [were] as follows: (1) Narrandera (prickly lizard) about Narrandera, (2) Kuta-mundra (river turtle) about Cootamundra, and (3) Murring-bulla (two bark canoes, about Murrumbidgee).’ Howitt stated that ‘it will be seen from the above that these divisions of the tribes have been perpetuated in their names of the places where these sections had their headquarters.’*

The extent of Narrandera (Narrungdera, Narin-jera) clan country is not known, and while it is possible that Yoolgali falls within this area, it is highly possible that what became the Kooba station area had its own clan. In 1865, the Wagga Wagga Express reported on a large gathering of Wiradyuri people in Wagga Wagga, described as a ‘grand parliament’. This gathering included a number of headmen, one of who was ‘The sage Mungiman, father of the reigning sovereign of Cooba’. ‘Kitty of Cooba’ was also present. At the meeting, Mungiman was said to have ‘recently returned from a visit to either Narandera or Darlington, and ... broke out into a native melody, accompanying himself in an elaborate and peculiar dance. The attendant hounds joined in the chorus, the ladies commenced an instrumental performance on sticks... This article confirms the existence of a headman of the Kooba area. The name Kooba station was said to have been derived from ‘the name given to a tree which is very plentiful on Riverina, and on this station in particular.’

Tindale wrote of the Wiradyuri that ‘Maintenance of a cycle of ceremonies that moved in a ring around the whole tribal area tended to assist tribal coherence despite the large occupied area.’ Accordingly, there is evidence of intermarriage between Wiradyuri people over a broad area.

For example, women from the area of Tubbo Station (near Darlington point, approximately 45km south of the study area), married Wiradyuri men from the Corowa-Howlong area on the Murray River (approximate 200 km away). Emily Davis, who was born c.1853-54 at Tubbo station, became the second wife of well-known Wiradyuri artist Tommy McCrae. In the late 1870s, Reverend John Brown Gribble, a minister of religion from Jerilderie, had visited Darlington Point, which was by then ‘a den of inequity on the Murrumbidgee. There was a traffic in blacks [sic] and the carnal interests of the white men would brook no interference.’ At an address in Sydney, Gribble — arguing for the establishment of a mission at Darlington Point — explained that for the Wiradyuri people, their camp life was, *‘miserable in the extreme, often verging on starvation. The women, utterly debased, are entirely without protection from the vilest outrage, and [were] often destitute of clothing and food. The children frequently ruined at a tender age...’*

In 1880, the Reverend Gribble opened Warangesda Mission at Darlington Point (approximately 30km south of the study area), and local many Wiradyuri people became residents there until it closed in 1926. Even after Warangesda was well-established, Kooba Station continued to employ Wiradyuri men from Warangesda, and even after some of these individuals shifted to Brungle Mission near Tumut in the early 20th century, men like Ned Davis (d.1921 ) and John Williams (b.1866 ) continued to travel from Brungle to work on Kooba station — undoubtedly because Kooba was their country, and they wished to maintain a connection. Today, Yoogali area falls within the area of the Griffith Local Aboriginal Land Council.

## 6.2 Aboriginal Heritage Information Management System

The AHIMS database provides information concerning previously recorded Aboriginal sites in NSW. An extensive AHIMS search conducted on 17/01/25 and again on the 13/10/25 returned zero (0) records within the site boundary or property and eight (8) records within a five (5) kilometre buffer of the site (**Map 6**).

The closest Aboriginal cultural heritage site to the development area was recorded 170 metres north of the site (49-2-0153 “Yoogali Site 3, Artefact). There were 35 sites in the broader AHIMS rectangular search area of approximately 22km west-east and 13 km north-south (with Yoogali approximately central). The dominant site type was stone artefacts. The extent of the most recent search was determined by Lat, Long : -34.3983, 145.9919 - Lat, Long To : -34.2566, 146.2391. All AHIMS search results are provided in **Appendix I**.

A search of AHIMS for the broader Yoogali region indicated that only a small number of assessments had been undertaken. It should be noted that the AHIMS database reflects Aboriginal sites that have been officially recorded and included on the list. Large areas of NSW have not been subject to systematic, archaeological survey; hence AHIMS listings may reflect previous survey patterns and should not be considered a complete list of Aboriginal sites within a given area. The results of the full AHIMS search are summarised in **Table 6**.

**Table 6: AHIMS Registered Site Types with Client Service ID: 981873 (March 2025)**

Site Type	Total number of sites
Artefact	29
Modified tree	3
Artefact, quarry	2
Art	1
<b>Total</b>	<b>35</b>

### 6.3 AHIP Register

A review of the public AHIP registers was undertaken during the preparation of this report (AHIP public register March 2025 - Present; AHIP public register archive 2010 – March 2025) and no AHIP permits were issued within the Assessment Area.

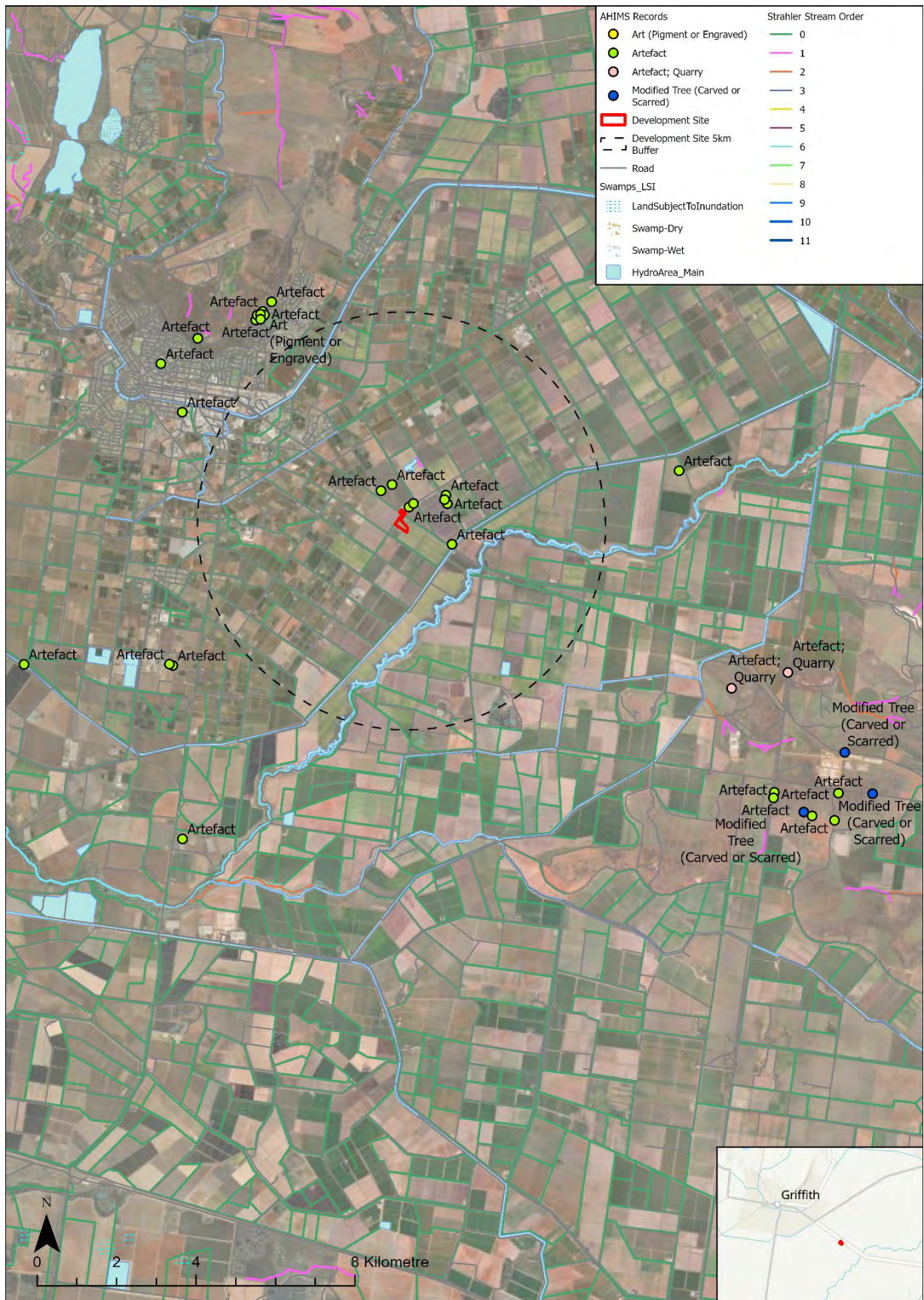
### 6.4 Regional Archaeological Background

To provide a contextual foundation for the development of a predictive model regarding the probability of locating Aboriginal objects and places within the Assessment Area, prior archaeological studies have been reviewed. A number of archaeological investigations have been conducted in proximity to the Griffith BESS Assessment Area, which are summarised below.

#### 6.4.1 Previous Studies

**Gollan, K. (1982)** conducted a peg-line survey to identify and locate surface archaeological material and to assess the significance of sites found along a proposed electricity line. They found a number of ring-barked trees (Chinese origin) and four (4) scar trees (River Red Gum, canoe, and perhaps bark hut) on the southern bank of the Murrumbidgee River, artefact scatters on eroded surfaces located near Mirrool Creek, and a stone quarry on Whitton Road (considerably disturbed by modern quarrying) on an outcrop of 'pebbly sandstone' of Devonian age including quartz, quartzite, cherty fine grained siliceous rock, fine grained greenstone and basaltic materials. In undisturbed areas of the quarry, the surface was liberally covered with struck cores, flakes, hammerstones and quartz artefacts. It was suggested that this site was of substantial significance and likely represented a major source of stone for the middle reaches of the Murrumbidgee River country (Gollan 1982).

**Palmer (1984)** prepared a report outlining findings of an Aboriginal archaeological site survey undertaken to assess the impact of the proposed construction of an above ground water reservoir in Griffith, NSW. Prior to commencement of the survey, a number of Aboriginal stone objects were found by a NPWS Officer within close proximity to the proposed reservoir. The survey found further objects within the delineated new reservoir area, consisting of five (5) artefacts (horse-hoof core, ground edge axe, unifacial pebble implement, trapezoid core, oval pecked axe) (Palmer 1984).



Map 6: AHIMS recorded sites with 5km of the Assessment Area. Source: AHIMS, 2025

**Navin Officer Heritage Consultants (2008)** prepared a Cultural Heritage Assessment (of Aboriginal and European heritage) for a proposed water supply augmentation project by Griffith City Council, comprising of the location of a new water reservoir and alignment of a water supply pipeline along Scenic Hill. Three (3) Aboriginal isolated find sites (SHR2, SHR4 and SHR5), two (2) artefact scatter sites (SHR1 and SHR6) and two (2) rock shelter sites (SHR3 and SHR6) were identified in the area, outlined below:

- Site SHR1 - artefact scatter comprising eleven (11) artefacts, situated adjacent to Scenic Drive on the crest of the Scenic Hill spurline on shallow red-brown fine gravelly loam, with low potential for subsurface artefacts.
- Site SHR2 - isolated find visible on a walking track which lies at the foot of the Scenic Hill Reserve escarpment. The track follows a general north-south alignment and is situated on moderately east sloping ground on fine brown loam with a high content of natural gravels. There was high potential for additional artefacts to be associated with the site, moderate potential for subsurface artefacts to occur, and low to moderate potential for *in situ* material to be present.
- Site SHR3 - rock overhang with potential occupation deposit and associated rock art of possible Aboriginal origin. The overhang is situated on the southeastern side of a small tor located at the foot of the Scenic Hill Reserve escarpment. The site is characterised by open, east-sloping ground with views over the riverine flats. There is moderate potential for the overhang to contain subsurface deposits, and moderate potential for *in situ* material to occur. No Aboriginal stone artefacts were identified within the vicinity of the shelter. Aboriginal rock art is present on the northeastern face of the boulder. The rock art consists of three motifs, a boomerang and two lizard-like figures in a white pigment.
- Site SHR4 - isolated find situated at the foot of the Scenic Hill Reserve escarpment in disturbed deposits along the easement consisting of brown gravelly fine loam. The site is in poor condition from construction of the water supply pipeline. There is high potential for additional artefacts to be associated with the site and for the site to be larger than recorded. In addition, there is moderate potential for subsurface deposits and low potential for *in situ* material to be present at this location.
- Site SHR5 - isolated find situated on a walking track which runs along the top of the Scenic Hill Reserve escarpment, parallel to the edge of the cliff. There is high potential for additional artefacts to be associated with this site and for the site to be larger than recorded. There is low potential for subsurface deposits to occur at this location.
- Site SHR6 - artefact scatter comprising of three (3) artefacts situated on an exposure on Scenic Hill Reserve ridgeline in a disturbed, open flat area on shallow soils. There is moderate potential for additional artefacts to be associated with this site and low potential for subsurface deposits to occur at this location.
- Site SHR7 - two (2) rock shelters in close proximity and associated occupation deposits, situated on the edge of the Scenic Hill Reserve escarpment. The rock shelters are found on the north eastern and southern sides of an accumulation of large boulders, with views down the escarpment and over the Griffith plains.
  - Shelter RS1 - characterised by excellent exposure and contains at least four (4) artefacts. Soils consist of a dark brown fine loam with some gravel material. There is

high potential for additional artefacts to be found in associated with these artefacts and high potential for subsurface deposits to occur within the vicinity of the shelter.

- Shelter RS2 - situated at ground level on the southern side of the collection of boulders. No aboriginal cultural material was identified on the surface of the shelter floor. There was however some European cultural material including a bone button and glass. There is moderate potential for subsurface deposits to occur at this location (Navin Officer Heritage Consultants Pty Ltd 2008).

**Nelson (2015)** prepared an Aboriginal Heritage Due Diligence Letter Report for the Riverina Solar Project, located 6km south-east of Griffith. This project is located immediately north-west of the current proposal site (Griffith BESS, this report). Both this project and the one for which this ACHAR is being prepared both connect to the 132/33 kV TransGrid Yoogali substation. Four (4) new sites were identified within the Assessment Area:

- Site 1 - one silcrete core located atop B Horizon soils.
- Site 2 - one fragmented millstone located atop B Horizon clay soils.
- Site 3 - artefact scatter of two silcrete flakes located atop B Horizon clay soils.
- Site 4 - artefact scatter of one quartz vein pebble flake and one milky quartz flake located atop B Horizon clay soils (Nelson, 2015).

**Barber (2016)** prepared an Aboriginal Cultural Heritage Assessment for Griffith Solar Farm, located just north of the proposed BESS for which this report is being prepared (on the north side of Irrigation Way, to the east of the Riverina Solar Project, report by Nelson (2015), cited above). Pedestrian survey undertaken on foot was impeded by poor visibility due to recent cropping leaving a mat of cut stubble. Eleven (11) artefacts were found and recorded as three (3) separate site areas.

The results indicate that even within the flat, featureless plains of the district, artefact scatters can occur, and that they can occur even within highly developed farming areas. The authors state that it is difficult to relate the presence of the site to any pre-European natural features due to disturbance caused by the creation of channels and cultivation in the area. Results suggest that the presence of water was important. The location of the sites was almost equidistant between Mirrool Creek and a likely Black Box swamp (now farm dam).

*The authors also state that the models of site location for the Griffith area must be amended to identify that sites can occur at least 600 metres from water sources, and that Aboriginal artefact scatters, or campsites, exist within the broader floodplain environments, despite intensive agricultural practices. The authors state there is negligible potential for the presence of intact subsurface deposits, and the author strongly argue that there is no value in undertaking further investigations, including subsurface testing given the nature and the distribution of low density (0.005/m<sup>2</sup>). They state that consideration must also be made of the level of disturbance of any such sites or artefacts, and that given the disturbance and land use in the area, there is negligible potential for the presence of intact subsurface deposits (Barber 2016).*

*Barber (2016) states that the site has little research value apart from what has already been gained from the current assessment and its contribution to the development of Aboriginal site modelling. The scientific significance of the artefacts was assessed as low. They state that the integrity of the site is already low and any additional disturbance is therefore unlikely to make a meaningful difference to the status of the site. However, the extent to which the loss of parts of the site would impact on the community is only something the Aboriginal community can articulate. (Barber 2016)*

**Tuovinen and Bentron (2011)** prepared an Aboriginal Cultural Heritage Assessment for McWilliam's Wine's proposal to prepare the Hanwood site (located south-west of Yoogali) for growth in wine processing and the introduction of on-site wine bottling. Three (3) Aboriginal sites were recorded (two (2) isolated finds and one (1) open artefact scatter), all of which had been disturbed. These sites were assessed as having low scientific significance due to their high levels of prior disturbance but have significance to the local Aboriginal community. All sites were recommended to be collected and relocated (Tuovinen & Benton 2011).

**Harrop (2021)** prepared a report to review the Murrumbidgee Council's Draft Land Use Plan in the context of Aboriginal Heritage (south of Griffith City Council LGA). The report provides a desktop review, including a search of databases for known recordings of Aboriginal heritage within the vicinity of the study area, a review of previous archaeological work and literary sources, and taking into consideration landscape factors to assess archaeological sensitivity and existing disturbances to form a predictive model. The regional archaeological context indicates a strong association between evidence of Aboriginal occupation and reliable water sources. While this is typical of the archaeological record broadly, the authors note that there are some nuances in the Murrumbidgee region with recorded sites more likely near the junctions of major waterways with other waterways. They are also likely near ephemeral water courses, including relict water courses, drainage lines and depressions in the landscape (Harrop 2021).

**Garbov (2021)** prepared an Aboriginal Cultural Heritage Assessment Report for a redevelopment of the Griffith Base Hospital, which recommended further study as the site has potential to contain subsurface artefacts. Testing and salvage excavations are proposed as a mitigation measure, as avoidance of the potential deposits is not possible (Garbov 2021).

#### **6.4.2 Preliminary Archaeological Site Predictive Model**

Aboriginal sites and features are distributed throughout the landscape; however, certain areas possess a greater potential for containing specific site features or varying types of features. The variation in the likelihood of site features across the landscape is instrumental in guiding the planning and assessment of potential site impacts. Predictive modelling has been employed to broadly forecast the potential for, type of, and location of Aboriginal cultural heritage sites within the Assessment Area. The predictive model produced in this report primarily draws on the findings of archaeological reports, the landform present within the area, and the extent of historical disturbance. An *Archaeological Site Prediction* model is grounded in several key factors:

- The distribution of sites in relation to landscape features within the Assessment Area.
- Consideration of the types of sites and their likely densities within the area.
- The potential Aboriginal use of natural resources, both extant and historically present, within the Assessment Area.

In landscapes similar to the Assessment Area, previous investigations have indicated that Aboriginal sites are typically found at low to very low densities, with localised concentrations often located in proximity to major waterways. However, these sites are likely to have been impacted by disturbance and are therefore considered to have low archaeological potential. In some cases, areas near waterways are unlikely to have sites owing to bogginess.

The region has an Aboriginal archaeological record derived from Aboriginal occupation and land use that was concentrated on drainage lines but includes dispersed evidence throughout the landscape (Brown & Wall 2017). Regionally occurring sites such as human burials and faunal deposits are unlikely to occur in the study area as these are essentially confined to areas above the actively floodplain on larger rivers and/or their source bordering sandy deposits. No source bordering dune deposits existing on the terrace above the floodplain. Cultural material is dominated by flaked stone tools (lithics) and lithic sites in NSW are listed by the features of either 'Artefact' or 'PAD' (potential archaeological deposit) in the AHIMS register. While not as significant as human burials, stone artefacts have variable distribution that can largely be correlated with different landform types. Many authors have stressed the importance of proximity to water as well as relatively common-sense amenity factors such as level, well-drained areas with useful views of resource use areas or a watercourse (Brown, 2008).

Stone artefacts may be found as occasional pieces (background scatter) or in concentrations typically described as 'Open Camp Sites' (even if not interpreted as having been a site where people camped). At these sites, the presence of large numbers of stone tools and the debitage from making and maintaining them provide evidence about the nature of the human use of the location. Scarred trees are also found relatively commonly along the Murrumbidgee River and its major tributaries. Mature trees may bear evidence of the removal of bark for the making of implements such as *coolamons* (bowls), shields and sometimes pieces large enough to have potentially provided for a canoe (Brown 2008). Elsewhere, midden deposits and hearth sites can occasionally be found that contain valuable evidence about the types of resources used by Aboriginal people based on the identification of the bones and shells found within them.

While some rock art sites do occur regionally, suitable rock substrate does not occur in the study area. Hearth sites, other than vaguely fired patches of clay subsoil, are unlikely to occur due to the history of relatively intensive land use; while large mound cooking hearth are not locally known (these occur further north west in the Riverina (Balme & Beck 1996). *There are no Aboriginal Places (locations nominated and listed as having special significance to the Aboriginal community) in or adjacent to the subject area.* **Table 7** provides a summary of the likely site types within the landforms / landscapes that make up the Assessment Area and an estimation of *Archaeological Sensitivity Zones* based on the summary research at the desktop level.

**Table 7: Aboriginal Site Prediction Model**

Site Type	Definition	Landform	Potential
Stone artefacts (isolated finds or scatters)	Stone artefacts ranging from single artefact to high numbers.	Ridgeline/Upper Slope; or on elevated terraces near watercourse.	Moderate - low
Aboriginal Places	A place that holds spiritual, traditional or historical significance to Aboriginal people	Any landform, identified through consultation with RAPs and historical sources	Low

A series of statements have been formulated to broadly predict the type and character of Aboriginal cultural heritage sites likely to exist throughout the study area and where they are more likely to be

located. This model is based on local and regional site distribution in relation to landform features identified within the study area plus:

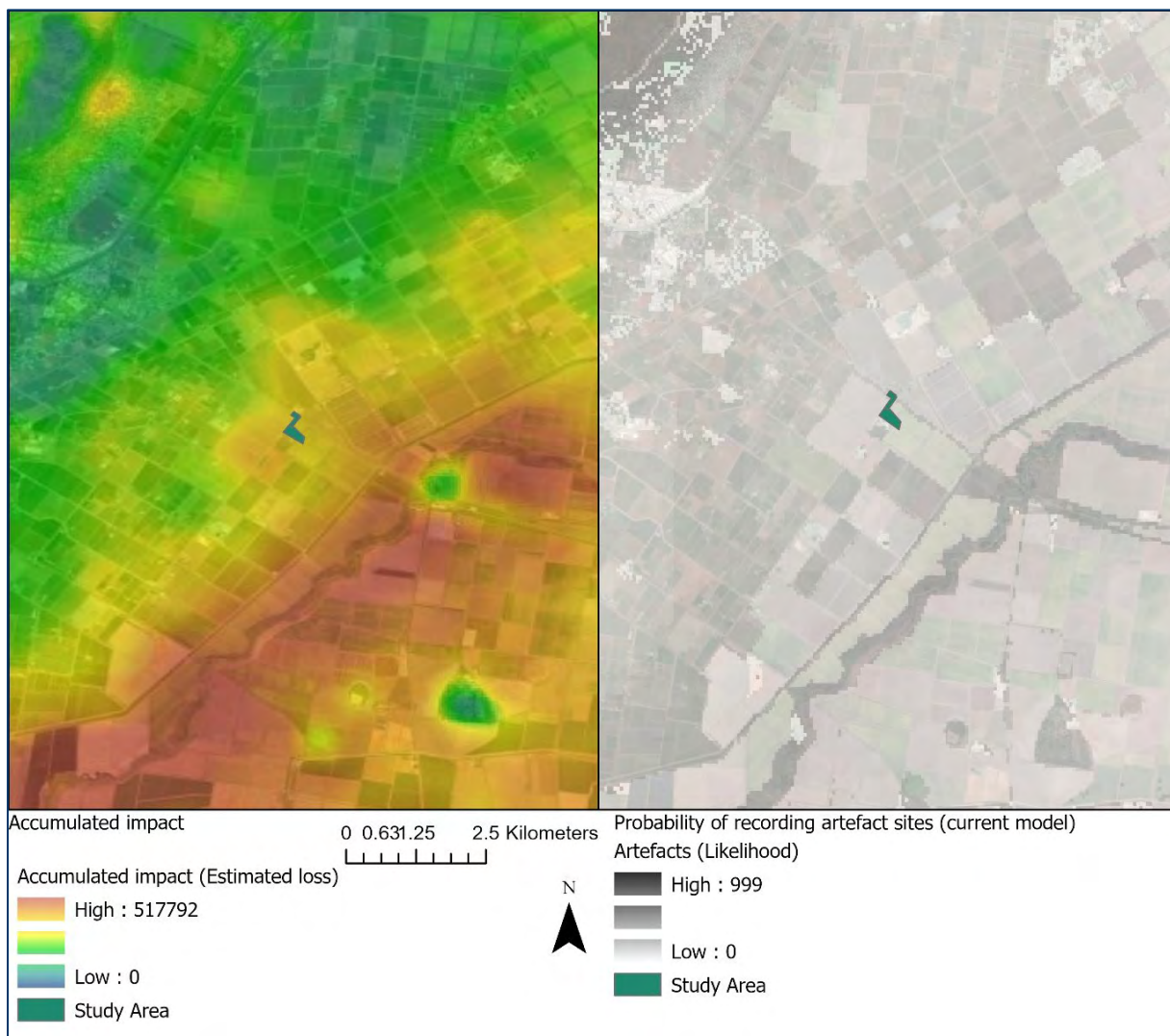
- Consideration of site type, raw material types and site densities likely to be present within the study area.
- Findings of the ethnohistorical research on the potential for material traces to present within the study area.
- Potential Aboriginal use of natural resources present or once present within the study area.
- Consideration of the temporal and spatial relationships of sites within the study area and surrounding region.

Previous survey results within the region allow some predictions to be made about local site distribution:

- The study area was originally located within an accessible landscape with ample resources, therefore it would have been suitable for human occupation and daily activities.
- Scarred trees are concentrated along waterways, which are the areas with the highest focus of Aboriginal land use and where a number of suitable tree species are found. The study area has been cleared of all vegetation and natural resources, therefore the potential for scarred trees and other types of sites is low.
- The study area has been extensively altered through laser levelling and cultivation, therefore the potential for surface Aboriginal archaeological lithics and artefacts is low.
- Potential Archaeological Deposits (PADs) are not likely to be located within the study area as the land is completely disturbed (laser-levelled paddocks for irrigation bays).
- Quarry sites are located close to usable resource. There are no outcrops of stone in the study area.
- There is a tendency for concentrations of stone artefacts to be found within 200m of permanent and ephemeral water sources, particularly on raised areas such as sand hills by the river and elevations (commonly aeolian sand or red soil) adjacent to ephemerally flooded areas or billabongs. These sites may also contain burnt clay balls that were used as heat retainers for cooking.
- Lithic sites are, however, rarely recorded along the lower alluvial floodplains of the major river margins – in part because of the favoured use of raised areas by Aboriginal people, but also because these are dynamic depositional environments where potential sites are rarely preserved or exposed.
- Shell midden deposits dominated by freshwater mussel (*Velesunio* sp.) occur along river margins, typically also associated with flaked stone artefacts; these are rarely evident as surface deposits and are usually found as exposed sections in eroded river banks. These are unlikely to exist in the area with no natural features (creeks, rivers, waterways, swamps, billabongs) within the study area.
- Burial sites are most typically associated with prominent raised sand hills ('source bordering dunes') near the river. No features like this exist in the study area.
- Clay heat retainers, artefacts and faunal material are also found in association with raised earth mound sites where ephemeral water may have led to seasonal availability of cumbungi (*Typha* sp.); these earth mound sites are a distinctive archaeological feature of the Hay Plains and other parts of the Riverina, although many have been destroyed over the last century. None are recorded in the district.

### 6.4.3 Aboriginal Site Decision Support Tool (ASDST)

The Aboriginal Site Decision Support Tool (ASDST) has been developed to support the assessment of Aboriginal sites issues in NSW at the landscape-scale. The tool extends the AHIMS data by illustrating the potential distribution of site features recorded in the database through site predictive modelling. These models show that the relative likelihood of finding artefacts is low. Accumulative impacts were high (**Map 7**).



**Map 7: Accumulated impact and probability of finding artefact sites: Scale: 1:100,000 (ASDST, available from [datasets.seed.nsw.gov.au](https://datasets.seed.nsw.gov.au)).**

## 7. HISTORICAL CONTEXT

This chapter examines the potential historic heritage values of the Assessment Area. It includes a review of primary and secondary resources, such as heritage assessments, reports, publications, historical maps, and aerial imagery for the local area. These materials were utilised to create an overview of the history and development of the Assessment Area over time. Additionally, this section will review the existing historic heritage listings within the Assessment Area and its surrounding area.

### 7.1 Historical Overview

#### 7.1.1 Pastoralism, 1840s—

From the 1840s onwards, the study area was a part of the pastoral run named ‘Kooba’ (also spelled Cuba).<sup>1</sup> The earliest recorded leaseholder of Kooba, from the 1840s onwards, was the notable pastoral magnate John Peter. In 1848, the run was estimated to be a massive 153,600 acres including 7 miles (as the crow flies) of frontage to the Murrumbidgee River.<sup>2</sup> It had an estimated grazing capacity of 960 cattle,<sup>3</sup> although it was run predominantly as a sheep station.

The study area would have been considered to be within its ‘back-blocks’. Peter retained a number of other pastoral holdings in the district, but he sold Kooba, which subsequently changed hands a number of times. By the late 1850s, it was in the hands of the Bay Pastoral Association.<sup>4</sup> During the 1860s, it was run by Waller and Gordon.<sup>5</sup> By the mid-1870s, it had been taken over by Stanbridge, McGaw & Co, and was running over 126,000 sheep.<sup>6</sup> Kooba remains as a pastoral and mixed farming property even today, although it is much reduced in size.

#### 7.1.2 The Murrumbidgee Irrigation Scheme, 1912—

The Murrumbidgee Irrigation Area (MIA), in which the study area is located, was formally established in 1912, after the construction of canals west of Narrandera and the construction of Burrinjuck Dam. The scheme features a series of weirs, canals and holding ponds (fed by upstream rivers and dams), which supply irrigated water to an area of almost 379000 hectares.

The MIA was provided with two towns, Griffith and Leeton — both designed in 1914 by American architect and town planner Walter Burley Griffin (who also designed Canberra in 1912). The study area is located in Yoogali East on the outskirts of Griffith. The MIA was subdivided with land ‘set aside for irrigation farms’, and each of the farms were given an identifying number. The allotments were made available for purchase over a staggered period. Land along Irrigation Way began to be sold as early as 1912,<sup>7</sup> which suggests that Irrigation Way was constructed at this time.

<sup>1</sup> ‘Map of New South Wales showing pastoral stations &c.’ by H.E.C. Robinson Ltd, Canberra, MAP G8971.G46 [1923] (Roll), 1923, National Library of Australia.

<sup>2</sup> ‘CLAIMS TO LEASES OF CROWN LANDS BEYOND THE SETTLED DISTRICTS. (From the Government Gazette.) LACHLAN DISTRICT.’ *The Sydney Morning Herald*, Wednesday 4 October 1848 - Page 3.

<sup>3</sup> *ibid.*

<sup>4</sup> ‘Quarter Sessions. WEDNESDAY, JANUARY 13, 1858. Before THOMAS CALLAGHAM, Esq., Chairman, and a Bench of Magistrates.’ *The Goulburn Herald and County of Argyle Advertiser*, Saturday 16 January 1858 - Page 2.

<sup>5</sup> ‘INTERCOLONIAL ITEMS.’ *The Albury Banner and Wodonga Express*, Saturday 21 November 1868 - Page 2.

<sup>6</sup> ‘WILCANNIA. April 6.’ *Australian Town and Country Journal*, Saturday 22 April 1876 - Page 11.

<sup>7</sup> ‘Parish of Jondaryan, County of Cooper: Land Districts of Yanco & Narrandera, Carrathool Shire, Central Division, N.S.W. / compiled, drawn and printed at the Department of Lands.’ MAP G8971.G46 svar (Copy 1), 1925, National Library of Australia.

The allotment in which the bulk of the study is situated, Allotment 140, was one of four Allotments (numbered 140-143) purchased by Robert Irvin in May 1919. These combined allotments formed what was referred to as 'Farm 101, Griffith.'<sup>8</sup> (Figure 4)

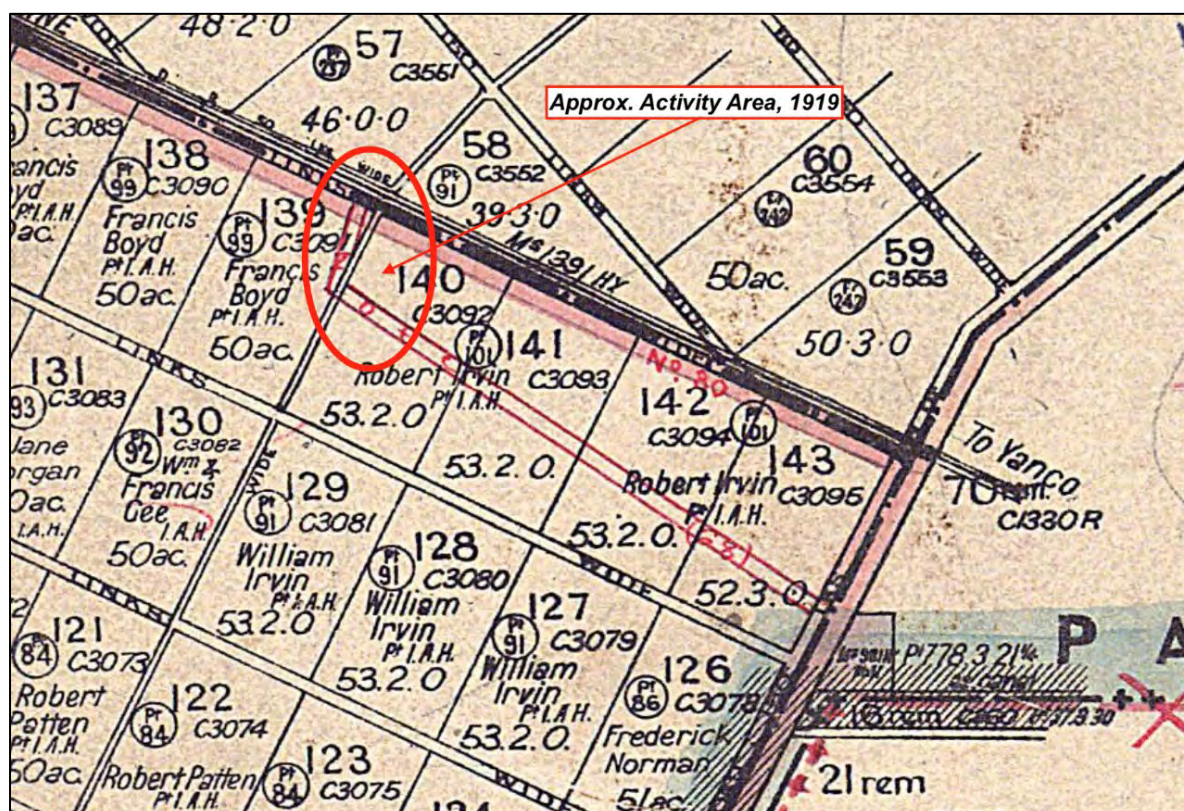


Figure 4: Excerpt from 'Parish of Jondaryan, County of Cooper', 1925, illustrating the cadastral boundaries of the study area as they were in 1919.

By 1920, Gustav Kubank, the son of Prussian migrants who had come to the MIA from South Australia, had settled on Farm 101, which was considered to be in the 'Mirrool Irrigation Area'. Kubank advocated for more scientific methods being applied to agricultural practices, particularly as he believed that due to the small area of each farm (i.e. his entire farm was only 211 acres), unless the land was carefully tended to in terms of crop rotation, fertilising and other management techniques, it would cease to produce viable crops within a few seasons.<sup>9</sup> Thus Kubank's Farm 101 became something of a show-piece for experimental methods of farming,<sup>10</sup> running various trials. The Griffith Agricultural Society even had the 'Kubank Cup Competition' for rice crops of an exceptionally high standard.<sup>11</sup>

<sup>8</sup> *ibid.*

<sup>9</sup> 'NEED FOR MORE SCIENTIFIC METHODS.' *The Murrumbidgee Irrigator*, Friday 26 May 1922 - Page 4.

<sup>10</sup> 'HAY GROWING ON MURRUMBIDGEF IRRIGATION AREAS. Results of Trials on Mr. Kubank's Farm.' *The Murrumbidgee Irrigator*, Friday 14 December 1923 - Page 3.

<sup>11</sup> 'GRIFFITH RICE. Kubank Cup Competition.' *The Farmer and Settler*, Friday 11 May 1928 - Page 10.

The Griffith to Narrandera railway line runs on the opposite side of Irrigation Way, alongside Farm 101. This line was constructed in stages and opened in 1922,<sup>12</sup> and the Yoogali East railway siding was situated on the western corner of what is now the Griffith substation area. Yoogali East was a very short platform (possibly just an earthen embankment) with no building.<sup>13</sup>

A short section of this railway line, as well as the level crossing for Hamilton Road, is included in the study area, but not the former Yoogali east platform. Irrigation Way was declared 'Main Road 254' on 5 December 1929, and redeclared Trunk Road 80 in 1932.<sup>14</sup>

In 1937, *The Land* published a photograph of Gustav Kubank's homestead on Farm 101 (this house has been demolished, but was on land adjoining the study area), stating that 'Mr. Kubank, one of the early settlers on the Irrigation Area, is a successful farmer of fruit, rice, and wheat. He is keenly interested in pasture improvement, and is conducting interesting experiments in sheep and fat lamb raising.'<sup>15</sup>

By this time, Kubank, who had been farming rice and other crops, was irrigating his land for fat stock raising, having 'achieved remarkable success with irrigated pastures on his farm.' The pasture was sown with a mixture including 'New Zealand certified red and white clovers, perennial rye, and cocks foot, and was sown with a bag of super, to the acre.'<sup>16</sup>

An aerial photograph of the farm taken in 1958 (**Figure 5**) shows it surrounded on three sides by irrigation channels. The homestead has an orchard and there appears to be a small separate orchard. The farm has been divided by a network of irrigation channels (with an irregular pattern), and the farm has several dams to water livestock (although none within the study area). The study area spans parts of what were two separate paddocks in the farm's north-west corner.

In 1958, the electrical substation (a small section of which is included in the study area) on the north-west corner of Irrigation Way and Hamilton Road was not yet constructed. It was built by 1965.<sup>17</sup> Another aerial photograph from 1965 (**Figure 6**), shows that the homestead portion of the farm facing what is now Bob Irvin Road (where the study area is situated) was being intensively cropped (possibly for rice), with the balance of the land being used for pasture.<sup>18</sup>

Kubank's second wife died on Farm 101 in 1961,<sup>19</sup> and he died in 1967. Presumably the farm changed hands after their deaths. Only a few major changes have occurred in this time. An aerial photograph of the farm taken in 1977 (**Figure 7**) shows the same division of paddocks, with the paddocks in which the study area is situated having been recently cropped, possibly with a grain crop. It also appears that Irrigation Way has been sealed with bitumen by this time.<sup>20</sup> By 1997, Farm 101 had been laser-graded, and the irrigation channels were completely realigned in a uniform pattern.<sup>21</sup> (**Figure 8**)

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<sup>12</sup> New South Wales State Heritage Inventory, 'Leeton Railway Station and yard group', <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=5012078>, accessed 6 May 2025.

<sup>13</sup> NSWRail.net, 'Yoogali East platform', [https://www.nswrail.net/locations/show.php?name=NSW:Yoogali+East&line=NSW:yanco\\_griffith:0](https://www.nswrail.net/locations/show.php?name=NSW:Yoogali+East&line=NSW:yanco_griffith:0), accessed 6 May 2025.

<sup>14</sup> Wikipedia, 'Irrigation Way,' [https://en.wikipedia.org/wiki/Irrigation\\_Way](https://en.wikipedia.org/wiki/Irrigation_Way), accessed 6 May 2025.

<sup>15</sup> 'Farm & Station Homesteads.—Farm 101, Griffith', *The Land*, Friday 24 September 1937 - Page 13.

<sup>16</sup> 'Irrigated Pastures Have Big Future on M.I.A.' *The Land*, Friday 23 October 1936 - Page 9.

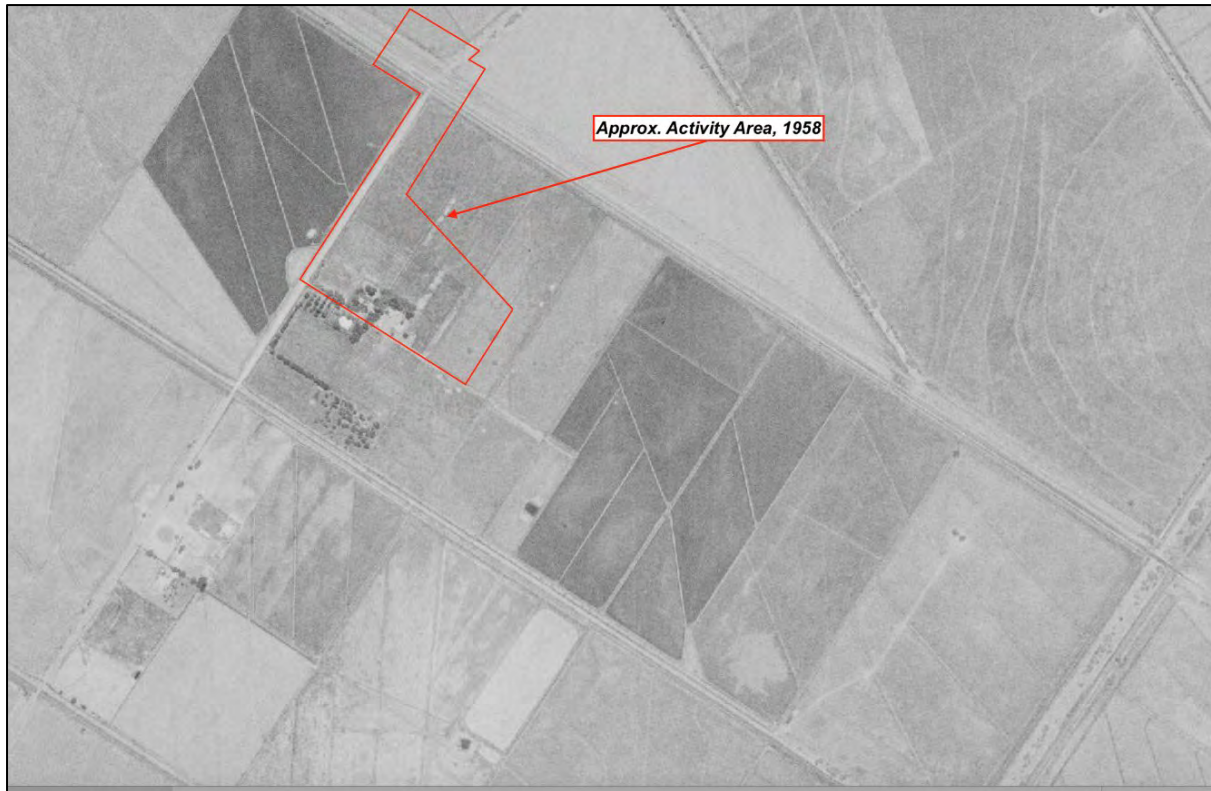
<sup>17</sup> 'Griffith\_8129' aerial photomap, 1958, NSW Land Registry Services, NSW Government.

<sup>18</sup> 'Griffith\_8129' aerial photomap, 1965, NSW Land Registry Services, NSW Government.

<sup>19</sup> 'IN the matter of the estates of the undermentioned deceased Government Gazette Private Notices', *Government Gazette of the State of New South Wales*, Friday 17 November 1961 - Page 3721.

<sup>20</sup> 'Griffith\_8129' aerial photomap, 1977, NSW Land Registry Services, NSW Government.

<sup>21</sup> 'Griffith\_8129' aerial photomap, 1997, NSW Land Registry Services, NSW Government.



Approx. Activity Area, 1958

Figure 5: Excerpt from 'Griffith\_8129' aerial photomap, 1958, NSW Land Registry Services, NSW Government.



Approx. Activity Area, 1965

Figure 6: Excerpt from 'Griffith\_8129' aerial photomap, 1965, NSW Land Registry Services, NSW Government.

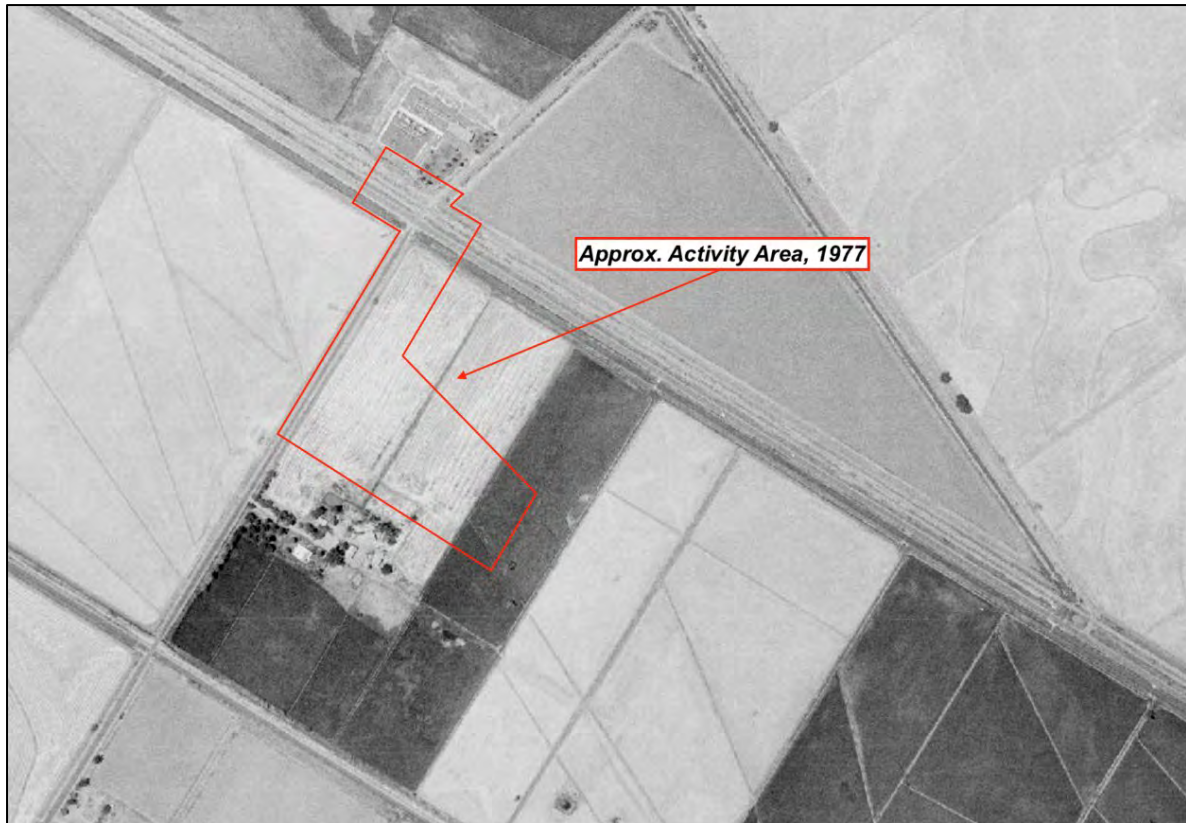


Figure 7: Excerpt from 'Griffith\_8129' aerial photomap, 1977, NSW Land Registry Services, NSW Government.



Figure 8: Excerpt from 'Griffith\_8129' aerial photomap, 1997, NSW Land Registry Services, NSW Government.

In summary, the study area sustained pastoral grazing (mainly sheep) from the 1840s until the early 20th century. In 1919, the usage of the bulk of the study area switched to that of an irrigated farm. This portion of the study area has been set-up with irrigation infrastructure (channels, etc.), intensively cropped for rice and wheat, and has also likely been sown with pasture and intensively grazed.

It also appears to have been laser-graded with the irrigation infrastructure realigned in the 1990s. Also included within the study area are sections of the major road Irrigation Way, and the Griffith to Narrandera railway line, which have been in operation since 1912 and 1922 respectively.

Their continued and sustained use has entailed maintenance and up-grades for over one hundred years. As a whole, the study area should be regarded as having been used intensively for around 100 years, which has created reasonably substantial disturbance to land surfaces.

## 7.2 Historical Heritage Database Searches

A search of heritage databases was undertaken on 13<sup>th</sup> October 2025 to determine whether any historic heritage items have previously been registered within the Assessment Area or with in the immediate vicinity including:

1. Australian Heritage Database including the following heritage lists:
  - World Heritage List;
  - National Heritage List;
  - Commonwealth Heritage List; and
  - Register of the National Estate (non-statutory).
2. NSW State Heritage Inventory including the following heritage lists:
  - SHR; and
  - Selected S170 Heritage Registers.
3. Griffith LEP.

### 7.2.1 Statutory Heritage Register Searches

#### Commonwealth Heritage List

The Commonwealth Heritage List includes natural, Indigenous and historical heritage places owned or controlled by the Australian Government. Items on the list have satisfied the minister as having one or more Commonwealth Heritage values.

*There are no Commonwealth Heritage listed places within or in proximity to the Assessment Area.*

#### National Heritage List

The Australian National Heritage List contains natural, historic, and Indigenous places deemed to be of outstanding heritage significance to Australia. Before a site is placed on the list a nominated place is assessed against nine criteria by the Australia Heritage Council.

*There are no National Heritage listed places within or in proximity to the Assessment Area.*

#### State Heritage Register

A search of the NSW State Heritage Register found no sites within the Assessment Area.

### **Griffith Local Environmental Plan (LEP)**

There are no sites within the Assessment Area that are listed in the Local Environment Plan.

### **Section 170 Heritage Registers**

Section 170 of the *Heritage Act 1977* requires all NSW state agencies to identify, conserve and manage the heritage assets owned, managed and occupied by that agency. To facilitate this, Section 170 heritage registers were established for all NSW government agencies. These registers are held and maintained by each state agency and updated as assets are acquired, altered, or decommissioned.

*No Section 170 heritage places are located within or in proximity to the Assessment Area.*

### **7.2.2 Non-Statutory Considerations**

#### **Register of the National Estate**

The Register of the National Estate (RNE) is a non-statutory archive of natural, historic and Indigenous places and incorporates over 13,000 places. Originally compiled between 1976 and 2003 by the Australian Heritage Commission, the register is now maintained by the Australian Heritage Council.

Following amendments to the *Australian Heritage Council Act 2003*, the RNE was frozen on 19 February 2007, which means that no new places can be added, or removed. Since February 2012 the RNE has been maintained as a non-statutory listing.

*A search of the Australian Heritage Database was undertaken on 13 October 2024. This search identified no RNE listed places within or in proximity to the Assessment Area.*

## 8. SURVEY METHODOLOGY

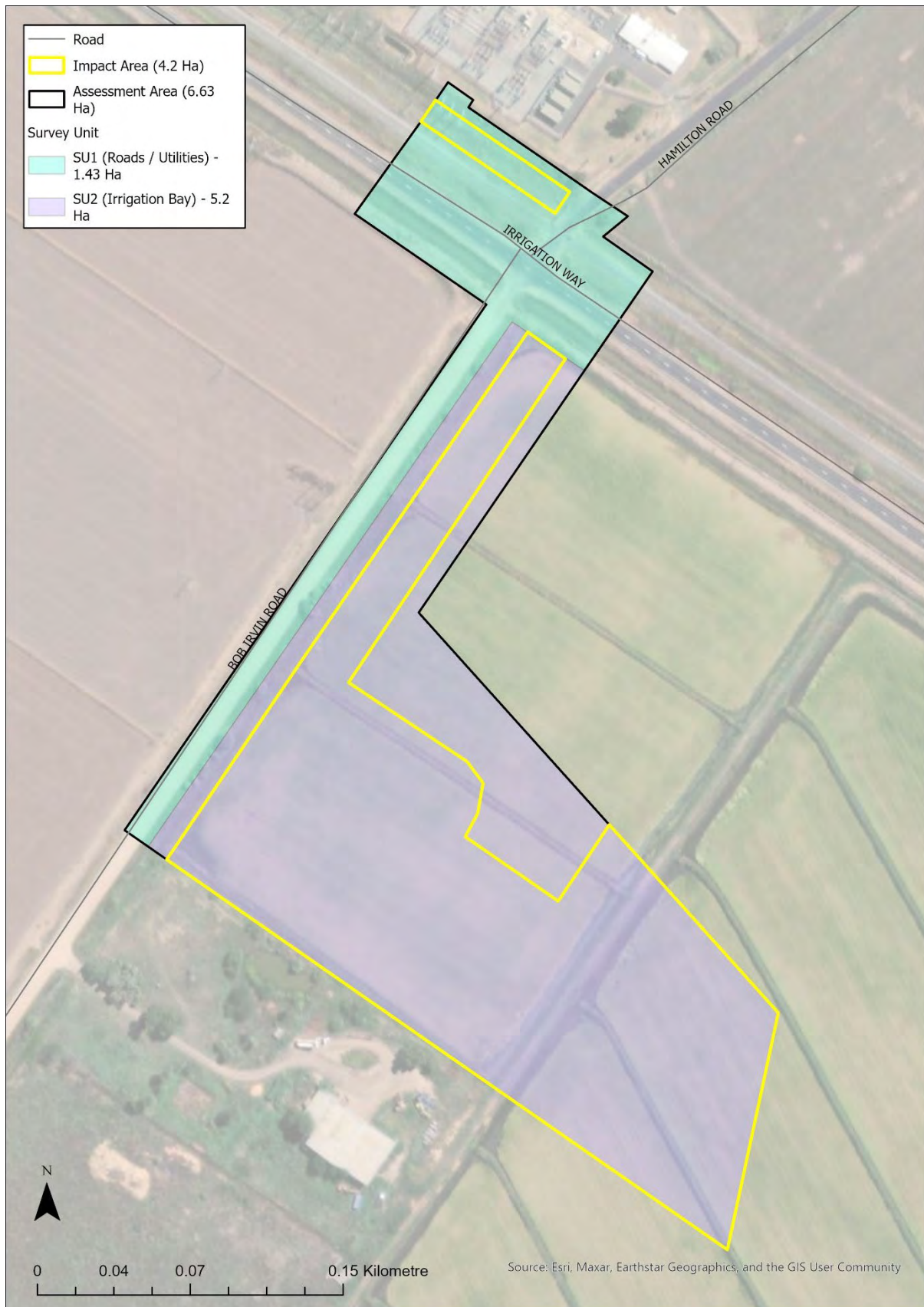
### 8.1 Study Area Landforms as Survey Units

As discussed in Section 6.4.2, the region has an Aboriginal archaeological record derived from Aboriginal occupation and land use that was concentrated on drainage lines but includes dispersed evidence throughout the landscape (Brown & Wall 2017). Regionally occurring sites such as human burials and faunal deposits are unlikely to occur in the study area as these are essentially confined to areas above the actively floodplain on larger rivers and/or their source bordering sandy deposits.

There was one landform within the Assessment Area as described in **Section 5.6**, being a ‘highly modified floodplain’, therefore the Assessment Area survey units were characterised according to the relative disturbances and site features that featured a ‘change of land-use’. A *summary of each survey unit is provided in Table 8 and shown in Map 8.*

**Table 8: Survey Unit Description within the Study Area**

Survey Unit	Description
SU1: Roads / Utilities	The surrounding and adjacent existing road and rail infrastructure. This survey unit was entirely ‘modified’ either mechanically or by importation of fill, rock or materials for road / railway building. The survey unit also includes the irrigation channels that form part of the Impact area northern boundary. No undisturbed landforms exist within this survey unit and it possesses no permanent natural or ephemeral water sources.
SU2: Irrigation Bay	The majority of the area to be impacted by the proposal. The survey unit has been subject to laser-levelling to form flood irrigation bays used for irrigated cereal / fodder crops. No native trees persist within the survey unit given the intensive landuse, however some planted native revegetation has been established on the western boundary parallel with the existing public road. Soils consist of mainly grey cracking and non-cracking clays, as well as some minor intrusion of sandy loams and brown soils with calcium material in the south-east corner of the impacted zone. No undisturbed stone sources or source bordering dune landforms are likely present as land forming activities have significantly altered the landscape indefinitely.



**Map 8: Survey Units in the Assessment Area.**

## 8.2 Aims

The aims of the cultural heritage survey were to:

- Survey as much of the Assessment Area that would potentially be impacted by the BESS development;
- Facilitate an opportunity to survey the Assessment Area in order to identify and assess landforms, areas of potential, and the extent of prior disturbances. and potential for Aboriginal heritage and non-Indigenous items; and
- To provide the RAPs an opportunity to provide feedback on the cultural values and elements of cultural heritage significance within the Assessment Area.

## 8.3 Methodology & Coverage

Archaeological survey used an ‘exposure-based’ approach whereby, particular focus was placed on areas exhibiting higher potential, as indicated by landform features and erosional exposures (**Section 8.4**).

The approach to recording in the current study has been a ‘nonsite’ methodology: the elementary unit recorded is an artefact rather than a site, as described in (Dibden 2007) who also cites Dunnell (1993) and Shott (1995) in this respect in contending that *“The rationale behind this approach is that artefacts may be directly observed however ‘sites’ are a construction within an interpretative process. Given that it can be expected that full archaeological visibility will not be encountered during the survey the process of identifying site boundaries (if they exist at all) will therefore, not be possible”*.

This investigative method has been developed and refined by the author over the last 20 years and relies on seeking out all areas of exposure, measuring their extent and undertaking intense (full coverage) search for flaked stone artefacts. With finds thus expressible in terms of density in precisely mapped sample units, the data are then used in the same way that test excavation data are for the purposes of artefact distribution modelling. Given sufficient areas of suitable soil exposure, it has been found to more reliably construct an artefact distribution model than anything but very extensive archaeological test excavation, as previously been demonstrated in another study in Thurgoona (Brown O. , 2016a).

Notwithstanding the detailed assessment of exposures within the Assessment Area, the survey also included the completion of linear transects across the footprint of the proposed works. This was conducted in accordance with the archaeological survey requirements of the *Code of Practice* (DECCW 2010).

Survey of each transect was undertaken using pedestrian survey, with a team of four (4) people spaced approximately 5 – 10m apart when on foot. Where areas of exposure or visible potential archaeological features were identified, members of the team temporarily deviated from their assigned transect. Avenza tracklog was used to track the path of the members of the survey team, record the coordinates of survey transects as well as the location of any sites. A photographic record was kept during the survey. Photographs were taken to record aspects surface exposures, vegetation, areas of disturbance, and any identified Aboriginal site or area of archaeological potential. Scales were used for photographs where required, as specified in the *Code of Practice*.

### 8.3.1 Survey Coverage Variables

Survey Coverage Variables are a measure of ground surveyed during the study and the type of archaeological visibility present within that surveyed area. Survey coverage variables provide a measure with which to assess the effectiveness of the survey so as to provide an informed basis for the formulation of management strategies. Specifically, an analysis of survey coverage is necessary in order to determine whether or not the opportunity to observe stone artefacts in or on the ground was achieved during the survey. Two main variables were used to measure ground surface visibility during the study; the area of ground exposure (**Section 9.3 & 9.4**) encountered and the quality and type of ground surface visibility (archaeological visibility) (**Section 9.2**) within those exposures. The two survey coverage variables estimated during the survey are defined as follows:

1. Estimated Ground Exposure – an estimate of the total area of ground inspected which contained exposures of bare ground; and
2. Estimated Archaeology Visibility – a percentage estimate of the average levels of potential archaeological surface visibility within those exposures of bare ground.

Based on the two (2) visibility variables as defined above, a net estimate (Net Effective Exposure) of the archaeological potential of exposure area within a survey unit or set of units has been calculated. The Effective Survey Coverage (ESC) calculation provides an estimate of the proportion of the total study area which provided a net 100% level of ground surface visibility (with archaeological potential).

### 8.4 Survey Participants

The field survey across the Assessment Area was undertaken on 3<sup>rd</sup> October 2025. Excellent survey conditions meant that the field programme did not have any delays or cancellations. Participants in each survey day are shown in **Table 9**.

**Table 9: October 2025, Survey attendance**

Name	Organisation	Role	Date
Damian Wall	Red-Gum Environmental Consulting	Heritage Consultant	3/10/25
██████████	Marri Culture & Heritage Consultants	RAP field officer	3/10/25
██████████	Griffith Local Aboriginal Land Council	RAP field officer	3/10/25
██████████	Guggaburra Yiramiilan	RAP field officer	3/10/25

## 9. SURVEY RESULTS – ABORIGINAL HERITAGE VALUES

### 9.1 Registered Aboriginal Heritage Sites

Heritage NSW administers the AHIMS database which contains information concerning previously recorded Aboriginal sites in NSW. A search of this database showed zero (0) records within the site boundary or property and eight (8) records within a five (5) kilometre buffer of the site. The closest Aboriginal cultural heritage site to the development area was recorded 170 metres north of the site (49-2-0153 “Yoogali Site 3, Artefact). There were 35 sites in the broader AHIMS rectangular search area of approximately 22km west-east and 13 km north-south (with Yoogali approximately central). Survey of the site confirmed that no (zero) existing Sites registered on AHIMS are present or are likely to be present within the Assessment Area.

### 9.2 Ground Surface Visibility

Archaeological visibility refers to the amount of ground surface that is clearly visible for inspection. The greater the ground surface visibility (GSV), the more effective are surface surveys. Examples of high surface visibility are vehicular and pedestrian tracks, dune blow outs (100% per m<sup>2</sup>); and examples of poor visibility are areas of heavy vegetation cover (0-10% per m<sup>2</sup>) (Murphy & Thomson 2016).

Unfortunately, it is often the case that highly visible Aboriginal cultural heritage places are also often highly disturbed. High GSV is therefore often related to the amount of disturbance that has occurred. This disturbance may be manmade (such as drainage lines, vehicle tracks, land forming and cropping etc), by stock (overgrazing, stock camps etc), or due to natural processes (erosion by wind or water).

Exposure rates were estimated based on the guidelines in the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010) and the level of GSV is typically assessed as is shown in **Table 10**. **Map 9** is a spatial representation of the overall GSV across the Survey Units and **Map 10** is a spatial representation of the general ‘exposure rates’ in each Survey Unit. **Photos 9 to 12** are representative photos taken showing relative GSV and exposure in each of the Survey Units.

**Table 10: Ground Surface Visibility (GSV)**

%	0%	0 – 10%	10 – 30%	30 – 50%	50 – 70%	70 – 90%	90 – 100%
Rating	No visible ground surface	Very poor	Poor	Fair	Good	Very good	Excellent



**Photo 9: North-west corner of the Assessment Area. North of Irrigation Way, Fair GSV. Photo: D.Wall, 2025**



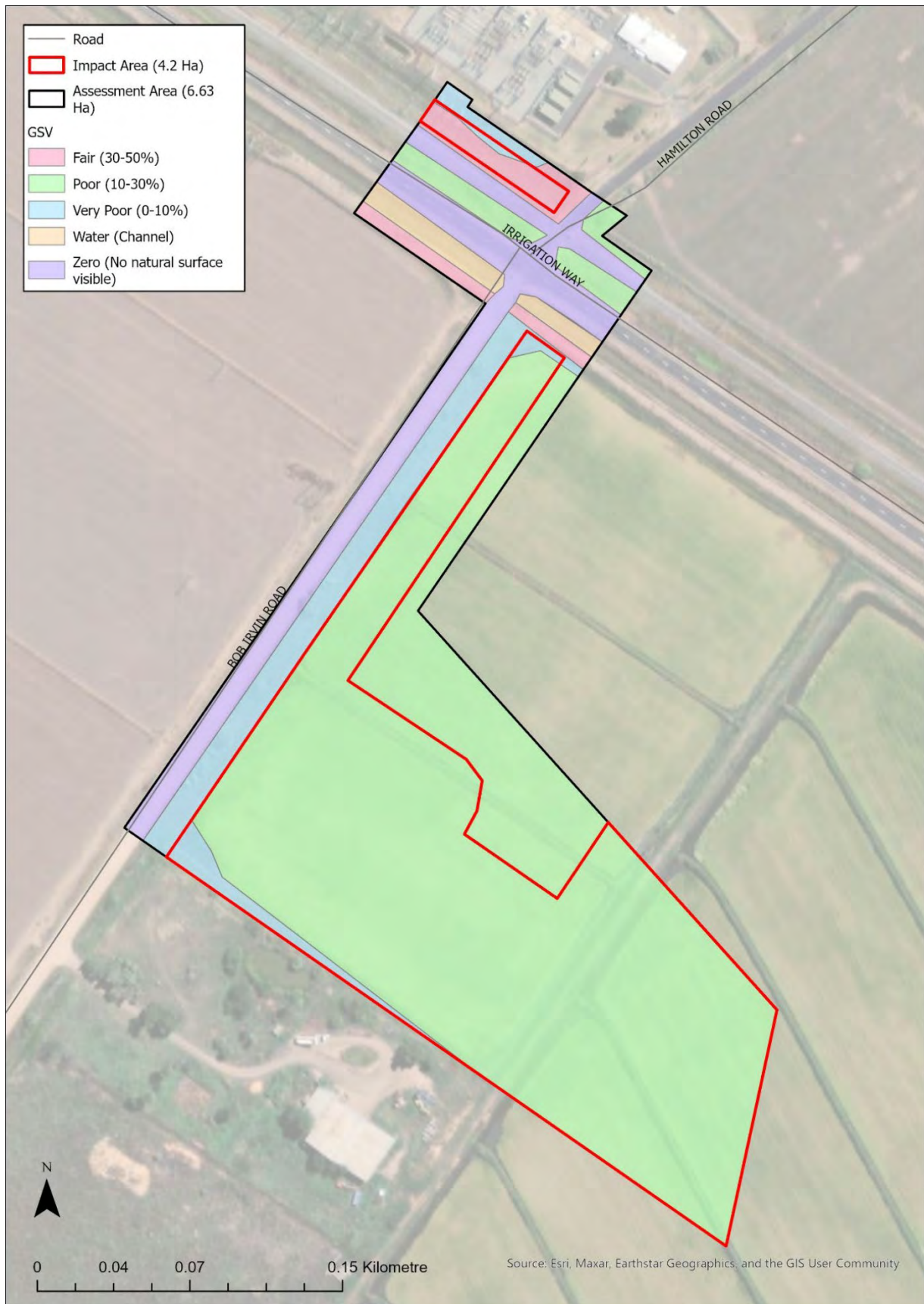
**Photo 10: East side of Bob Irwin Road, between the irrigation channel and development site. Fair GSV. Photo: D.Wall, 2025**



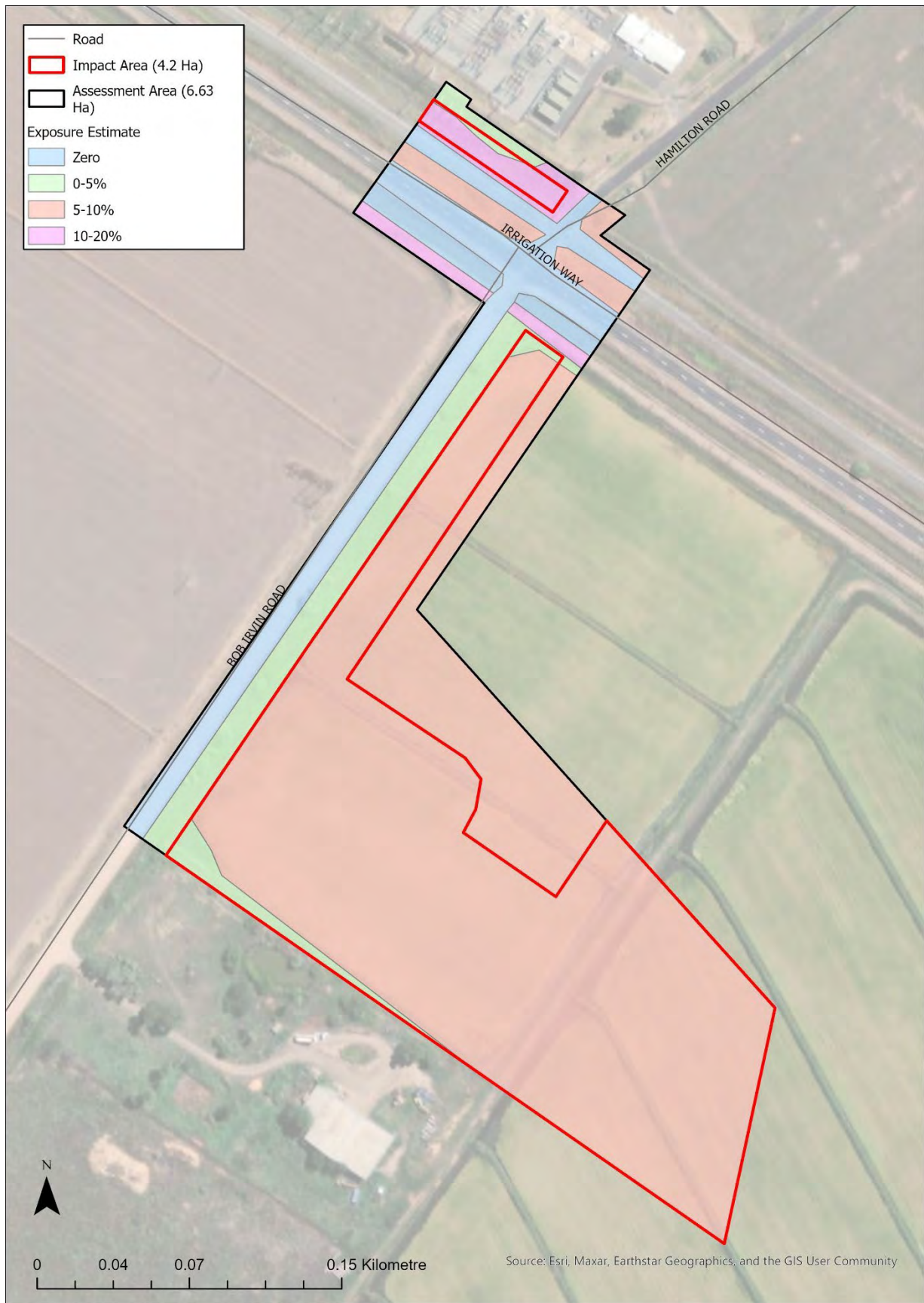
**Photo 11: North of Irrigation Way, west of Hamilton Road. No GSV. Photo: D.Wall, 2025**



**Photo 12: Central BESS area, west orientation. Poor GSV. Photo: D.Wall, 2025**



**Map 9: Ground Surface Visibility estimate.**



Map 10: Survey Unit Exposure estimate.

### 9.3 Pedestrian (Exposure sites) Survey Results

Exposure refers to the geomorphic conditions of the local landform being surveyed and attempts to describe the relationship between those conditions and the likelihood the prevailing conditions provide for the exposure of (buried) archaeological materials. Whilst also usually expressed as a percentage estimate, exposure is different to visibility in that it is in part a summation of geomorphic processes, rather than a simple observation of the ground surface (Burke & Smith 2004).

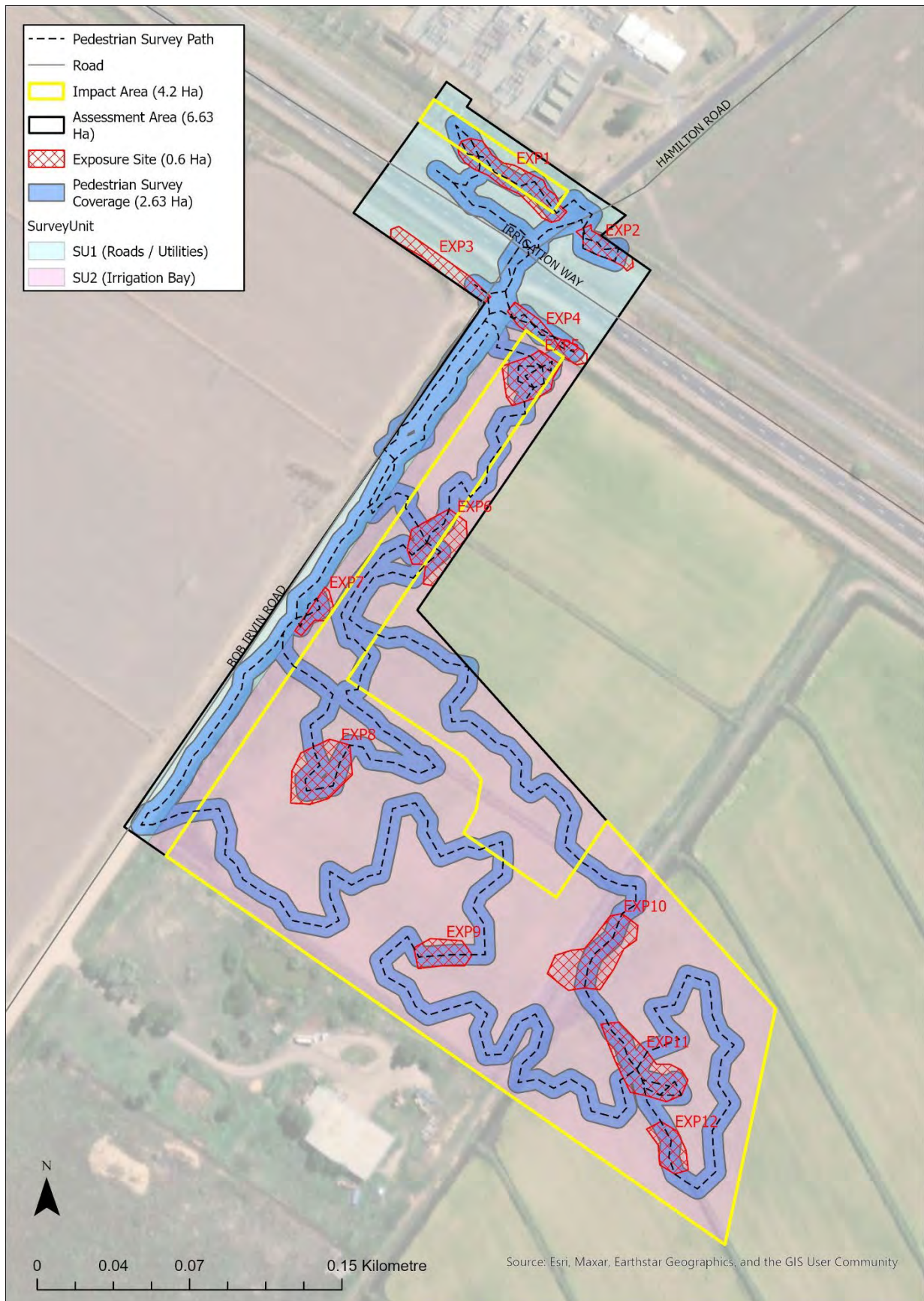
A total of twelve (12) exposure sites (**Map 11 & Table 11**) were identified by the survey team totalling 0.68 Ha. A total of 2.6 Ha was traversed by the survey team, centred on each of the exposure site locations (based on a 5m buffer of the GPS recorded survey route, allowing also for the three (3) Traditional Owner survey participants). No (zero) artefacts were recorded during the pedestrian exposure sites survey.

**Table 11: Pedestrian exposure sites details, October, 2025.**

Name	Survey Unit	GSV	Area (Ha)
EXP1	SU1 (Roads / Utilities)	Fair (30-50%)	0.07
EXP2	SU1 (Roads / Utilities)	Poor (10-30%)	0.02
EXP3	SU1 (Roads / Utilities)	Fair (30-50%)	0.04
EXP4	SU1 (Roads / Utilities)	Fair (30-50%)	0.03
EXP5	SU2 (Irrigation Bay)	Poor (10-30%)	0.05
EXP6	SU2 (Irrigation Bay)	Poor (10-30%)	0.07
EXP7	SU2 (Irrigation Bay)	Very Poor (0-10%)	0.02
EXP8	SU2 (Irrigation Bay)	Poor (10-30%)	0.07
EXP9	SU2 (Irrigation Bay)	Poor (10-30%)	0.03
EXP10	SU2 (Irrigation Bay)	Poor (10-30%)	0.08
EXP11	SU2 (Irrigation Bay)	Poor (10-30%)	0.08
EXP12	SU2 (Irrigation Bay)	Poor (10-30%)	0.03

**Table 12: Pedestrian exposure sites survey results by zone**

Survey Unit	Exposure Area (Ha)	GSV Estimate (%)	Survey Coverage (Ha)
SU1: Roads / Utilities	0.16	40	0.71
SU2: Irrigation Bay	0.43	20	1.89
	<b>0.6</b>		<b>2.6</b>



## 9.4 Effective Survey Coverage

In this assessment, Effective Survey Coverage (ESC) is a measure of each Survey Unit identified in the Assessment Area that was adequately traversed during the field assessment by the survey team (**Table 11**). The statistics in **Table 13** are the result of combining the Pedestrian survey results with those of the Exposure survey and represents the quantum of observable surface relative to the total 'Impact Area' within the bounds of the two (2) survey units. The Impact area includes all proposed development features that will (or in likely to) result in ground disturbance and the layout design was current at the time of publication of this report. Overall, ESC is considered to have been **HIGH** for an agronomic / cropped landscape and has good coverage for the key areas and landform features predicted to be the most archaeologically sensitive within the Assessment Area.

**Table 13: Effective Survey Coverage**

Survey Unit	Impact Area (Ha)	Survey Coverage <sup>1</sup> (Ha)	GSV <sup>2</sup> (%)	Net Effective Exposure <sup>3</sup> (Ha)	Effective Survey Coverage (Ha <sup>2</sup> ) <sup>4</sup>	Artefacts (Y/N)	Predicted Artefact Density
SU1: Roads / Utilities	0.1	0.71	40 (0.4)	0.3	0.28	N	Nil
SU2: Irrigation Bay	4.1	1.89	20 (0.2)	0.4	0.98	N	Nil
	4.2	2.6		0.7	1.2		

<sup>1</sup> Pedestrian Survey

<sup>2</sup> GSV = Estimated Archaeological Visibility

<sup>3</sup> Survey Coverage x GSV expressed as a %

<sup>4</sup> Net Effective Exposure divided by Survey Unit Impact Area x 100

## 9.5 Aboriginal Archaeological Potential

The archaeological potential of an area is determined by several factors including its landform, soil features, and level of disturbance. Certain landforms are conducive to both Aboriginal occupation and the survivability of subsurface deposits. The location of these landforms in proximity to natural resources including water and resources increase the likelihood that these landforms would have been utilised by Aboriginal people in the past. *No new areas of Aboriginal heritage were identified during the survey and the Archaeological Potential of the site is shown in **Map 12**.*

It was noted during the ground survey that the development of agricultural irrigation channels and the laser levelling of the area to create irrigation bays within and surrounding the study area has removed any evidence of a 'prior-stream' landscape. There are no notable landform features (i.e. raised terraces with good viewpoints over the region) present currently as the relatively flat nature of the site is only reinforced by its recent use as a cropped irrigation paddock. The study area is regarded as part of a single 'highly modified floodplain' landform. The area does not possess scar age trees, nor any rock shelters, caves or other landscape features that are likely PADs. Culturally scarred trees are typically > 80cm DBH, as those trees in the wider Geographic region are typically the oldest. There were no such trees within the study area or surrounds. The only trees within the area are some replanted juvenile Myall Trees along the roadside where the access way will be installed.

Based on the predictive modelling, any unidentified Aboriginal sites are expected to be relatively small in size and to contain low densities of common materials and artefact types, located on level areas such as terraces or raised contexts in proximity to waterways.



Map 12: Predicted Archaeological Potential, October 2025

## 10. SURVEY RESULTS – HISTORIC HERITAGE VALUES

### 10.1 Registered Historic Heritage Sites

There are no registered historic heritage sites within or in the vicinity of the Assessment Area.

### 10.2 Newly Identified Historic Heritage Sites

No historic objects or places were identified during the field survey.

### 10.3 Historical Archaeological Potential

Review of the potential for Historical Archaeological Resource to be present within the Assessment Area is based on a consideration of current ground conditions and analysis of historic development within the Assessment Area. Built structures noted within the development footprint boundaries of the Assessment Area are limited to several tanks, troughs, dams and fence lines. Gradings of archaeological potential utilised for this assessment is detailed in **Table 14**.

**Table 14: Grading of Archaeological potential**

Grading	Justification
Nil	No evidence of historical development or use, or where previous impacts would have removed all archaeological potential
Low	Research indicates little or low intensity historical development, or substantial previous impacts. Expected that deep subsurface archaeological features may survive
Moderate	Known historical development with some evidence of previous impact. Likely that archaeological remains survive with some localised truncation and disturbance
High	Evidence of multiple phases of historical development and structures with minimal or localised twentieth century development impacts. Archaeological remains likely to be largely intact

Due to the scarce and unsubstantial built structures, the long-term use of the Assessment Area for irrigated cropping and grazing, and the paucity of historical material observed during survey, the historical archaeological potential of the Assessment Area is considered to be **Nil**.

## 11. SIGNIFICANCE ASSESSMENT

### 11.1 Aboriginal Cultural Heritage Significance Assessment Framework

The heritage assessment criteria in New South Wales are outlined in the NSW Heritage guideline *Assessing Heritage Significance* (Department of Planning and Environment 2023) which mandates evaluation against the four values established in the Australia ICOMOS Burra Charter (2013), widely regarded as best practice for heritage assessment.

- Historical significance pertains to items that demonstrate strong associations with specific events, historical themes, individuals, or philosophies, irrespective of the item's or its structures' level of intactness.
- Aesthetic significance relates to items that exhibit creative, aesthetic, or technical excellence, innovation, or achievement. Such items may also have served as inspiration for further creative accomplishments.
- Social/cultural significance concerns items that are valued by the community for their cultural importance, whose damage or destruction would result in a loss felt by the community, and/or items that contribute to the community's sense of identity.
- Scientific significance involves evaluating a site's potential to yield valuable archaeological, technical, or scientific information.

When assessing the significance of Aboriginal sites, two primary criteria are relevant: cultural value to the Aboriginal community and archaeological (scientific) value (ICOMOS 2013).

Within the context of scientific significance of heritage sites, two main criteria are typically used:

- Research potential – the capacity of a site to provide valuable information for scientific analysis of research questions.
- Representativeness – an assessment of whether the artefact or site is a representative example of its type within its regional or local context.

*The cultural value to the Aboriginal community can only be properly assessed through engagement with Registered Aboriginal Parties (RAPs) and the feedback received in response to site identifications.*

### 11.2 Scientific Significance Assessment

The archaeological significance assessment is conducted in accordance with Requirement 11 of the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010). Utilising the Burra Charter assessment criteria of representativeness, condition, and research potential, a determination of scientific significance was made for Assessment Area.

*As no (zero) new Aboriginal heritage sites or values were identified during the survey, the scientific significance of the Assessment Area is considered to be **Low to Nil**.*

### 11.3 Cultural Significance Assessment

All heritage sites hold significance for Aboriginal people, representing the historical occupation and utilisation of the region by Aboriginal communities. As tangible reminders of the extensive nature of Aboriginal occupation, these sites serve as physical markers of past activities, providing opportunities for education, discussion, and, when deemed sufficiently important, the transmission of cultural knowledge.

Although some landforms within the Assessment Area were determined to have potential for the presence of Aboriginal sites (e.g. elevated east aspects overlooking a water source), no (zero) new sites or Potential Archaeological Deposits (PADs) were identified during the survey or through consultation with RAPs who participated in the survey. As such, there is no new information to be gained pertaining to the utilisation of the landscape within the Assessment Area by past peoples. Therefore, the cultural significance of the Assessment Area is considered to be **Low to Moderate**.

### 11.4 Statement of Archaeological Significance

As no (zero) new Aboriginal heritage sites or values were identified during the survey, the archaeological significance of the Assessment Area is considered to be **Low to Nil**.

## 12. MITIGATION & MANAGEMENT STRATEGIES

The aim of this study has been to:

- Identify Aboriginal objects.
- Use desk-top research and field assessment to predict the archaeological potential of each Survey Unit.
- To assess site significance and thereafter, to consider the potential impact of the proposal upon this heritage.

The following sections represent a variety of strategies that can be considered for the mitigation and management of development impact to as yet undiscovered Aboriginal objects and culturally sensitive landscapes within the Assessment Area.

### 12.1 Aboriginal Heritage

The field survey focused on recording artefactual material present on visible ground surfaces. Further archaeological investigation in the form of sub-surface test excavation can be appropriate in certain situations, particularly when the proposed development is expected to involve significant ground disturbance in areas, survey units or landforms that have been judged to have high potential to contain moderate to high density artefactual material.

*However, no (zero) Survey Units within the Assessment Area have been identified in the proposal area to warrant further archaeological investigation. The proposal area is predicted to be of low or very low archaeological potential and sensitivity. Furthermore, the survey results are assessed to have provided a reasonably reliable indication of the archaeological status of the area.*

### 12.1.1 Unexpected Finds Procedure

An unexpected finds procedure would be implemented as part of the management considerations for Aboriginal Cultural Heritage. An unexpected finds policy should be included as part of the proposed works Construction Environment Management Plan. If unanticipated Aboriginal objects are uncovered during works, all work in the vicinity should cease immediately. A qualified archaeologist should be contacted to assess the find and Heritage NSW, Griffith LALC and all Traditional Owner RAPs consulted as part of this ACHAR, must be notified. If any unexpected find is suspected to be human remains work at the location must cease and the following authorities must be contacted immediately:

- Police
- NSW Heritage 131 555 or info@environment.nsw.gov.au

The location is to be made secure to prevent unauthorised access.

### 12.1.2 Ecologically Sustainable Development Principles

In accordance with the ACHAR Guide, Ecologically Sustainable Development (ESD) principles have been considered. ESD principles relevant to assessment of the proposed works as it relates to Aboriginal cultural heritage have been considered when devising the Recommendations (Section 13). Aboriginal heritage management is based on the principle of *intergenerational equity* which has the intention to ensure present generations consider future generations when making management decisions. The present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations (the 'principle of intergenerational equity').

*As no (zero) new sites or places were identified during the survey, it is not anticipated that the development will affect the connection of future generations to country at this location.*

## 13. ABORIGINAL HERITAGE RECOMMENDATIONS

The following recommendations are made on the basis of:

1. A consideration of the Environmental Planning and Assessment Act and relevant NSW Legislation (Section 2.2);
2. The results of the desktop and field assessment as documented in this report; and
3. Consideration of the type of development proposed and the nature of proposed impacts.

**Rec 1:** The Proponent should ensure that all employees and contractors are aware that it is an offence under Section 86 of the NPW Act to harm or desecrate an Aboriginal object unless that harm has been subject to approval as part of the necessary approvals process.

**Rec 2:** Protection of Cultural Knowledge: Any cultural knowledge shared throughout this process must remain under community control. Approvals must be sought from the relevant contributors before any material is published, used in reports, or shared publicly.

**Rec 3:** No further archaeological research is considered to be necessary or warranted in regard to the proposed Griffith BESS project. No areas of potential archaeological deposits or Aboriginal heritage objects have been identified.

- Rec 4:** Prior to ground disturbance, the proponent engage a heritage specialist to prepare a Cultural Heritage Management Plan (ACHMP) to address the potential for finding additional Aboriginal artefacts during construction following development consent. The ACHMP will outline an unexpected finds protocol and an unexpected skeletal remains protocol, and induction policies that will include a cultural heritage awareness procedure. Preparation of the ACHMP should be undertaken in consultation with the Griffith LALC and all Traditional Owner RAPs consulted as part of this ACHAR.
- Rec 5:** The Construction Environment Management Plan (CEMP), or equivalent, should reinforce how the cultural landscape is considered throughout the project and detail the rehabilitation of the Assessment Area. This should be undertaken in consultation with the Griffith LALC and all Traditional Owner RAPs consulted as part of this ACHAR.
- Rec 6:** All works proposed must be constrained to within the Assessment Area (including access tracks and lay down areas).
- Rec 7:** Further archaeological assessment would be required if the proposal activity extends beyond the area of the current investigation. This would include consultation with the Griffith LALC, plus all Traditional Owner RAPs consulted as part of this ACHAR and may also include further field survey.
- Rec 8:** All topsoil removed during the construction of road access within the Assessment Area is to remain on site and used in rehabilitation works. This will ensure that in the low likelihood that this soil may contain Aboriginal objects, they will remain 'on country'.

## 14. CONTINGENCIES

### **Contingency 1: Discovery of unanticipated Aboriginal objects within areas of low potential.**

All Aboriginal objects and places are protected under the National Parks and Wildlife Act 1974 (NPW Act). It is an offence to knowingly disturb an Aboriginal site without a consent permit issued by the NSW DCCEEW. Should any Aboriginal objects be encountered during works associated with this proposal, works must cease in the vicinity and the find should not be moved until assessed by a qualified archaeologist. If the find is determined to be an Aboriginal object the archaeologist will provide further recommendations. These may include notifying the DCCEEW and Aboriginal stakeholders.

### **Contingency 2: Discovery of Aboriginal ancestral remains**

Aboriginal ancestral remains may be found in a variety of landscapes in NSW, including middens and sandy or soft sedimentary soils. If any suspected human remains are discovered during any activity you must:

1. Immediately cease all work at that location and not further move or disturb the remains;
2. Notify the NSW Police and DCCEEW's Environmental Line on 131 555 as soon as practicable and provide details of the remains and their location.
3. Not recommence work at that location unless authorised in writing by DCCEEW.

### Contingency 3: Discovery of Historic Heritage

No (zero) registered historic heritage items are located within the Assessment Area and no (zero) new historic heritage sites or objects were observed during the field survey. The historical archaeological potential of the Assessment Area has been assessed as Nil-Low. However, in the event that relics (defined by the Heritage Act 1977 as 'any deposit, artefact, object or material evidence that relates to the settlement of the area that comprises NSW, not being Aboriginal settlement; and is of State or local heritage significance') are unexpectedly recovered during the proposed works, all works should cease immediately, and an Unexpected Finds Protocol should be implemented. The following steps are provided if unexpected heritage items are identified during the proposed works:

1. Where a potential historic heritage item is found during works, all works within the vicinity of the item, or with the potential to impact the item should cease and a temporary exclusion zone established;
2. An appropriately qualified heritage consultant should examine the item to assess its significance and further archaeological potential;
3. Where a relic is found, the NSW Heritage Council should be notified (in accordance with Section 146 of the Heritage Act 1977) and approval will likely be required prior to the continuation of works. Other archaeological deposits should be recorded and assessed for significance and potential salvage by an appropriately qualified heritage consultant; and
4. Depending on the nature of the discovery, additional assessment and approval under the Heritage Act 1977 may be required prior to the recommencement of excavation in the affected area.
5. Prior to the commencement of works, all contractors should be briefed on the *Unexpected Finds Protocol*.

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## 16. APPENDIX

### Appendix A: Consultation Record

#### CONSULTATION LOG

Date	In/Out	Type	From	To	Notes
31/7/25	Out	Email	Damian Wall (Red-Gum)	Heritage NSW	Request for Information on Aboriginal Stakeholders
8/8/25	In	Email	██████████ (Heritage NSW)	Damian Wall (Red-Gum)	Heritage NSW supplied the Heritage NSW Aboriginal stakeholder list.
14/8/25	Out	Email	Damian Wall (Red-Gum)	ORALRA Search Online	A search of the Office of the Registrar Aboriginal Land Rights Act 1983 (NSW) was completed.
14/8/25	Out	Email	Damian Wall (Red-Gum)	All Potential RAPs on the Heritage NSW List	Damian emailed the Project Registration and Methodology to all RAPs on the Heritage NSW List.
14/8/25	Out	Email	Damian Wall (Red-Gum)	Griffith Shire Council, LLS, NTS Corp Ltd.	Email notifications to Key Stakeholder Agencies, those Griffith Shire Council, Local Land Services and Native Title Services Corporation Limited.
14/8/25	In	Email	██████████ (Yiramarang)	Damian Wall (Red-Gum)	Email to confirm that they would like to formally register their involvement in the ACHAR process. No issues raised re: the proposed Methodology. Damian replied confirming their registration.
16/8/25	In	Email	██████████ (Marri Culture & Heritage)	Damian Wall (Red-Gum)	Email to confirm that they would like to formally register their involvement in the ACHAR process. No issues raised re: the proposed Methodology. Damian replied confirming their registration.
17/8/25	Out	Email	Damian Wall (Red-Gum)	██████████ (Marri Culture & Heritage)	Damian replied to ██████████ stating 'Thanks ██████████. You're on the list. I'll be in touch soon with the next steps.'
17/8/25	Out	Email	Damian Wall (Red-Gum)	National Native Title Tribunal (NNTT) Search	A search of the National Native Title Tribunal (NNTT) database online on 14/8/25 by Damian Wall for the Assessment Area.
17/8/25	In	Email	██████████ (South West Yiradyuri Clans)	Damian Wall (Red-Gum)	Email to confirm that they would like to formally register their involvement in the ACHAR process. No issues raised re: the proposed Methodology. Damian replied confirming their registration.

Date	In/Out	Type	From	To	Notes
18/8/25	In	Email	National Native Title Tribunal (NNTT) Search	Damian Wall (Red-Gum)	NNTT Search team confirmed that the Assessment Area was not affected by Native Title overlap.
20/8/25	Out	Email	Damian Wall (Red-Gum)	██████████ (South West Yiradyuri Clans)	Damian replied to ██████████, noting that <i>'Your interest has been registered. I am hoping to get to site on or about the week of the 15th of September at this stage. I'll be in touch before that.'</i>
20/8/25	Out	Email	Damian Wall (Red-Gum)	██████████ (Yiramarang)	Damian replied to ██████████, noting that <i>'Your interest has been registered. I am hoping to get to site on or about the week of the 15th of September at this stage. I'll be in touch before that.'</i>
22/8/25	In	Email	██████████ (Griffith Shire Council)	Damian Wall (Red-Gum)	██████████ emailed Damian the contact details for Griffith LALC.
25/8/25	In	Email	██████████ (Individual)	Damian Wall (Red-Gum)	Email to confirm that they would like to formally register their involvement in the ACHAR process. No issues raised re: the proposed Methodology. Damian replied confirming their registration.
27/8/25	In	Email	██████████ (Individual)	Damian Wall (Red-Gum)	Email to confirm that they would like to formally register their involvement in the ACHAR process. No issues raised re: the proposed Methodology. Damian replied confirming their registration.
29/8/25	Out	Email	Damian Wall (Red-Gum)	██████████ (Individual)	Damian replied to ██████████ stating <i>'Thanks for your interest in the project. I will be in touch very soon with more details on the process.'</i>
29/8/25	Out	Email	Damian Wall (Red-Gum)	██████████ (Individual)	Damian replied to ██████████ stating <i>'Sure....you're officially on the list. I'll be in touch re: the process very soon.'</i>
18/8/25	In	Email	National Native Title Tribunal (NNTT) Search	Damian Wall (Red-Gum)	It was determined that there was no approved determination of Native Title over the Assessment Area.
8/9/25	In	Email	██████████ (South West Yiradyuri Clans)	Damian Wall (Red-Gum)	██████████ emailed Damian stating <i>'Can you please provide an update to expected works?'</i>
8/9/25	Out	Email	Damian Wall (Red-Gum)	██████████ (South West Yiradyuri Clans)	Damian replied to ██████████ stating <i>'I haven't locked down a date yet...but we will do a walk-over, which wont take long as it is a laser-levelled irrigation bay and a very small site. I'll send an email to all RAPs tomorrow.'</i>
1/9/25	In	Email	ORALRA Search Online	Damian Wall (Red-Gum)	The Search concluded that the Assessment Area was not affected by any Aboriginal Land Claims.
14/9/25	Out	Email	Damian Wall (Red-Gum)	Griffith LALC & Heritage NSW	Damian emailed the written notification of RAP registrations as required under Heritage NSW Aboriginal Cultural Heritage Consultation requirements for proponents 2010 (Stage 1).

Date	In/Out	Type	From	To	Notes
18/9/25	Out	Email	Damian Wall (Red-Gum)	All Registered RAPs <sup>22</sup>	Field Survey coordination email that nominated 8 key points that must be agreed to before attending field work and called for registration of interest in the nominated field dates in October.
19/9/25	In	Email	[REDACTED] (Individual)	Damian Wall (Red-Gum)	[REDACTED] emailed Damian stating 'I'm asking if it's possible to put the survey work back 1 week, maybe the 8th October? As I'm interested in the works but I'll be unavailable on the 1st October due to other work commitments.'
21/9/25	Out	Email	Damian Wall (Red-Gum)	[REDACTED] (Individual)	Damian replied to [REDACTED] stating that 'I'd love to say I could do that...but the client is really pressing me to keep this date as they themselves have deadlines to meet. If you like, I will send all the results from the survey to you and I am happy to pay for your time to review it. That work?'
21/9/25	In	Email	[REDACTED] (Individual)	Damian Wall (Red-Gum)	[REDACTED] replied to Damian stating 'Yeh that's a shame but I understand. Yes please I would like to see the results and review it.'
21/9/25	Out	Email	Damian Wall (Red-Gum)	[REDACTED] (Individual)	Damian replied to [REDACTED] stating 'Will do. Maybe next time. Thanks for your interest in the project and please reach out with any comments you have on the draft that I will send you.'
24/9/25	In	Email	[REDACTED] (Griffith LALC)	Damian Wall (Red-Gum)	[REDACTED] emailed Damian in response to the Section 4.1.6 notification and advised that 'Griffith LALC is more than happy to support Guggaburra Yiramiilan and Marri Culture & Heritage Consultants to undertake the ACHA.'
24/9/25	In	Phone	[REDACTED] (Griffith LALC)	Damian Wall (Red-Gum)	[REDACTED] called to ask if the survey date can be changed to 3 <sup>rd</sup> October to ensure he himself could attend site on behalf of the Griffith LALC in addition to the endorsed RAPs he listed by email on 18/9/25. [REDACTED] also advised that [REDACTED] would be attending site representing Guggaburra Yiramiilan. Damian agreed to that.
24/9/25	Out	Email	Damian Wall (Red-Gum)	[REDACTED] (Griffith LALC)	Damian replied to [REDACTED] email stating 'Confirming that we will meet on site on the 3rd now at 10am. Let me know if that's ok.'
1/10/25	Out	Email	Damian Wall (Red-Gum)	[REDACTED] (South West Yiradyuri Clans)	Damian emailed [REDACTED] stating 'I note that I haven't heard back from you officially re: this one... [REDACTED] Please note that the survey date has changed to 3rd October on request of the Griffith LALC. Please also note that the LALC has nominated Guggaburra Yiramiilan and Marri Culture & Heritage Consultants to undertake the field work relating to the site and the registration of field workers has closed. Nevertheless, I would like to make the offer to pay you for review of the draft ACHAR document when it is prepared. Happy to pay your day rate for that service. Let me know if that suits.'

<sup>22</sup> (Southern West Yiradyuri Clans corporation ([REDACTED]), Yiramarang ([REDACTED]), Marri Culture & Heritage [REDACTED])

Date	In/Out	Type	From	To	Notes
20/10/25	Out	Email	Damian Wall (Red-Gum)	All Registered RAPs <sup>1</sup>	Draft V1 ACHAR sent to all RAPs requesting review of the findings, comments on the mitigation measures and recommendations.
22/10/25	In	Email	[REDACTED] ([REDACTED], Griffith LALC)	Damian Wall (Red-Gum)	[REDACTED] emailed Damian and stated that <i>“Griffith LALC has no concerns or issues with the positive engagement with local traditional owner RAPS including Griffith LALC methodologies of site surveys including the draft ACHA”</i> .

**REGISTRATION OF INTEREST EMAILS****[REDACTED] (Yiramarang)**

**From:** [REDACTED]  
**To:** [Damian Wall](#)  
**Subject:** Re: Invitation for Registering Aboriginal Parties - Griffith BESS, Yoogali, NSW  
**Date:** Thursday, 14 August 2025 8:05:17 PM

---

I'd love to register my business Yiramarang for this project

Regards  
[REDACTED]

**[REDACTED] (Marri Culture & Heritage)**

**From:** [REDACTED]  
**To:** [Damian Wall](#)  
**Subject:** Re: Invitation for Registering Aboriginal Parties - Griffith BESS, Yoogali, NSW  
**Date:** Saturday, 16 August 2025 4:35:28 PM

---

Hi Damien,

Marri Culture & Heritage respectfully submits our expression of interest to participate in the Aboriginal Cultural Heritage Assessment for the proposed Griffith Battery Energy Storage System (BESS) located in the Griffith City Council Local Government Area (situated predominantly in the locality of Yoogali)

As proud descendants of the local Traditional Custodian bloodlines, we are culturally and ancestrally authorised to speak for, represent, and protect Country in accordance with our lore, customs, and inherited responsibilities.

We are committed to ensuring that cultural protocols are upheld and that the Country, its stories, and its sacred values are respected and safeguarded through proper representation.

We will look forward to working with Red-Gum Environment Consulting on this project.

if you have any questions, please do not hesitate to contact us.

Regards  
[REDACTED]

**[REDACTED] (South West Yiradyuri Clans)**

**From:** [Heritage](#)  
**To:** [Damian Wall](#)  
**Subject:** Re: Invitation for Registering Aboriginal Parties - Griffith BESS, Yoogali, NSW  
**Date:** Sunday, 17 August 2025 5:41:26 PM  
**Attachments:** [Image.png](#)

---

Hi Damien,

My name is [REDACTED] I work at the South West Yiradyuri Clans heritage portfolio.

We would like to register for this project with the following requested info.

Name of Registering Aboriginal Party: South West Yiradyuri Clans  
 [REDACTED]

Do you have any comments on the proposed methodology: No comments

Are you offering fieldwork services? Yes  
 Will a worker be covered by Worker's Compensation and Liability Insurance? Yes  
 What is your daily rate? \$1920  
 Consultant archaeologist - Grist Archeology/Everick Heritage

FYI, South West Yiradyuri Clans [SWYC](#) the only traditional owner native title representative in the area of the project and holds the cultural authority of our ancestors ensuring professional standards, and fulfilling our obligation to protect Guuni Dhagun (Mother Earth).


The absence of Traditional Owners has led to outcomes falling short of the professionalism and integrity we expect. Having the right people for country ensures that fieldwork is conducted respectfully and with the highest level of cultural and environmental care, thereby preventing potential issues in the future.

**Challenges of the RAP Process**  
 While the RAP process adheres to legislative requirements, it often undermines Traditional Owner rights, diluting our ability to protect Guuni Dhagun effectively. This flawed system has led to adversarial dynamics between groups and, unfortunately, instances of lateral violence within the workplace.

As a registered charity, SWYC's work in cultural heritage sustains not only our organisation but also broader community initiatives. Our approach prioritises collective benefit over individual gain, reinforcing our commitment to sustainability and integrity.

We trust that the proponent recognises the distinction between SWYC's approach and that of other RAP groups. Our commitment to cultural heritage reflect our role as the rightful custodians of country.

Kind regards,  
 [REDACTED]



Heritage Services  
 Southern West Yiradyuri  
 Clans  
 [REDACTED]

We acknowledge the Southern West Yiradyuri People as the Traditional Owners of Southern West Yiradyuri Country and pay respect to our unbroken connection to Land, Water, and Sky Country, Culture, and Community. Sovereignty has never been ceded!

[REDACTED] (Individual)

**From:** [REDACTED]  
**To:** [Damian Wall](#)  
**Subject:** Re: Invitation for Registering Aboriginal Parties - Griffith BESS, Yoogali, NSW  
**Date:** Monday, 25 August 2025 1:20:17 PM

---

Hi Damian

Can I please register for this.

Kind regards

[REDACTED]

[REDACTED] - Individual

**From:** [REDACTED]  
**To:** [Damian Wall](#)  
**Subject:** EOI cultural heritage, Yoogali  
**Date:** Wednesday, 27 August 2025 1:16:09 PM

---

Hi Damian,

I am writing to register my cultural heritage expression of interest for the Yoogali project.

My name is [REDACTED] I am a proud descendant of the Wiradjuri, Ngiyampaa and Barkindji people of NSW, I currently live on Wiradjuri Country in Griffith NSW.

My cultural knowledge has been passed down to me through my grand parents, family members and respected culture man Allan McKenzie Snr.

I was previously employed as a cultural heritage officer for the past 5 years through the Griffith Local Aboriginal lands Council.

I have since taken the step to be self employed as a RAP (Registered Aboriginal Parties) with cultural heritage NSW to gain future employment.

I am wanting to expand and further my knowledge as I am passionate about protecting our cultural heritage for our future generations.

I can be contacted on the below mobile number or email address

[REDACTED]

Kind Regards

[REDACTED]

Sent from my iPhone

**ACHAR FEEDBACK EMAILS**

Griffith Local Aboriginal Land Council – 22/10/25

**From:** [Redacted]  
**To:** [Damian Wall](#)  
**Subject:** Re: Griffith (Yoogali) BESS ACHAR - Draft for Comment  
**Date:** Wednesday, 22 October 2025 1:01:33 PM

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Hi Damien,

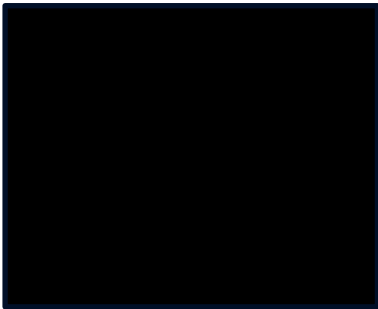
Griffith LALC has no concerns or issues with the positive engagement with local traditional owner RAPS including Griffith LALC methodologies of site surveys including the draft ACHA .

If you require any further documentation or feedback please don't hesitate to contact me.

Regards



Griffith Local Aboriginal Land Council



**Appendix B: Section 4.1.6 Notification Letters**

Mr Stephen Young  
 Griffith Local Aboriginal Land Council  
 5 Wiradjuri Place,  
 Griffith, NSW 2680



By email to [griffllalc@gmail.com](mailto:griffllalc@gmail.com) on 14/9/25

**Re: Written notification of registrations of interest as required under Heritage NSW Aboriginal Cultural Heritage Consultation requirements for proponents 2010 (Stage 1) — Griffith BESS - Aboriginal Cultural Heritage Report (ACHAR)**

Dear Stephen,

In accordance with the Aboriginal Consultation Requirements for Proponents 2010 (Stage 1, s4.1.6), Red-Gum Environmental Consulting Pty Ltd (Red-Gum) and our client, EDP Renewables on behalf of Eku Energy Australia Pty Ltd (the proponent), wishes to inform you of the Aboriginal people and groups (**Table 1**) who have registered an interest in the preparation of an Aboriginal Cultural Heritage Assessment Report (ACHAR) associated with the proposed Griffith BESS.

**Table 1: Registered Aboriginal Parties, 14<sup>th</sup> September 2025**

Individual / Organisation	Contact Details
Southern West Yiradyuri Clans corporation (SWYC)	[REDACTED]
Individual	
Marri Culture & Heritage	
Individual	
Individual	

As also required, a copy of the invitation to register email and public advertisement required for *Aboriginal Consultation Requirements for Proponents 2010* (Stage 1, s4.1.3) is attached for your records. The advertisement was placed in the Area News on Wednesday 6<sup>th</sup> September, 2025.

Regards

Mr Damian Wall  
**Managing Director**  
 BAppSc, MenvMgt, GradCert CHM, MAACA

**Heritage NSW**  
**Office of Environment and Heritage**  
 PO Box 733,  
 Queanbeyan, NSW 2620



Via Email on 14/9/25 to [heritagemailbox@environment.nsw.gov.au](mailto:heritagemailbox@environment.nsw.gov.au)

**Re: Written notification of registrations of interest as required under Heritage NSW Aboriginal Cultural Heritage Consultation requirements for proponents 2010 (Stage 1) – Griffith BESS - Aboriginal Cultural Heritage Report (ACHAR)**

To Whom it May Concern,

In accordance with the Aboriginal Consultation Requirements for Proponents 2010 (Stage 1, s4.1.6), Red-Gum Environmental Consulting Pty Ltd (Red-Gum) and our client, EDP Renewables on behalf of Eku Energy Australia Pty Ltd (the proponent), wishes to inform you of the Aboriginal people and groups (**Table 1**) who have registered an interest in the preparation of an Aboriginal Cultural Heritage Assessment Report (ACHAR) associated with the proposed Griffith BESS.

**Table 1: Registered Aboriginal Parties, 14<sup>th</sup> September 2025**

Individual / Organisation	Contact Details
Southern West Yiradyuri Clans corporation (SWYC)	[Redacted]
Individual	
Marri Culture & Heritage	
Individual	
Individual	

As also required, a copy of the invitation to register email and public advertisement required for *Aboriginal Consultation Requirements for Proponents 2010* (Stage 1, s4.1.3) is attached for your records. The advertisement was placed in the Area News on Wednesday 6<sup>th</sup> September, 2025.

Regards

Mr Damian Wall  
**Managing Director**  
 BAppSc, MenvMgt, GradCert CHM, MAACAI

## Appendix C: Notification Letters & Emails

### HERITAGE NSW

Mr Damian Wall  
Red-Gum Environmental Consulting Pty Ltd  
94 Kirby Flat Road,  
Yackandandah, VIC 3749



Heritage NSW  
Office of Environment and Heritage  
PO Box 733,  
Queanbeyan, NSW 2620

Via Email on 31/7/25 to [heritagemailbox@environment.nsw.gov.au](mailto:heritagemailbox@environment.nsw.gov.au)

**Re: Request for Information on Aboriginal Stakeholders for an Aboriginal Cultural Heritage Assessment at Yoogali, NSW**

Dear Sir or Madam,

In accordance with the NSW Office of Environment and Heritage's (OEH) Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010, I am writing to notify you that we have been engaged to undertake an Aboriginal Cultural Heritage Assessment (ACHA) in advance of the proposed development of a Battery Energy Storage System (BESS) at Yoogali NSW, in the Griffith Shire Local Government Area (LGA). The proponent is **EDPR Renewables**; contact is Mr Mishka Talent, EDPR Australia - Head Business Development (E: [MISHKA.TALENT@edp.com](mailto:MISHKA.TALENT@edp.com), M: 0403 520 690, Level 4, 54 Marcus Clarke Street, Canberra, ACT 2601 Canberra).

The project site is located on Lot 2/-/DP1252779 at 15 Bob Irvin Road, Yoogali, New South Wales. The land of interest is predominantly within agricultural land developed for flood irrigation (**Figure 1**). The proposed development will involve the construction of a Battery Energy Storage System (BESS) and associated infrastructure, known as the 'Griffith BESS', within an existing approved solar farm development. The construction will involve levelling/preparing the ground surface for construction and excavation works.

**Table 1: Lots within the Subject Land**

Lot	DP	Address
2	1252779	15 Bob Irvin Road, Yoogali, NSW 2680

Aboriginal community consultation is being undertaken to assist the Proponent in the preparation of the Cultural Heritage Assessment for the development. The proposed works will be assessed under Part 4, Division 4.7 of the EP&A Act, which establishes an assessment and approval regime for SSD. Part 4, Division 4.7 applies to development that is declared to be SSD by a State Environmental Planning Policy (SEPP). Pursuant to Part 4.41 (d) of the EP&A Act, if approved, an Aboriginal Heritage Impact Permit (AHIP) under Section 90 of the NPW Act is not required for SSD. Instead, all management related to Aboriginal cultural heritage within the study area would be governed by the policies within an approved Aboriginal Cultural Heritage Management Plan (ACHMP).

As per the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (Consultation Requirements), Red-Gum and the Proponent are seeking to undertake community consultation with Aboriginal knowledge holders relevant to the investigation area who can determine the cultural significance of Aboriginal objects and/or places in the area of the proposed project.

In order to comply with Stage 1 of the Consultation Requirements we are writing to advise you of the proposal and ask whether you could provide details of any Aboriginal groups or individuals that your organisation is aware of who may have an interest in the Investigation Area, and who hold knowledge relevant to determining the cultural significance of Aboriginal objects and/or places in the area of the proposed project. Relevant stakeholder lists can be returned to **Mr Damian Wall (Heritage Advisor)** at the below details.

Address: 94 Kirby Flat Road, Yackandandah, VIC 3749  
Mobile: 0447 624 443  
Email: [Maggie.cronin@red-gum.com.au](mailto:Maggie.cronin@red-gum.com.au)

Regards



Mr Damian Wall  
BAppSc, MEnvMgt, GradCert CHM, MAACAI  
**Managing Director**

31/07/2025

Figure 1 – Investigation Area



Map : Study site – Griffith BESS, Yoogali, NSW.

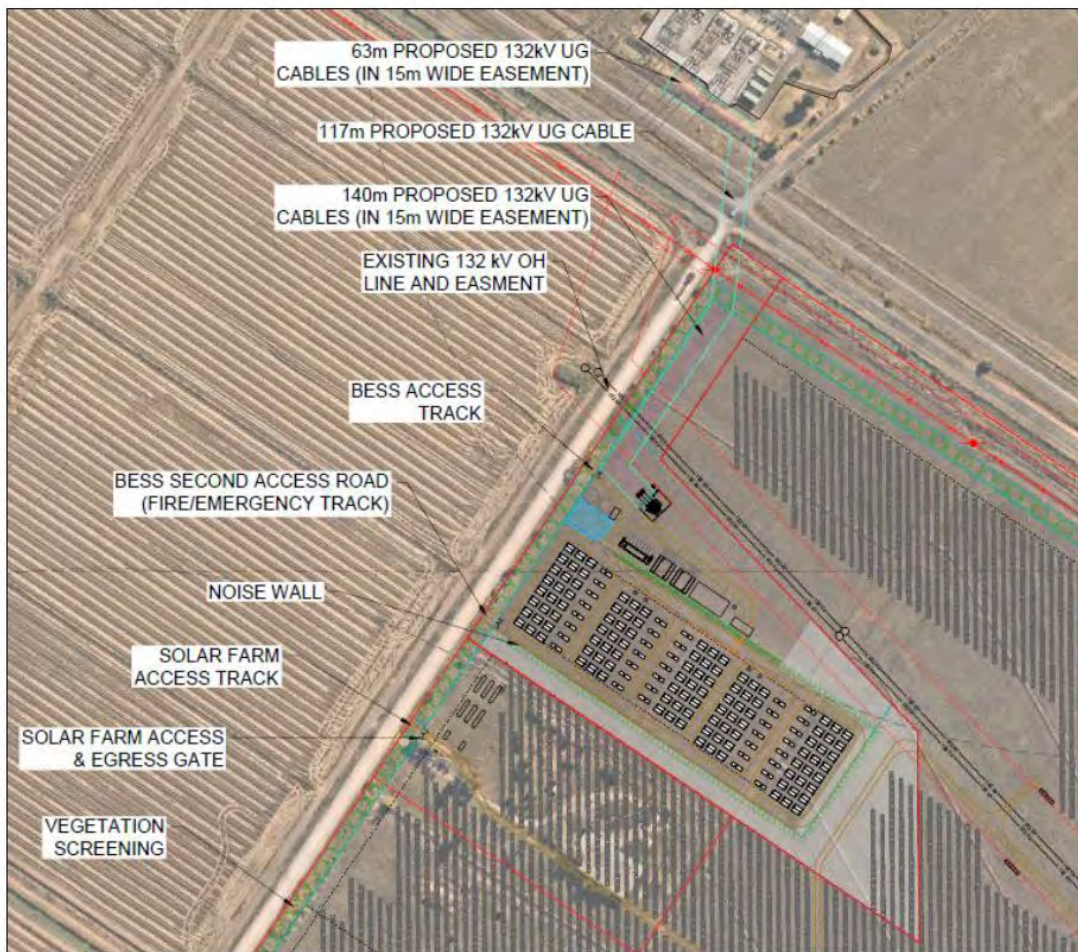


Figure 1: Indicative proposal layout for the Griffith BESS, Yoogali, NSW

**RAP INVITATION TO REGISTER EMAIL**

**From:** [damian.wall@red-gum.com.au](mailto:damian.wall@red-gum.com.au)  
**To:** [robert.carroll1971@gmail.com](mailto:robert.carroll1971@gmail.com); [aandkculturalheritage@gmail.com](mailto:aandkculturalheritage@gmail.com); [spintawoods@bigpond.com](mailto:spintawoods@bigpond.com); [shailynwilliams@outlook.com](mailto:shailynwilliams@outlook.com); [gamila\\_roj@yahoo.com.au](mailto:gamila_roj@yahoo.com.au); [Heritage\\_girrararamurun@yahoo.com](mailto:Heritage_girrararamurun@yahoo.com); [wingarrwilay@yahoo.com](mailto:wingarrwilay@yahoo.com); [kambri.nurri@gmail.com](mailto:kambri.nurri@gmail.com); [admin@viradyuri.au](mailto:admin@viradyuri.au); [barkandjiwarrior@yahoo.com.au](mailto:barkandjiwarrior@yahoo.com.au); [hewittwhymen@bigpond.com](mailto:hewittwhymen@bigpond.com); [murrumbidgeerfacilityservice@gmail.com](mailto:murrumbidgeerfacilityservice@gmail.com); [murielwilliams49@hotmail.com](mailto:murielwilliams49@hotmail.com); [dyiraamalangwiradjuri@gmail.com](mailto:dyiraamalangwiradjuri@gmail.com); [Malek.afumua@hotmail.com](mailto:Malek.afumua@hotmail.com); [roslyn.simpson@yahoo.com](mailto:roslyn.simpson@yahoo.com); [googarart@outlook.com](mailto:googarart@outlook.com); [ianjackson2287@gmail.com](mailto:ianjackson2287@gmail.com); [nealcrano@gmail.com](mailto:nealcrano@gmail.com); [rekcon05@gmail.com](mailto:rekcon05@gmail.com); [robbsiesimpson21@gmail.com](mailto:robbsiesimpson21@gmail.com)  
**Cc:** [Robert Asquith](mailto:Robert.Asquith); "MISHKA TALENT"; [Rebecca Wardle](mailto:Rebecca.Wardle); [Griffith LALC](mailto:Griffith.LALC)  
**Subject:** Invitation for Registering Aboriginal Parties - Griffith BESS, Yoogali, NSW  
**Date:** Thursday, 14 August 2025 6:32:22 PM  
**Attachments:** [ProjectInfo\\_ProposedMethodology\\_GriffithBESS\\_140825.pdf](#)  
**Importance:** High

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G'day,

You're receiving this email as your contact details have been included on the list of *Aboriginal Stakeholders*, administered by the NSW Department of Planning and Environment (DPE), for the *Griffith City Council Local Government Area*.

Please find a PDF attached that describes the proposed Griffith Battery Energy Storage System (BESS) located in the Griffith City Council Local Government Area (situated predominantly in the locality of Yoogali). The Griffith BESS will cover approximately 3.62 hectares and entails the construction and operation of a battery storage facility and associated infrastructure. The proposal site is within Lot 2/-/DP1252779 at 15 Bob Irvin Road, Yoogali, New South Wales. The entirety of the site is zoned RU1 – Primary Production within the Griffith Local Environmental Plan 2014.

The attached document also serves as an invitation to register your interest as well as providing project information and a draft assessment methodology for those who do so. Registration of interest should only be made by Aboriginal people who hold cultural knowledge relevant to determining the significance of Aboriginal object(s) and/or place(s) in the Yoogali area.

Please be aware that according to Section 3.4 of the *Aboriginal cultural heritage consultation requirements for proponents* (DECCW, 2010c) "consultation should not be confused with employment" and that the proponent is not obliged to employ those individuals or groups who registered for consultation. However, Consultation as per the guideline requirements, will continue irrespective of potential or actual employment opportunities for Aboriginal people.

**Closing date is 13/9/2025 for registration and responses to the draft assessment methodology.** You can register your interest by filling out, detaching and emailing Page 1 of the attached document to me by the closing date above. Please be aware that your details will be forwarded to DCCEEW and **Griffith Local Aboriginal Land Council** for their reference.

Cheers

D.

**Mr Damian Wall**

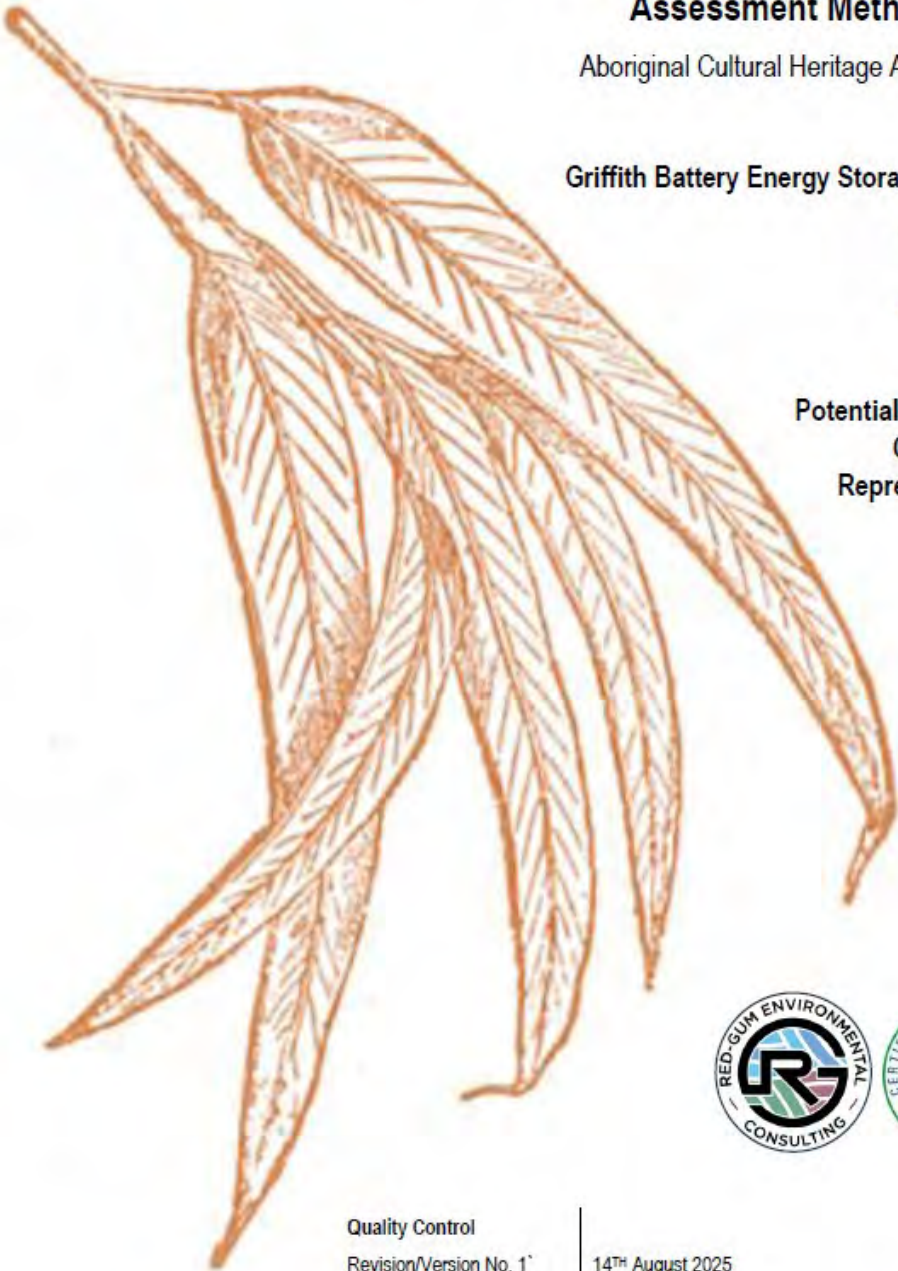
Managing Director

**Red-Gum Environmental Consulting Pty Ltd**

94 Kirby Flat Road  
Yackandandah, VIC 3749  
P: 0402 344 574

[www.red-gum.com.au](http://www.red-gum.com.au)

**Appendix D: Combined Project Information & Methodology for RAP Registration Invite**



**Project Information, Invitation for Registering  
Aboriginal Parties and Proposed  
Assessment Methodology**



Aboriginal Cultural Heritage Assessment

**Griffith Battery Energy Storage System**

August 2025

Prepared for:

**Potential Aboriginal  
Community  
Representatives**



Quality Control	
Revision/Version No. 1'	14 <sup>th</sup> August 2025
Prepared by:	Damian Wall
Prepared for:	Potential Aboriginal Community Representatives

### INVITATION TO REGISTER AS AN INTERESTED PARTY

This document is provided to potentially interested Aboriginal Parties in accordance with the NSW Department of Climate Change, Energy, the Environment and Water’s (DCCEEW) *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*. Red-Gum Environmental Consulting Pty Ltd have been engaged to undertake an Aboriginal Cultural Heritage Assessment Report (ACHAR) in advance of the proposed Battery Energy Storage System (BESS) and associated infrastructure, known as the ‘Griffith BESS’, within an existing approved solar farm development at Yoogali near Griffith, New South Wales (Figure 1).

This document serves as both an invitation to register an interest as well as providing project information and a draft assessment methodology for those who do so. Registration of interest should only be made by Aboriginal people who hold cultural knowledge relevant to determining the significance of Aboriginal object(s) and/or place(s) in the Griffith area. Please review the project information below and if you would like to register an interest, provide the information listed below:

Name of Registering Aboriginal Party:	
Contact Person:	
Phone:	
Email: <small>(Note: Draft reports to be reviewed will only be supplied in electronic format delivered by email)</small>	
Do you have any comments on the proposed methodology:	

Closing dates are 13/9/2025 for registration and responses to the draft assessment methodology (>28 days). Please be aware that your details will be forwarded to DCCEEW and *Griffith Local Aboriginal Land Council* unless you specify otherwise. If you would like to offer to provide field staff to participate in field investigations, please provide the information in the table below.

However, to avoid disappointment please note that few offers for fieldwork involvement will be taken up as requirements are limited and there may be a significant number of RAPs. Any decision to engage RAPs for paid services will be based on local connection, relevant experience and cost in consultation with the proponent. Any decisions are of a commercial nature separated from the process of consultation regarding cultural values and Aboriginal cultural heritage management outcomes. Any RAPs that use aggressive tactics to secure paid fieldwork will not be engaged.

Are you offering fieldwork services? (yes/no) <small>(Note: With the limited scope of the assessment and the likely number of RAPs, a very limited number of these offers will be taken up)</small>	
Will a worker be covered by Worker’s Compensation and Liability Insurance? <small>(Certificates of currency will be requested if an offer to provide paid fieldworker is taken up)</small>	
What is your daily rate? <small>(Note: The proponent may set a fixed offer)</small>	
If we have not worked together before, you may like to suggest a consultant archaeologist who can provide a reference.	



Figure 1: Proposed Development Footprint.

## 1 Project Information

### 1.1 Introduction

Red-Gum was engaged by EDP Renewables on behalf of Eku Energy Australia Pty Ltd ("the proponent") to undertake an ACHAR for a proposed BESS at Yoogali, NSW (**Figure 1**). The development is known as the Griffith BESS. The study area is within the Griffith Local Aboriginal Land Council (Griffith LALC) area. The entirety of the subject land is zoned RU1 – Primary Production within the Griffith Local Environmental Plan 2014. It is approximately 8 km southeast from the Griffith town centre, 3 km southeast of the Yoogali suburban centre, and 500 m south of the Griffith Substation. The development is considered a SSD, and this assessment is provided to inform a request for the SEARs to start the State Significant Development process and prepare an EIS under Part 4 of the EP&A Act.

The Griffith BESS would cover approximately 3.62 hectares and involves the construction and operation of a battery storage facility and associated infrastructure. The project involves the construction, operation and decommissioning of a BESS with a nominal capacity of up to 100 MW / 800 MWh and a direct connection to the existing TransGrid managed 132 kV Griffith Substation. The development includes an underground 132kV transmission connection between the Project's onsite substation and the adjacent Griffith Substation, underneath Irrigation Way and the Yanco Griffith railway (**Figure 2**).

The project site is a realignment of the existing lot 1//DP1252779 (15 Bob Irvin Road) at 41 Bob Irvin Road Yoogali, subject to council approval. The development is predominantly located at 15 Bob Irvin Road, Yoogali 2680. The Project also includes small sections of Bob Irvin Road, Irrigation Way and Hamilton Road easements for access and transmission lines. The address for the development is as follows:

- The BESS site, which sits within the realigned lot at 41 Bob Irvin Road on cleared agricultural land. **41 Bob Irvin Road, 1/-/DP1252779**
- Site access from Bob Irvin Road to the BESS site via a new crossing. **41 Bob Irvin Road, 1/-/DP1252779**
- Underground 132kV transmission connection and associated easement to the Griffith Substation, underneath existing overground 132kV transmission lines, Irrigation Way, and the Yanco – Griffith railway line. **Parts of 11 Hamilton Road, 1/-/DP865611**

Surrounding the site at 15 Bob Irvin Road Yoogali (2//DP1252779) is the approved Yoogali Solar Farm, currently being developed in parallel, yet independent of this development, by EDP Renewables. A TransGrid overhead 132kV transmission line runs along the northern boundary of the BESS Site and southeast to northwest through the entire parcel of land, before turning north to connect to the Griffith Substation.

The development will be a typical BESS installation, consisting of lithium-ion batteries, a Battery Management System (BMS) for monitoring, inverters to convert DC to AC electricity, a cooling system, noise suppression systems and a control system. The Project would also involve a direct transmission connection to the adjacent 132kV/330kV Griffith Substation through an underground cable connection, perimeter fencing, vegetative screening planting, internal access tracks and road upgrade works.

Red-Gum Environmental Consulting Pty Ltd

14<sup>th</sup> August 2025

The BESS has been configured within the broader landholding in a way to minimise the reduction in size of the co-located Yoogali Solar Farm, whilst also retaining proximity to the Griffith Substation and access via Bob Irvin Road. Access to the BESS will be facilitated via a new access point along Bob Irvin Road, independent to another similar proposed access for the Yoogali Solar Farm.

The proposal involves the following key features for the BESS, ancillary infrastructure and mitigative measures:

- The BESS of assembly containers containing lithium-ion batteries, a Battery Management System (BMS) for monitoring, a switching room, control building, inverters to convert DC to AC electricity, transformers, a cooling system, noise suppression systems and a control system within a control building.
- A 6-metre-wide access way and internal access track from Bob Irvin Road to the BESS site and onsite parking.
- A temporary construction laydown area, storage and maintenance areas.
- A direct transmission connection and associated easement to one of the bays at the nearby 132kV/330kV Griffith Substation through an underground cable connection underneath Irrigation Way and the Yanco Griffith railway.
- Perimeter security fencing and native vegetative screening planting, and onsite lighting.

Other energy infrastructure is planned or completed in proximity to the Project. The Griffith Solar Farm (operational) and Riverina Solar Farm (planning stage) are immediately north of the Project, closer to the Griffith Substation.

*The site of the proposed BESS is a land-formed paddock that has been used for irrigated agriculture. The site consists almost entirely of exotic pastures, with no trees or understorey vegetation, with a few scattered native grass species. Some exotic trees (palms) have been planted along the adjacent roadside along Bob Irvin Road on the west of the site, and there has been some regeneration of, or planting with, native Myall species. The proposed development does not require the removal of any native vegetation.*

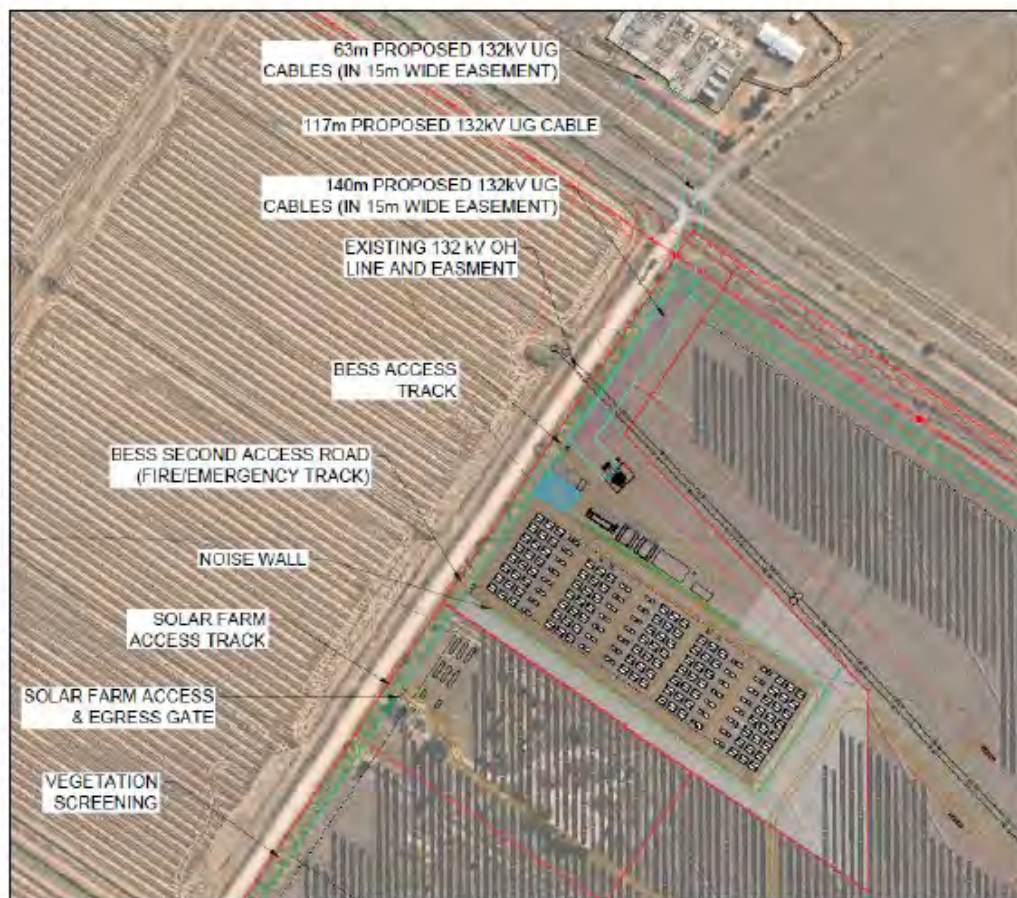


Figure 2: Indicative proposal layout for the Griffith BESS, Yoogali, NSW

Table 1: Proponent and consultant contact details

	Heritage Consultant	Proponent
<b>Company</b>	Red-Gum Environmental Consulting	Griffith BESS
<b>Contact person</b>	Mr Damian Wall (Managing Director)	C/- Mr Mishka Talent (Head of Business Development - EDPR Australia)
<b>Email</b>	Damian.wall@red-gum.com.au	MISHKA.TALENT@edp.com
<b>Address</b>	94 Kirby Flat Road, Yackandandah Vic 3749	Level 4, 54 Marcus Clarke Street, Canberra, ACT 2601
<b>Phone</b>	0402 344 574	0403 520 690

## 1.2 Purpose of Consultation

The purposes of community consultation with Aboriginal people are:

- To assist in the assessment process by providing relevant information about any cultural values that may be associated with the location and any Aboriginal objects recorded there; and
- To assist in the preparation of an application for an AHIP and to assist the Director General in his or her consideration and determination of the application.

All RAPs are reminded of Section 3.4 of the *Aboriginal cultural heritage consultation requirements for proponents* (DECCW, 2010c) emphasising that “consultation should not be confused with employment”:

*“The consultation process involves getting the views of, and information from, Aboriginal people and reporting on these. It is not to be confused with other field assessment processes involved in preparing a proposal and an application. Consultation does not include the employment of Aboriginal people to assist in field assessment and/or site monitoring. Aboriginal people may provide services to proponents through a contractual arrangement; however, this is separate from consultation. ...The proponent is not obliged to employ those Aboriginal people registered for consultation. Consultation as per these requirements will continue irrespective of potential or actual employment opportunities for Aboriginal people”.*

## 1.3 Our Team

The Aboriginal cultural heritage assessment process will be managed by Damian Wall (Red-gum Environmental Consulting).

Red-Gum Environmentals’ policy is to only engage Aboriginal people for fieldwork on Aboriginal cultural heritage assessment projects where possible. While we believe that this is a positive position to be taking in the industry, it does mean that in place of qualified archaeologists those engaged are selected on the basis of skills and experience working with our methods of artefact distribution modelling. Coupled with the fact that we generally only do small jobs with a crew size of only a few people, we are not able to use rostered engagement of multiple RAP groups.

**Mr Damian Wall (BAppSc, Parks, Recreation & Heritage, MEnvMgt, GradCert CHM, MEIANZ, CENVP)**

Damian has 27 years’ experience in ecological & environmental assessment, NRM planning and community liaison. Damian is a Vegetation Quality Assessment Method (VQAM) accredited person in VIC and a Biodiversity Assessment Method (BAM) Accredited Person in NSW (BAAS18081). Damian is also listed Aboriginal Cultural Heritage Advisor in VIC, a Full Member of the Australian Association of Consulting Archaeologists Inc (AACAI), is currently completing a Masters of Archaeology & Cultural Heritage Management (Flinders University) and has 25 years’ experience in Aboriginal Cultural heritage survey nation-wide.

## 2 Proposed Assessment Methodology

### 2.1 Introduction

Noting that the study area has not been previously surveyed, the current assessment program needs to:

- a) Define an understanding of the presence of, or potential for Aboriginal cultural heritage material or sites within the study area;
- b) Establish the framework of community engagement and presentation of information to allow Aboriginal community representatives to provide an assessment of the cultural significance of the material and location;
- c) Provide an assessment of the archaeological (scientific) significance of any material identified;
- d) Assess the extent of proposed impact and its effect on Aboriginal cultural heritage values; and
- e) Integrate the results into a formal ACHAR following the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW, 2010b) and *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (OEH, 2011) so that any Aboriginal Heritage Impact sought by the proponent can be considered by RAPs and NSW Environment & Heritage (NSW E&H).

The proposed fieldwork is intended to provide information to refine a base predicted model identified during desktop research. The result will be an artefact distribution model suitable for presentation in a formal Aboriginal Cultural Heritage Assessment for review first by RAPs and then (most likely) by NSW E&H in the context of an application for an AHIP. The work will be fully compliant with Requirements 5-10 of the *Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW* (DECCW, 2010b). These requirements are available online:

<http://www.environment.nsw.gov.au/resources/cultureheritage/10783FinalArchCoP.pdf>

### 2.2 Background Work

Prior to fieldwork, we will be:

- Working on the formal Aboriginal community consultation process following the Aboriginal cultural heritage consultation requirements for proponents (DECCW, 2010c).
- Preparing background information while the notification and registration stages of the consultation process are underway.

### 2.3 Exposure Survey

Our survey approach differs from many consultants in that we undertake targeted survey of areas of exposure in a way that allows artefact finds to be represented as directly comparable measures of artefacts per (exposed) square metre and then integrated into spatially modelling the abundance and distribution of artefacts in the same way that test excavation data is used. This method of survey is not intended to simply determine the presence or absence of artefacts because we already know that they are there. The exposure survey data will be collected in an initial field program undertaken by Damian Wall with RAP representatives over 1 day.

## 2.4 Reporting

Using the results of site survey, a Draft ACHAR will be prepared for review by the proponent and then Registered Aboriginal Parties. The ACHAR will include the final model of the Aboriginal cultural heritage material and values in the study area so that NSW E&H and RAPs have a reliable understanding of the impact that will result from the development.

Following the integration of RAP responses, the finalised report will be provided with other required documentation to the proponent.

## 2.5 Further Information Sought

Please inform us if there any protocols that you wish to be adopted into the information gathering process and assessment methodology. Please also let us know if there are any matters such as issues/areas of cultural significance that might affect, inform or refine the assessment methodology – for example places of social, spiritual and cultural value, historic places with cultural significance, and potential places/areas of historic, social, spiritual and/or cultural significance. Let us know if any information that you provide is sensitive or you would like to be subject to restricted public access.

Registration and comment can be provided together or separately, noting closing dates shown in **Table 1**.

*Table 1: Closing dates for registration and comment on methodology*

Stage	Date
Distribution of this document	14/8/2025
Registration of interest closes	13/9/2025
Provision of comment closes	13/9/2025

### 3 References

- DECCW. (2010b). *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*. Sydney: Department of Environment, Climate Change and Water NSW.
- DECCW. (2010c). Aboriginal cultural heritage consultation requirements for proponents.
- OEH. (2011). *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW*. Sydney: Office of Environment and Heritage, Department of Premier and Cabinet.

## Appendix E: Newspaper Advertisement – Area News

### Advertisement submitted for publishing date 6/9/25

From: [noreply@addirect.com.au](mailto:noreply@addirect.com.au)  
 To: [damian.wall@red-gum.com.au](mailto:damian.wall@red-gum.com.au)  
 Subject: Confirmation of your General Classifieds advertisement  
 Date: Wednesday, 3 September 2025 8:58:58 PM

Advertisers
Wednesday September 3, 2025

.com.au

Dear Damian Wall,

Thank you for placing an advertisement using [addirect.com.au](http://addirect.com.au)

**Your Booking reference is: CH399Q.**

Your payment is confirmed and we are currently processing your ad (details below). We will contact you if there are any problems with your booking.

Ads placed via [addirect.com.au](http://addirect.com.au) are reviewed to ensure they adhere to our advertising policies, please note in some cases there may be a delay in publishing of your ad. If you have any questions please contact us on 1300 666 599 9am - 5pm Monday to Friday.

We wish you all the best with your ad!

**The Online Support Team**

We recommend you keep this message for future reference.


Login to [Manage your ad](#) as an Existing Advertiser to:

- Check the status of your booking
- Make any necessary changes to enhance your ad, and more...

**Your newspaper ad**

Summary	
Newspaper	The Area News, Griffith
Publication date	Sat 6 Sep 25
Classification	Notices (General Notices)
Sortword	NOTIFICATION
Total Price	\$456.14

A picture of your newspaper ad is attached



**Need help with your booking?** Call us on 1300 666 599 and quote your booking reference number  
 We will contact you again by email later to let you know that your newspaper ad has been printed and completed its scheduled appearances.

[addirect.com.au](http://addirect.com.au): *The print ads placement site for Australian Community Media*

**Security Reminder:** Australian Community Media never requests personal or credit card information via email. Be wary of suspicious emails claiming to offer Australian Community Media services.

Advertisement Proof**Notification of Registration of Interest for  
Aboriginal Stakeholders**

Red-Gum Environmental Consulting has been engaged by EDPR Australia (the "Proponent (Level 4, 54 Marcus Clarke Street, Canberra, ACT 2601) to undertake an Aboriginal Cultural Heritage Assessment (ACHA) in advance of the proposed development of a Battery Energy Storage System (BESS) at Yoogali NSW, in the Griffith Shire Local Government Area (LGA).

The project site is located on Lot 2/-/ DP1252779 at 15 Bob Irvin Road, Yoogali, New South Wales and will involve the construction of a Battery Energy Storage System (BESS) and associated infrastructure, known as the 'Griffith BESS', within an existing approved solar farm development.

The purpose of the consultation with Aboriginal stakeholders is to assist the Proponent in the preparation of the ACHAR for the project (Merino Solar Farm). The proposed Griffith BESS is classified as State Significant Development (SSD) under the State and Regional Development State Environmental Planning Policy (SEPP).

To fulfil the requirements set out in the Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010, Red-Gum Environmental Consulting is seeking interested Aboriginal parties who hold cultural knowledge of the assessment area to register their interest in the consultation process for the project and to assist in the determination of cultural significance of any Aboriginal objects or places located there.

Registrations should be provided in writing to: Red-Gum Environmental Consulting, 94 Kirby Flat Road, Yackandandah, VIC 3749 or via email to [damian.wall@red-gum.com.au](mailto:damian.wall@red-gum.com.au). Closing date for registration is 20th September 2025.

Those registering an interest will be contacted to discuss the project further and are advised that their details will be provided to DCCEEW and Griffith Aboriginal Local Aboriginal Land Council.

## Appendix F: National Native Title Tribunal Search

**Search Submitted on 17/8/25**

### Request for Spatial Search of Tribunal Registers



#### 1: Your details

Your name:	Damian Wall		
Your company:	Red-Gum Environmental Consulting Pty Ltd		
E-mail address:	damian.wall@red-gum.com.au	Phone:	0402344574
Your reference:	Yoogali	Your state:	VIC
<input checked="" type="checkbox"/>	I have read and acknowledge the terms and conditions on the previous page.		

#### 2: Areas to be searched

Jurisdiction to be searched:	NSW	Tenure to be searched:	Land parcel
------------------------------	-----	------------------------	-------------

Parcel or tenement identifiers (add up to 20 separate identifiers). **Please see previous page for parcel identifiers.**

Parcel 1:	139/-/DP751709	Parcel 2:	11//DP1198376
Parcel 3:	2//DP1252779	Parcel 4:	2500//DP1195971
Parcel 5:	1//DP865611	Parcel 6:	1//DP1252779
Parcel 7:		Parcel 8:	
Parcel 9:		Parcel 10:	
Parcel 11:		Parcel 12:	
Parcel 13:		Parcel 14:	
Parcel 15:		Parcel 16:	
Parcel 17:		Parcel 18:	
Parcel 19:		Parcel 20:	

If your search area is not a parcel or mining or petroleum tenement, you can enter other tenure or administrative regions here (e.g. local government area, townsite or county). Please provide as much detail as you can.

E-mail the completed form to [GeospatialSearch@NNTT.gov.au](mailto:GeospatialSearch@NNTT.gov.au)

**NATIONAL NATIVE TITLE TRIBUNAL SEARCH RESULTS – 18/8/25**

**From:** [Geospatial Search Requests](#)  
**To:** [damian\\_well@nntt.gov.au](mailto:damian_well@nntt.gov.au)  
**Subject:** RE: SR25/1359 - Search of the NNTT - Griffith BESS, Yoogali, NSW (SEC=OFFICIAL)  
**Date:** Monday, 18 August 2025 9:41:41 AM

OFFICIAL

Your ref: Yoogali Our ref: SR25/1359

Dear Damian,

Thank you for your search request, please find your results below.

**Search Results**

The results provided are based on the information you supplied and are derived from a search of the following Tribunal databases:

- 0. Schedule of Native Title Determination Applications
- 1. Register of Native Title Claims
- 2. Native Title Determinations
- 3. Indigenous Land Use Agreements (Registered and notified)

**Results for overlapping native title matters in NSW:**

Feature ID	Tenure	Cadastral Data As At	Feature Area SqKm	Overlapping Native Title Feature				
				NNTT File Number	Name	Category	Overlap Area SqKm	% Selected Feature
11/DP1252779	FREEHOLD	11/06/2025	0.0237	<a href="#">No overlap</a>			-	0.00%
11/DP865611	FREEHOLD	11/06/2025	0.0268	<a href="#">No overlap</a>			-	0.00%
11/DP1198376	FREEHOLD	11/06/2025	0.2684	<a href="#">No overlap</a>			-	0.00%
138/DP751709	FREEHOLD	11/06/2025	0.2043	<a href="#">No overlap</a>			-	0.00%
2/DP1252779	FREEHOLD	11/06/2025	0.4132	<a href="#">No overlap</a>			-	0.00%
2500/DP1185671	FREEHOLD	11/06/2025	0.0097	<a href="#">No overlap</a>			-	0.00%

For more information about the Tribunal's registers or to search the registers yourself and obtain copies of relevant register extracts, please visit our [website](#).

Information on native title claims and freehold land can also be found on the Tribunal's website here: [Native title claims and freehold land](#).

**Please note:** There may be a delay between a native title determination application being lodged in the Federal Court and its transfer to the Tribunal. As a result, some native title determination applications recently filed with the Federal Court may not appear on the Tribunal's databases.

The search results are based on analysis against external boundaries of applications only. Native title applications commonly contain exclusions clauses which remove areas from within the external boundary. To determine whether the areas described are in fact subject to claim, you need to refer to the "Area covered by claim" section of the relevant Register Extract or Schedule Extract and any maps attached.

**Search results and the existence of native title**

Please note that the enclosed information from the Register of Native Title Claims and/or the Schedule of Applications is **not** confirmation of the existence of native title in this area. This cannot be confirmed until the Federal Court makes a determination that native title does or does not exist in relation to the area. Such determinations are registered on the National Native Title Register.

**The Tribunal accepts no liability for reliance placed on enclosed information**

The enclosed information has been provided in good faith. Use of this information is at your sole risk. The National Native Title Tribunal makes no representation, either express or implied, as to the accuracy or suitability of the information enclosed for any particular purpose and accepts no liability for use of the information or reliance placed on it.

If you have any further queries, please do not hesitate to contact us via [GeospatialSearch@NNTT.gov.au](mailto:GeospatialSearch@NNTT.gov.au)

Regards,

[Geospatial Searches](#)  
**National Native Title Tribunal | Perth**  
 Email: [GeospatialSearch@nntt.gov.au](mailto:GeospatialSearch@nntt.gov.au) | [www.nntt.gov.au](http://www.nntt.gov.au)

## Appendix G: Office of the Registrar Aboriginal Land Rights Act 1983 (NSW) Search

Search originally submitted on 14/8/25

**From:** [damian.wall@red-gum.com.au](mailto:damian.wall@red-gum.com.au)  
**To:** [ALC](#)  
**Cc:** "[Robert Asquith](#)"; "[Rebecca Wardle](#)"; "[MISHKA TALENT](#)"  
**Subject:** RE: Register Search for Griffith BESS ACHAR  
**Date:** Wednesday, 20 August 2025 12:25:46 PM  
**Attachments:** [2449 - NSW Title - 1 865611.pdf](#)  
[2449 - NSW Title - 2 1252779.pdf](#)  
[2449 - NSW Title - 11 1198376.pdf](#)  
[2449 - NSW Title - 139 751709.pdf](#)  
[2449 - NSW Title - 2500 1195971.pdf](#)

Apologies Lynley. Please see attached. I'm not sure if these all match up with the form I sent in (?)....but these are the blocks we need the search for. Thanks for your help.

Cheers

D.

**Mr Damian Wall**

Managing Director

**Red-Gum Environmental Consulting Pty Ltd**

94 Kirby Flat Road

Yackandandah, VIC 3749

P: 0402 344 574

[www.red-gum.com.au](http://www.red-gum.com.au)

**From:** ALC <[alc@oralra.nsw.gov.au](mailto:alc@oralra.nsw.gov.au)>  
**Sent:** Thursday, 14 August 2025 7:08 PM  
**To:** [damian.wall@red-gum.com.au](mailto:damian.wall@red-gum.com.au); ALC <[alc@oralra.nsw.gov.au](mailto:alc@oralra.nsw.gov.au)>  
**Cc:** 'Robert Asquith' <[robert@cogencyaustralia.com.au](mailto:robert@cogencyaustralia.com.au)>; 'Rebecca Wardle' <[rebecca@cogencyaustralia.com.au](mailto:rebecca@cogencyaustralia.com.au)>; 'MISHKA TALENT' <[MISHKA.TALENT@edp.com](mailto:MISHKA.TALENT@edp.com)>  
**Subject:** RE: Register Search for Griffith BESS ACHAR

OFFICIAL

Good afternoon Damian

We acknowledge receipt of your request to search the Aboriginal Land Claims Register.

To conduct a search, current title documents are required for all crown land over which information is requested. The following link includes information on where you can access title searches: <https://www.nswlrs.com.au/Access-Titling-Information>

For land that is unidentified, titles are required for the land that is significantly adjacent. Providing the adjacent direction is not essential but can assist.

To prioritise a search, we request identification of the client *and* the purpose for which the search is required. At minimum, particularly if the client is not identified, we require at least a broad purpose for which the search is required, eg solar /electricity / drainage infrastructure.

*Kind regards*

**Lynley Mackay**

Project Officer, Land Claims

Office of the Registrar *Aboriginal Land Rights Act 1983*

**General Office Number:** (02) 85751160

PO Box 787 PARRAMATTA NSW 2124

Visit our website: [www.oralra.nsw.gov.au](http://www.oralra.nsw.gov.au)



*The Office of the Registrar stands on Aboriginal land. We acknowledge the traditional custodians of the land, and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to supporting the return of land to Aboriginal people as compensation for past dispossession; and to support self-determination through participation and representation in the land council network*

OFFICIAL

---

**From:** [damian.wall@red-gum.com.au](mailto:damian.wall@red-gum.com.au) <[damian.wall@red-gum.com.au](mailto:damian.wall@red-gum.com.au)>

**Sent:** Thursday, 14 August 2025 7:02 PM

**To:** ALC <[alc@oralra.nsw.gov.au](mailto:alc@oralra.nsw.gov.au)>

**Cc:** 'Robert Asquith' <[robert@cogencyaustralia.com.au](mailto:robert@cogencyaustralia.com.au)>; 'Rebecca Wardle' <[rebecca@cogencyaustralia.com.au](mailto:rebecca@cogencyaustralia.com.au)>; 'MISHKA TALENT' <[MISHKA.TALENT@edp.com](mailto:MISHKA.TALENT@edp.com)>

**Subject:** Register Search for Griffith BESS ACHAR

**Importance:** High

[CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.]

G'day,

Please find a Search request form for the above site. Happy to discuss as required.

Cheers

D.

**Mr Damian Wall**

Managing Director

**Red-Gum Environmental Consulting Pty Ltd**

94 Kirby Flat Road

Yackandandah, VIC 3749

P: 0402 344 574

[www.red-gum.com.au](http://www.red-gum.com.au)

## REQUEST FOR SEARCH OF LAND CLAIM REGISTER



**OFFICE OF THE REGISTRAR**  
 ABORIGINAL LAND RIGHTS ACT 1983 (NSW)

Level 3, 2-10 Wentworth Street  
 Parramatta NSW 2124  
 02 8633 1266  
 PO Box 5068  
 Parramatta NSW 2124

Please print all details clearly using block letters

**1. Contact details**

Full name:

Name of company:

Postal address:

Email address:

Telephone number:

**2. Real Property Details** (if more than one parcel please attach separate table)

Lot / Section / Deposited Plan:

Parish:

County:

Attached is a copy of the current title search(es), please tick ( ✓ ):

**3. To assist our office in assigning priorities please provide:**

a. The purpose for which information is required:

b. The reason for urgency (when urgent consideration is required):

**Please note:**

- i. Searches will only be performed on Crown Land.
- ii. In order to process a search we require a copy of a current title search for the relevant land.
- iii. Subject to demand, searches are normally completed within 10 working days. Complex searches may take longer.
- iv. If your search is urgent, please indicate why at point 3b above.
- v. Please send the completed form together with current relevant title search(es) via email to: [ALC@oraltra.nsw.gov.au](mailto:ALC@oraltra.nsw.gov.au)

**4 Signature and date:**

Office of the Registrar, Aboriginal Land Rights Act 1983, January 2020

**ORALRA SEARCH RESULTS (1/9/25)**

OFFICIAL: Sensitive - NSW Government



1 September 2025

Our ref: S2007

Damian Wall  
Red Gum Environmental ConsultingVia email: [damian.wall@red-gum.com.au](mailto:damian.wall@red-gum.com.au)

Dear Damian

**Request – Search for Aboriginal Land Claims**

We refer to your request, dated 20<sup>th</sup> August 2025 to search the Register of Aboriginal Land Claims ('the Register') in relation to land described by you as:

Lot/DP	Parish	County
1/865611	Stanbridge	Cooper
2500/1195971	Stanbridge	
11/1198376	Gorton Jondaryan Stanbridge	
2/1252779	Jondaryan	
139/751709	Jondaryan	

We have searched the Register and the subject land does not appear as being affected by Aboriginal Land Claims, pursuant to sections 36 or 37 of the *Aboriginal Land Rights Act 1983* (NSW).

Please note the following:

Searches of the Register reflect land descriptors at the time each claim was lodged and may not account for land descriptor changes since the claim was lodged, nor do they account for any changes to the Register subsequent to the search.

In all searches, it is recommended that Crown Lands NSW and/or NSW Department of Planning, Industry and Environment - Aboriginal Land Claims Assessment Team are additionally contacted directly on 1300 886 235.

Please contact our office on (02) 8575 1160 if you require further assistance.

Yours sincerely,

Lynley Mackay  
Project Officer, Land Claims  
On behalf of the Registrar Aboriginal  
Land Rights Act 1983

Address: Level 1, 6 Parramatta Square, PARRAMATTA NSW 2150

Post: P.O Box 787, PARRAMATTA NSW 2124

Phone: 02 8575 1160

OFFICIAL: Sensitive - NSW Government

## Appendix H: Email Notifications to Key Stakeholder Agencies

### LOCAL GOVERNMENT – Griffith Shire Council

**From:** [damian.wall@red-gum.com.au](mailto:damian.wall@red-gum.com.au)  
**To:** [admin@griffith.nsw.gov.au](mailto:admin@griffith.nsw.gov.au)  
**Cc:** [REDACTED]  
**Subject:** Notification - Nomination of Relevant Aboriginal Parties - Griffith BESS  
**Date:** Wednesday, 20 August 2025 12:31:08 PM  
**Importance:** High

---

G'day,

In accordance with the NSW Office of Environment and Heritage's (OEH) Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010, I am writing to notify you that we have been engaged to undertake an Aboriginal Cultural Heritage Assessment Report (ACHAR) in advance of proposed development of a Battery Energy Storage System (BESS) at Yoogali, NSW (names the 'Griffith BESS Project').

The Griffith BESS will cover approximately 3.62 hectares and entails the construction and operation of a battery storage facility and associated infrastructure. The proposal site is within Lot 2/-/DP1252779 at 15 Bob Irvin Road, Yoogali, New South Wales. The entirety of the site is zoned RU1 – Primary Production within the Griffith Local Environmental Plan 2014.

I am writing to you to seek information on relevant Aboriginal individuals and/or communities that you are aware of, who may hold cultural knowledge for the area relevant to determining the significance of Aboriginal objects and/or places. It would be appreciated if you could provide this information to me as soon as possible, at the address above or by email to [damian.wall@red-gum.com.au](mailto:damian.wall@red-gum.com.au). Please don't hesitate to contact me on 0402 344 574 if you have any queries or concerns.

Cheers

D.

**Mr Damian Wall**

Managing Director

**Red-Gum Environmental Consulting Pty Ltd**

94 Kirby Flat Road

Yackandandah, VIC 3749

P: 0402 344 574

[www.red-gum.com.au](http://www.red-gum.com.au)

**RESPONSE FROM GRIFFITH SHIRE COUNCIL**

**From:** [REDACTED]  
**To:** [Damian Wall](#)  
**Cc:** [REDACTED]  
**Subject:** Reply - RE: Notification - Nomination of Relevant Aboriginal Parties - Griffith BESS  
**Date:** Friday, 22 August 2025 1:02:27 PM  
**Attachments:** [image001.png](#)  
[Untitled attachment 00044.png](#)  
[Untitled attachment 00047.png](#)

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Hi Damian,

Please see details below for the GLALC.

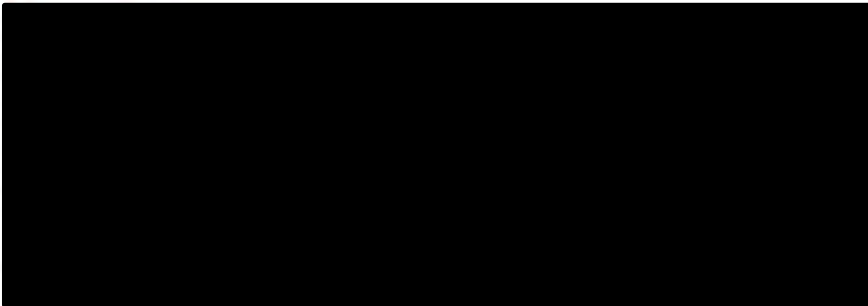
Please let me know if I can assist with anything further.

Thank you.

Regards,

[REDACTED]

[REDACTED]



[REDACTED]

Corporate Property Officer & Native Title Coordinator

p 1300 176 077



Griffith City Council  
a 1 Benerambah Street Griffith NSW 2680  
p PO Box 485 Griffith NSW 2680  
w [griffith.nsw.gov.au](http://griffith.nsw.gov.au)

Griffith City Council acknowledges and respects the Wiradjuri people as the traditional custodians and ancestors of the land and waters where we work.

There is no expectation for you to read or respond to this email outside of your normal working hours

**LOCAL LAND SERVICES**

**From:** [damian.wall@red-gum.com.au](mailto:damian.wall@red-gum.com.au)  
**To:** [admin.riverina@lls.nsw.gov.au](mailto:admin.riverina@lls.nsw.gov.au)  
**Subject:** Notification - Nomination of Relevant Aboriginal Parties - Griffith BESS  
**Date:** Wednesday, 20 August 2025 1:41:53 PM  
**Importance:** High

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G'day,

In accordance with the NSW Office of Environment and Heritage's (OEH) Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010, I am writing to notify you that we have been engaged to undertake an Aboriginal Cultural Heritage Assessment Report (ACHAR) in advance of proposed development of a Battery Energy Storage System (BESS) at Yoogali, NSW (names the 'Griffith BESS Project').

The Griffith BESS will cover approximately 3.62 hectares and entails the construction and operation of a battery storage facility and associated infrastructure. The proposal site is within Lot 2/-/DP1252779 at 15 Bob Irvin Road, Yoogali, New South Wales. The entirety of the site is zoned RU1 – Primary Production within the Griffith Local Environmental Plan 2014.

I am writing to you to seek information on relevant Aboriginal individuals and/or communities that you are aware of, who may hold cultural knowledge for the area relevant to determining the significance of Aboriginal objects and/or places. It would be appreciated if you could provide this information to me as soon as possible, at the address above or by email to [damian.wall@red-gum.com.au](mailto:damian.wall@red-gum.com.au). Please don't hesitate to contact me on 0402 344 574 if you have any queries or concerns.

Cheers

D.

**Mr Damian Wall**  
Managing Director

**Red-Gum Environmental Consulting Pty Ltd**  
94 Kirby Flat Road  
Yackandandah, VIC 3749  
P: 0402 344 574

[www.red-gum.com.au](http://www.red-gum.com.au)

**RESPONSE FROM LOCAL LAND SERVICES**

**From:** [LLS Admin Riverina Mailbox](#)  
**To:** [Damian Wall](#)  
**Subject:** Automatic reply: Notification - Nomination of Relevant Aboriginal Parties - Griffith BESS  
**Date:** Wednesday, 20 August 2025 1:42:15 PM

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Thank you for contacting Riverina Local Land Services.

We have received your email; we endeavour to reply to your email within 2 business days.

If your matter is urgent, please call 1300 795 299

If you suspect an exotic animal disease, please contact the Emergency Animal Disease hotline on 1800 675 888.

If you suspect a plant health issue, please contact the Exotic Plant Pest hotline on 1800 084 881

You can find all the latest information on Local Land Services anytime at [Riverina - Local Land Services \(nsw.gov.au\)](#) or visit our Riverina Local Land Services Facebook page.

**NTSCORP LIMITED (No response received)**

**From:** [damian.wall@red-gum.com.au](mailto:damian.wall@red-gum.com.au)  
**To:** [information@ntscorp.com.au](mailto:information@ntscorp.com.au)  
**Subject:** Search of Registers - Griffith BESS Project  
**Date:** Wednesday, 20 August 2025 12:10:02 PM  
**Importance:** High

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G'day,

In accordance with the NSW Office of Environment and Heritage's (OEH) Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010, I am writing to notify you that we have been engaged to undertake an Aboriginal Cultural Heritage Assessment Report (ACHAR) in advance of proposed development of a Battery Energy Storage System (BESS) at Yoogali, NSW (names the 'Griffith BESS Project').

The Griffith BESS will cover approximately 3.62 hectares and entails the construction and operation of a battery storage facility and associated infrastructure. The proposal site is within Lot 2/-/DP1252779 at 15 Bob Irvin Road, Yoogali, New South Wales. The entirety of the site is zoned RU1 – Primary Production within the Griffith Local Environmental Plan 2014.

I am writing to you to seek information on relevant Aboriginal individuals and/or communities that you are aware of, who may hold cultural knowledge for the area relevant to determining the significance of Aboriginal objects and/or places. It would be appreciated if you could provide this information to me as soon as possible, at the address above or by email to [damian.wall@red-gum.com.au](mailto:damian.wall@red-gum.com.au). Please don't hesitate to contact me on 0402 344 574 if you have any queries or concerns.

Cheers  
D.

**Mr Damian Wall**  
Managing Director

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[www.red-gum.com.au](http://www.red-gum.com.au)

## Appendix I: AHIMS Search Results

[This Appendix is REDACTED]



