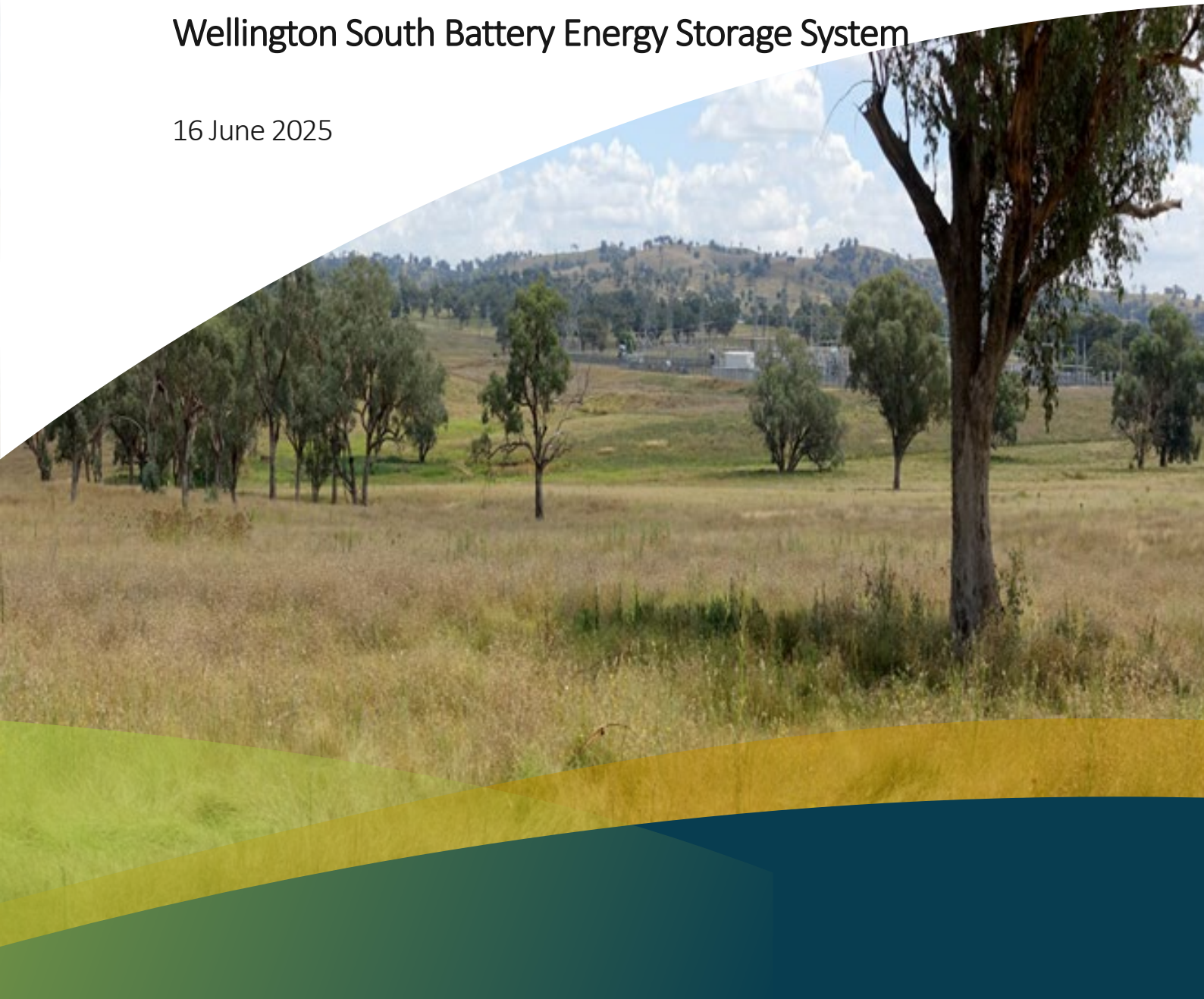




Aboriginal Cultural Heritage Chance Finds Protocol

Wellington South Battery Energy Storage System

16 June 2025



Aboriginal Cultural Heritage Chance Finds Protocol Wellington South Battery Energy Storage System

AE1229

June 2025

Document Control			
Issued to			
Prepared by		Reviewed by	Approved by
Stephanie Rusden OzArk Environment & Heritage		Ben Churcher OzArk Environment & Heritage	
Previous versions			
Version:	V1	18 March 2025	Draft to Ecosite Solutions Pty Ltd

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Abbreviations and definitions

Aboriginal heritage	Those aspects of Aboriginal culture that are inherited from the past may be referred to as Aboriginal heritage. For the purpose of this CFP the term is used to collectively refer to Aboriginal sites and archaeologically sensitive areas.
Aboriginal object	A physical manifestation of past Aboriginal activity. The legal term is defined in the NPW Act Section 5 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. Typical examples include stone artefacts, grinding grooves, Aboriginal rock shelters which by definition include physical evidence of occupation, midden shell, hearths, stone arrangements and other landscape features which derive from past Aboriginal activity.
Aboriginal site	The location where a person in the present day can observe one or more Aboriginal objects. The boundaries of a site are limited to the extent of the observed evidence. A 'site' does not include the inferred extent of unobserved Aboriginal objects (such as archaeological deposit). Different archaeologists can have varying definitions of a 'site' and may use the term to reflect the assumed extent of past Aboriginal activity beyond visible Aboriginal objects. Such use of the term risks defining all of Australia as a single 'site'.
AHIMS	Aboriginal Heritage Information Management System – a computer software system employed by Heritage NSW to manage many aspects of Aboriginal site recording and permitting. AHIMS includes an Aboriginal sites database which can be accessed via an internet portal.
AMPYR	AMPYR Australia Pty Ltd
ASIRF	Aboriginal Site Impact Recording Form. A standardised form for recording authorised impacts to Aboriginal sites. Only with a completed ASIRF can a site be listed as 'destroyed' on the AHIMS.
BESS	battery energy storage system
DC	development consent
DPHI	Department of Planning, Housing and Infrastructure
EMS	Environment management strategy
Heritage NSW	Government department tasked with managing regulation and compliance associated with the NPW Act.
Incident	A set of circumstances that causes or threatens to cause material harm to the environment.
km	kilometre
kV	kilovolt
LGA	local government area

MW	megawatt
NEM	National Energy Market
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent but is not an incident
NPW Act	<i>National Parks and Wildlife Act 1974</i> . Primary legislation governing Aboriginal cultural heritage within NSW.
NSW	New South Wales
Planning Secretary	Secretary of the Department, or nominee
RAP	Registered Aboriginal Party. An individual or group who have indicated through the ACHCR process that they wish to be consulted regarding the project.
SSD	State Significant Development

1. Introduction

1.1. Preamble

AMPYR Australia Pty Ltd (AMPYR) known as the Principal has received approval to develop, construct and operate the Wellington South Battery Energy Storage System (WSBESS or the project) State Significant Development (SSD) 27014706 dated 22 December 2023. The project is located approximately 2.2 kilometres (km) north-east of the township of Wellington in the Dubbo Regional Council local government area (LGA) adjacent to the Wellington Substation. The facility will connect to the Wellington Substation, operated by Transgrid, by way of an overhead or underground 330 kilovolt (kV) transmission line. Excess energy will be taken by the battery during periods of excess supply and inject energy back into the electrical grid during periods of peak demand. The battery will operate 24/7 and will have a design life of 20 years.

The project is located within the Central-West Orana Renewable Energy Zone (CWO REZ), a declared REZ by the New South Wales (NSW) Government.

The project incorporates a large-scale battery energy storage system (BESS) with a discharge capacity of 500 megawatts (MW) and a storage capacity of 1,000 megawatt hours (MWh), along with connection to the Wellington substation (and associated upgrade works) and associated ancillary infrastructure to facilitate transfer of energy to and from the electrical grid. It is intended that the project will be constructed in two separate stages as follows:

- Stage 1: will include 300 MW installed discharge capacity, civil and enabling works including the project access way, installation of batteries, one transformer and switchgear and associated structural, mechanical and electrical works, and connection to the Transgrid substation.
- Stage 2: would likely consist of 200 MW installed discharge capacity, civil and enabling works, including installation of a second transformer and associated switchgear and batteries, and connection to the Transgrid substation. Stage 2 will commence construction following completion of Stage 1 construction.

AMPYR are project owners (The Principal) and have engaged Fluence as the Engineering, Procurement and Construction (EPC) contractor to manage the works for the WBESS, substation, ancillary operational facilities and earthworks bench for the battery storage for Stage 1 only. Fluence Energy will manage ongoing operation and maintenance services of only Stage 1 of the Development for the first twenty years of operations.

Stage 2 is still under development and responsible parties associated with the construction and development shall be nominated separately at a later date.

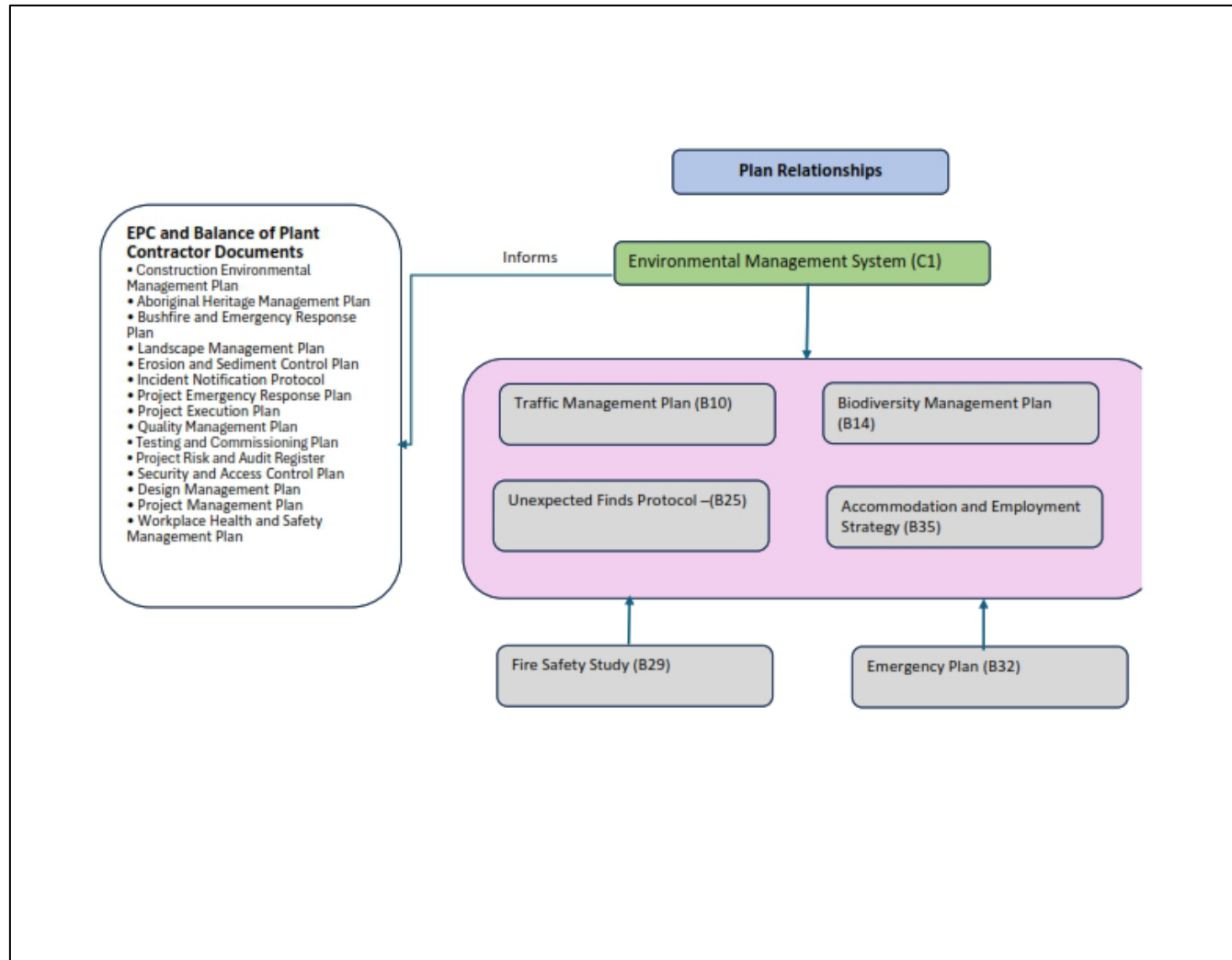
The Principal have engaged Transgrid to connect the Project to the transmission network used by Transgrid to provide transmission services, which includes certain works that need to be completed by Transgrid to enable Transgrid to connect the Project to the transmission network.

The Development Consent (DC) – Application Number: SSD-27014706 Condition C1 requires the preparation, approval, and implementation of an environmental management strategy (EMS) and several management plans for both the construction and operation phases of the project, including this Chance Finds Protocol (CFP) as required by Condition B25 (**Figure 1-1**).

The DC relevant to Aboriginal cultural heritage is included as Appendix A.

Commitments were also made by the Principal in the environmental impact statement (EIS) (EMM 2022a) and the Aboriginal Cultural Heritage Assessment (ACHA) prepared by EMM (2022b) regarding the preparation of an Aboriginal Cultural Heritage Management (ACHMP). This ACHMP is an internal document which has been prepared to meet these project commitments. Where relevant, the requirements of the CFP are detailed in the ACHMP.

Figure 1.1 Schematic of environmental management documentation



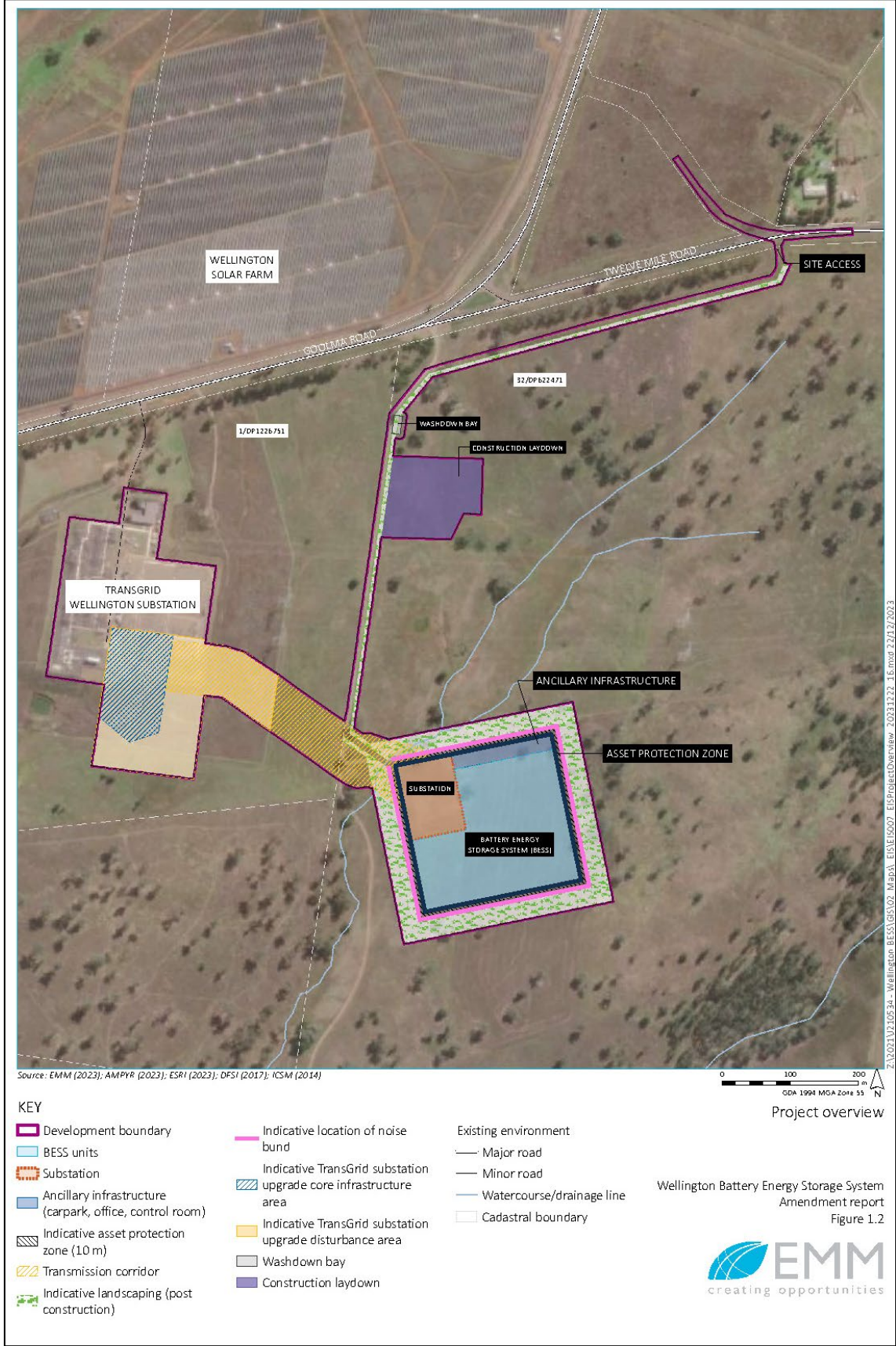
1.2. Project overview

The project will comprise the following components:

- Construction and operation of electrical infrastructure, including:
 - lithium-ion (Li-ion) batteries inside battery enclosures
 - power conversion systems (PCS) incorporating inverters and transformers
 - an aboveground or underground transmission line and connection to the switchyard of the Wellington Substation and associated easement
 - an on-site substation comprising two 330kV transformer bays and ancillary infrastructure
 - cabling and collector units.
- Upgrade of the Transgrid Wellington Substation, which may include installation of an additional 330kV switch bay with power transformers, including switchyard bench extension to the south of the existing bench and relocation of security fencing.
- Construction/upgrade and maintenance of ancillary infrastructure and mitigative features, including:
 - an upgrade to the existing site access (currently at the intersection of Goolma Road and Twelve Mile Road) to facilitate safer connection to roadway network and to facilitate the entry of larger construction vehicles
 - upgrades to existing access tracks
 - control and office building and associated parking
 - drainage and stormwater management
 - security fencing, lighting and closed-circuit television
 - connection to utilities (telecom, sewerage, etc)
 - an Asset Protection Zone (APZ)
 - planted landscaping around the BESS facility.

The project layout showing these components is presented on **Figure 1-2**.

Figure 1.2 Site configuration



1.3. Legislative Framework

The DC for SSD 27014706 stipulates the requirements related to Aboriginal heritage. These are summarised in **Table 1-1** and shown in **Appendix A**.

Table 1-1: Aboriginal cultural heritage-related conditions.

Schedule	Condition	Description	Section/s addressed
Schedule 2 Part B Environmental Conditions (Aboriginal Heritage)	Protection of Heritage Items		
	B24	The Applicant must ensure the development does not cause any direct or indirect impacts on Aboriginal heritage items located outside the approved development footprint.	Section 4.1
	Unexpected Finds Protocol – Aboriginal Heritage		
	B25	Prior to the commencement of construction, the Applicant must prepare a Chance Finds Protocol for the development in consultation with the Aboriginal Stakeholders, and to the satisfaction of Heritage NSW. Following approval, the Applicant must implement the Chance Finds Protocol.	Section 2 and Section 4.3

1.4. Objectives of the CFP

This CFP addresses the management of Aboriginal heritage, which is of significance to the local Wiradjuri people. It is relevant to the construction and operational phases of the project. This document provides information and actions required to:

- Protect both identified and unidentified Aboriginal heritage from damage or harm
- Ensure that in the event Aboriginal heritage cannot be protected, appropriate management occurs
- Ensure that effective and open consultation with the Wiradjuri people occurs.

This CFP is to remain as a 'live' document. It should be updated/revised at any time should additional Aboriginal object(s) that require protection are noted, or when legislative changes require it.

2. Consultation

2.1. Consultation with Heritage NSW

Consultation with Heritage NSW during the preparation of this CFP is provided in **Appendix B Figure 1**.

Feedback received from Heritage NSW on 5 May 2025 (**Appendix B Figure 1**) requesting the following:

- Heritage NSW be included in the list of contacts should any suspected skeletal material be encountered
- Non-compliance reporting requirements to also include notification to compliance@planning.nsw.gov.au.

Figure 4.1 has been amended to include notification to Heritage should any suspected skeletal material be encountered, and **Section 4.5.2** has been updated to include notification to compliance@planning.nsw.gov.au in the event of a non-compliance.

2.2. Aboriginal community consultation

This CFP¹ has been prepared in consultation with the RAPs.

A log regarding the consultation undertaken is provided in **Appendix C Table 1**.

2.2.1. Registered Aboriginal Parties (RAPs)

The RAPs for the project are:

- Binjang Wellington Wiradjuri Aboriginal Corporation
- Corroboree Aboriginal Corporation
- Gallangabang Aboriginal Corporation
- Stakeholder 1²
- Wellington Local Aboriginal Land Council
- Wellington Valley Wiradjuri Aboriginal Corporation.

¹ The initial document provided to the RAPs for review was titled an ACHMP. Following the RAP review period, the decision was made by the Principal to prepare a standalone CFP to meet the requirements of Condition B25 of the DC and an internal ACHMP.

² RAP has requested their details not be disclosed.

2.2.2. RAP consultation on this CFP

Aboriginal Focus Group Meeting

On 6 August 2024 all RAPs were sent an invitation to attend an Aboriginal Focus Group Meeting (AFGM) (**Appendix C Figure 2**).

The AFGM was held on 19 August 2024. The AFGM was attended by representatives from Wellington Valley Wiradjuri Aboriginal Corporation and OzArk. Minutes from the AFGM are presented in **Appendix C Figure 4**.

During the AFGM, the following points were raised by Wellington Valley Wiradjuri Aboriginal Corporation regarding the draft CFP:

- Preference for the Aboriginal cultural heritage awareness training of all employees, contractors, and sub-contractors to be conducted in-person by RAP representatives
- Preference for RAPs to be contacted earlier if suspected human skeletal remains are encountered
- Long-term management of any unanticipated finds should include reburial at a nearby location following Aboriginal cultural protocols such as a smoking ceremony.

A response was sent to Wellington Valley Wiradjuri Aboriginal Corporation addressing their comments (**Appendix C Figure 5**). This response advised:

- Provisions have been included for RAPs to participate in the conservation and management of Aboriginal cultural heritage associated with the project, which may include consultation on training materials and involvement of RAPs in delivering cultural awareness training (refer to **Section 2.2.3**)
- RAPs will only be advised that human remains have been encountered once police have confirmed that they are ancient Aboriginal remains
- Long term management measures would include reburial of unanticipated Aboriginal object(s) at a nearby location. The preference for a smoking ceremony was noted and advised a smoking ceremony would only be able to be completed if it meets relevant safety protocols for the project (refer to **Section 4.4.2**).

A copy of the meeting minutes was sent to all RAPs on 30 August 2024 for their records (**Appendix C Figure 6**).

CFP review

A copy of the draft CFP was sent to all RAPs on 1 August 2024 with the 28-day review period closing on 30 August 2024 (**Appendix C Figure 3**).

No comments were received other than those provided by Wellington Valley Wiradjuri Aboriginal Corporation during the AFGM.

On 16 May 2025, all RAPs were sent a letter providing an update on the CFP and minor amendments made to the CFP following Heritage NSW review (**Appendix C Figure 7**).

2.2.3. Ongoing consultation protocols and involvement in the project

The Principal will continue to consult with the RAPs identified in **Section 2.2.1**. Consultation with the RAPs will include, but not be limited to:

- Review of the CFP following any modifications to the DC in accordance with relevant requirements, as established by the regulatory authorities
- Notification of new discoveries of Aboriginal ancestral remains (**Section 4.3.1**)
- Notification of new discoveries of Aboriginal object/s (**Section 4.3.2**)
- Cultural awareness training and induction materials will be developed in consultation with the RAPs, through review and comment on the proposed packages. Additionally, the project will communicate to and consider the RAPs for employment and other opportunities that are related to the construction and ongoing maintenance of the project asset. This may include, but not be limited to, involving the RAPs in delivering a cultural heritage induction that addresses cultural competency to staff and contractors, outlining cultural heritage sites and penalties.

RAPs will be provided with contact details of the Environmental Officer in case they wish to make enquires and/or raise any concerns with regards to the project.

3. The Aboriginal Heritage Resource

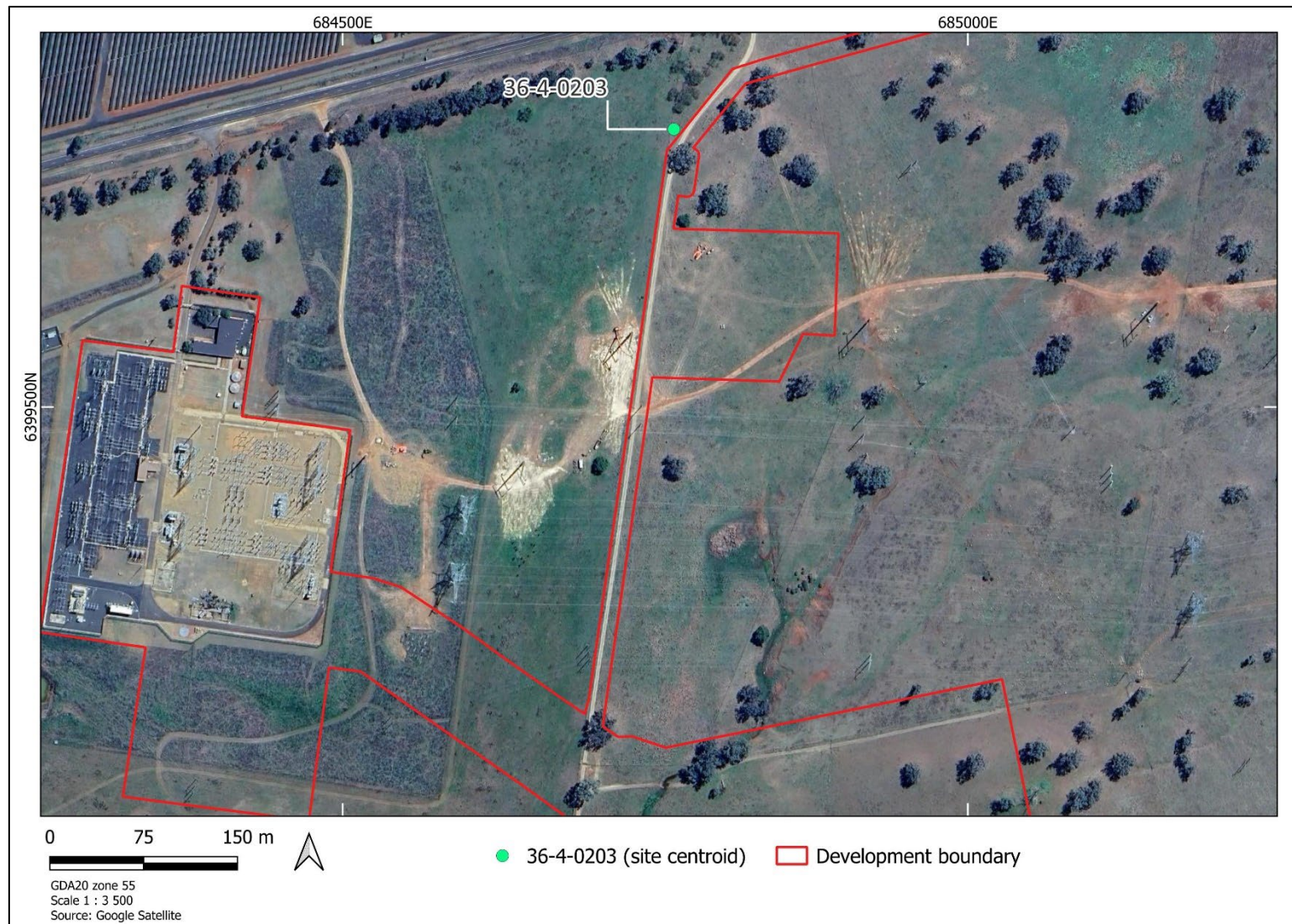
3.1. Identified Aboriginal cultural heritage

One previously recorded Aboriginal site (36-4-0203) listed as 'valid' on the Aboriginal Heritage Information Management System (AHIMS) is located near the development boundary. The coordinates provided by AHIMS for site 36-4-0203 (an isolated find) place the site approximately 6 m from the development boundary.

EMM (2022:38) however noted that the coordinates provided by AHIMS for site 36-4-0203 is likely in error and postulated the site is instead in Lot 1 DP1226751 given it was identified as part of investigations for the Wellington Solar Farm, which surveyed Lot 1 DP1226751 as part of the assessment for a proposed transmission line.

The location of site 36-4-0203 provided by AHIMS was inspected as part of the survey and the recorded Aboriginal object could not be located (EMM 2022:47). No updates were made by EMM to AHIMS to amend the location of the site. **Figure 3.1** shows the registered location of site 36-4-0203.

Figure 3.1 AHIMS location of Aboriginal site 36-4-0203 in relation the development boundary



4. Management Measures and Protocols

4.1. Site specific management measures

All employees, contractors, sub-contractors and visitors will be made aware that there is a registered Aboriginal site in the vicinity of the development boundary and therefore must not undertake ground disturbance outside of approved areas.

Prior to commencement of ground disturbance, the AHIMS location for site 36-4-0203 will be demarcated by temporary colour coded bunting with the assistance of a qualified archaeologist (see **Figure 3.1**). As the site is an isolated find, a 4 m buffer around the site will be sufficient. This bunting will remain in place throughout the civil construction period, and bi-weekly inspections will be undertaken to confirm the integrity of this barricading. Upon completion of the civil construction, the AHIMS site location will be permanently protected by installation of fencing that will be located on the road side of the site. It is proposed that Waratah hinge joint livestock fencing, or similar, will be utilised for this permanent fencing.

4.2. Aboriginal cultural heritage awareness training

The Principal recognises that training and awareness is an important aspect of the EMS. Such inductions assist greatly in avoiding inadvertent impact to Aboriginal heritage sites/objects by improving the site-specific heritage knowledge of the workers.

All employees, contractors, sub-contractors and visitors to the development boundary will be made aware of the obligation to avoid harm to Aboriginal heritage through a general site induction prior to them commencing work on the project.

The Aboriginal heritage induction will inform employees, contractors, sub-contractors and visitors of the following:

- The location of Aboriginal site 36-4-0203 (as provided by AHIMS) and its associated no go zone near the development boundary and measures for its protection
- The process of how to identify Aboriginal objects should they be uncovered during the construction and operation phase of the project, and the protocols to be followed for unanticipated finds and / or suspected Aboriginal ancestral remains
- The legislative protection for all Aboriginal objects under the *NSW National Parks and Wildlife Act 1974* (NPW Act).

4.3. Unanticipated heritage finds procedures

The following sections outline the management strategies to be adhered to if any new Aboriginal objects and / or suspected Aboriginal ancestral remains are identified.

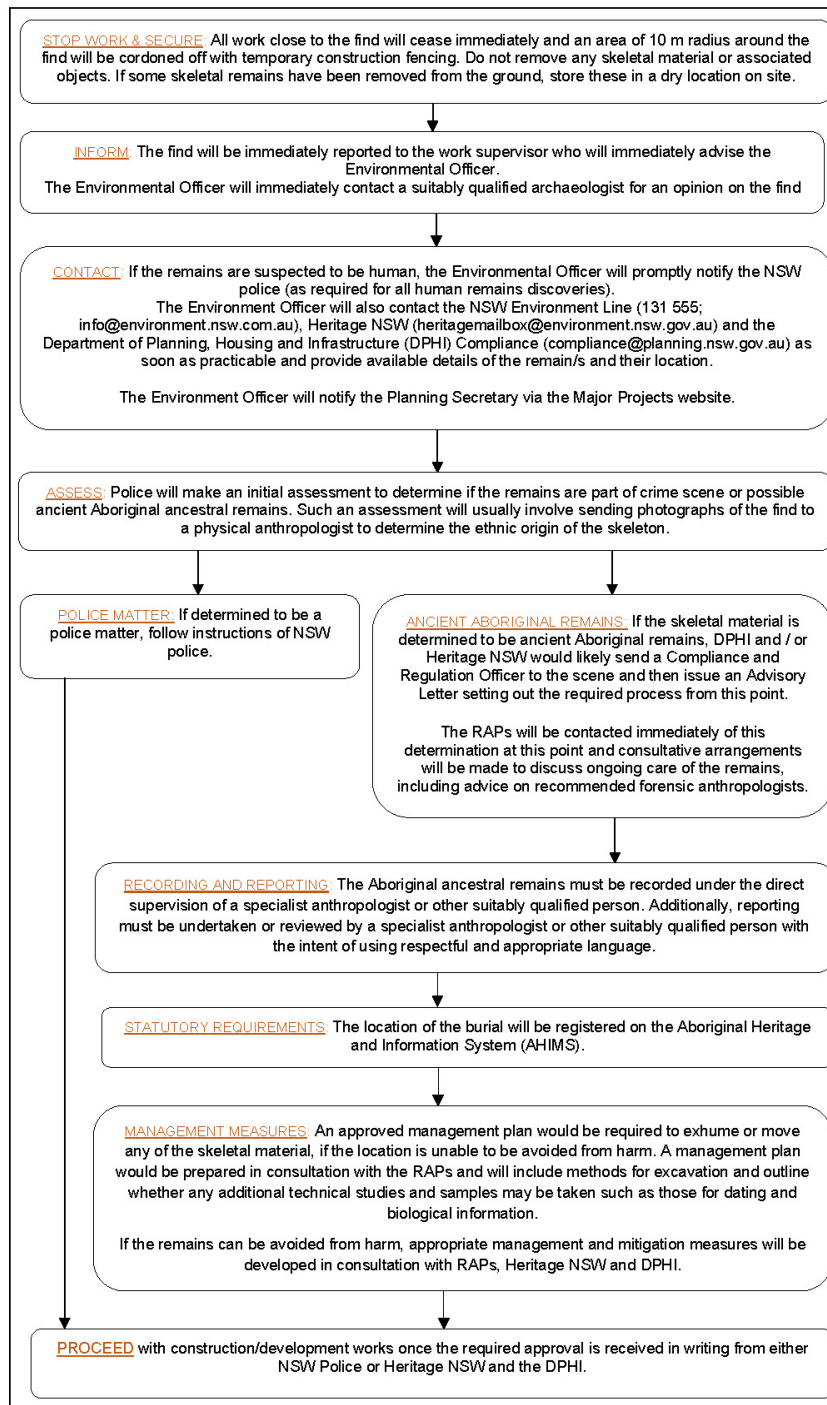
Under the NPW Act (Part 6), an Aboriginal object is defined as: *any deposit, object, or material evidence (not being a handcraft for sale) relating to Aboriginal habitation of the area that comprises NSW, being habitation both prior to and concurrent with the occupation of that area by persons of European extraction and includes Aboriginal remains.*

4.3.1. Discovery of Aboriginal ancestral remains

The procedure related to the discovery of suspected Aboriginal ancestral remains is based on Requirement 25 of the *Code of Practice for Archaeological Investigation of Aboriginal objects in NSW* (DECCW 2010).

If known, or suspected Aboriginal skeletal remains are encountered during the construction and/or operation of the project, the procedure outlined on **Figure 4.1** will be followed.

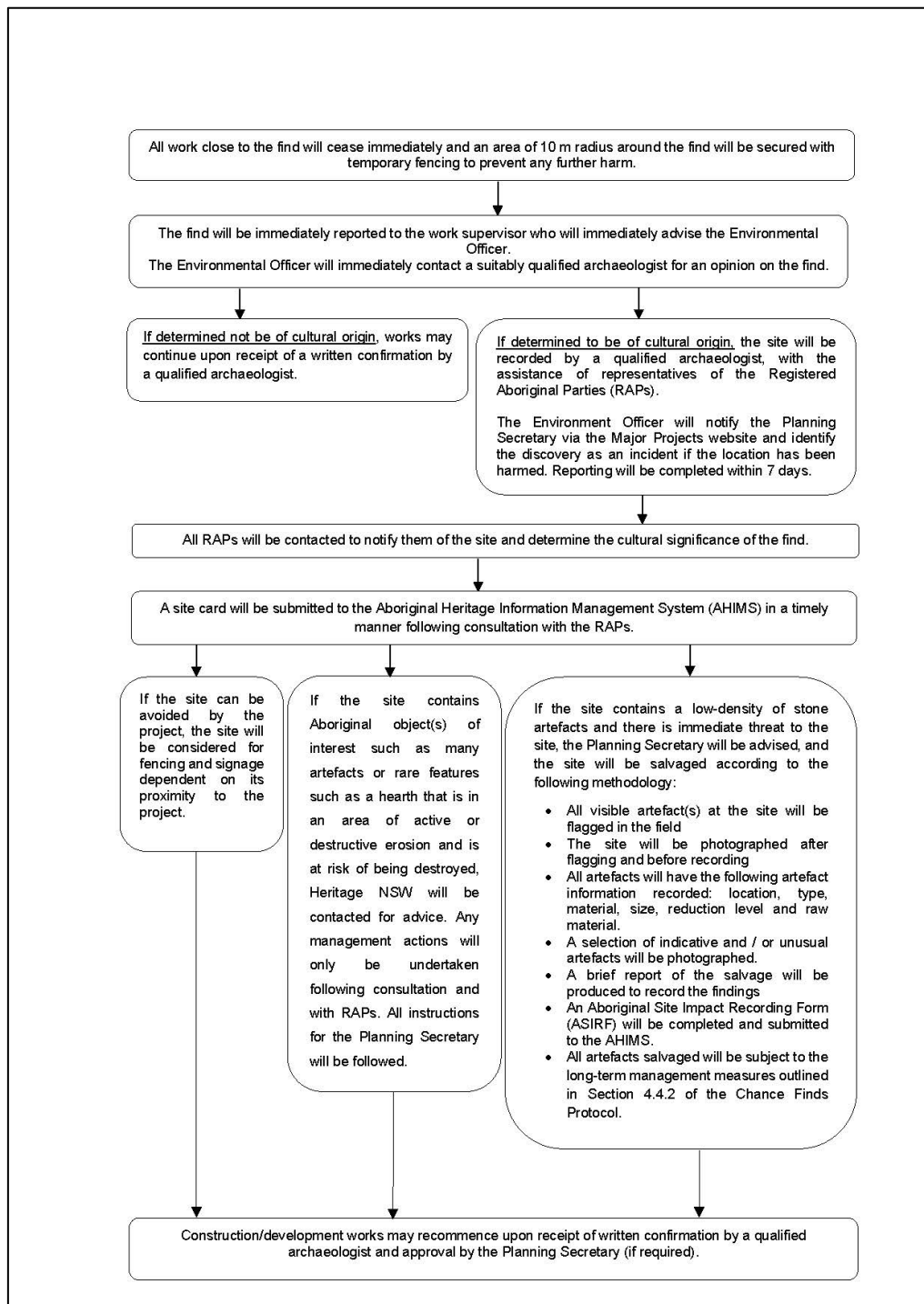
Figure 4.1 Discovery of suspected Aboriginal ancestral remains flowchart



4.3.2. Discovery of unanticipated Aboriginal object(s)

In the event of any unexpected, Aboriginal object(s), the protocol detailed in **Figure 4.2** will be followed.

Figure 4.2 *Unanticipated finds protocol.*



4.4. Management of unanticipated Aboriginal object(s)

4.4.1. Immediate provisions for storage

If any unanticipated Aboriginal object(s) are identified during the construction or operation of the project which require collection, the Aboriginal object(s) will be stored in a locked cabinet at the construction compound within the development boundary.

4.4.2. Long-term management of Aboriginal objects

Any unanticipated Aboriginal object(s) will either be reburied at a nearby location or moved to an area outside the development boundary. The reburial location will be chosen through consultation with the RAPs and discussions with the Principal.

During the AFGM, Wellington Valley Wiradjuri Aboriginal Corporation advised their preference is for any objects to be reburied at a nearby location. Preference for a smoking ceremony to be conducted was also advised (see **Section 2.2.2**). Ability to conduct a smoking ceremony would be dependent on relevant safety protocols for the project.

A site card will be submitted to AHIMS to register the relocation as a site. Fencing and signage of the relocation area will be considered based on the proximity of the area to the project.

4.5. Statutory reporting requirements and notification

4.5.1. Incident notification requirements

Within seven days of becoming aware of an incident relating to Aboriginal heritage, the Principal will notify DPHI of the incident in writing via the DPHI's Major Projects website.

The written notification will:

- a) identify the project and application number
- b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident)
- c) identify how the incident was detected
- d) identify when the applicant became aware of the incident
- e) identify any actual or potential non-compliance with conditions of consent
- f) describe what immediate steps were taken in relation to the incident
- g) identify further action(s) that will be taken in relation to the incident
- h) identify a project contact for further communication regarding the incident.

Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the the Principal will provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.

The incident report will include:

- a) a summary of the incident
- b) outcomes of an incident investigation, including identification of the cause of the incident
- c) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence
- d) details of any communication with other stakeholders regarding the incident.

4.5.2. Reporting of non-compliance

Within seven days of becoming aware of a non-compliance relating to Aboriginal heritage, the Principal will notify DPHI of the non-compliance in writing via the DPHI's Major Projects website and by writing to the DPHI (compliance@planning.nsw.gov.au).

The notification will identify the project (including the SSD application number and name), set out the condition of this approval that the project is non-compliant with, the way in which it does not comply (if known), and what actions have been, or will be, undertaken to address the non-compliance.

A non-compliance which has been notified as an incident (**Section 4.5.1**) does not need to also be notified as a non-compliance.

4.6. Additional investigations

If, through future project planning, impacts are proposed outside the area assessed as part of the ACHA (EMM 2022b), further assessment will need to be carried out.

Where future impacts are proposed as part of a modification to SSD-27014706, Aboriginal heritage could be assessed through the preparation of an ACHA, an Archaeological Technical Report (ATR) or summarised in a chapter of a Modification Report, depending on the scale of the works.

5. Accountabilities

Roles and responsibilities for the Principal personnel and all contractors are outlined in **Table 5-1**.

Table 5-1: Accountabilities.

Role	Accountabilities for this document
Project Manager	<ul style="list-style-type: none"> • Review this CFP • Provide adequate resources for the implementation of this Plan • Report all non-compliance and incidents to DPHI through the Major Developments website • Comply with all requirements in this Plan.
Environmental Officer	<ul style="list-style-type: none"> • Implement the CFP • Management of consultants/archaeologists • Undertake consultation with RAPs as required • Respond to Aboriginal cultural heritage related complaints • Ensure audit and relevant statutory reporting is undertaken • Report on continuous improvement opportunities • Distribute copies of the CFP as required • Maintain records of Aboriginal consultation and past CFPs including updating the website where relevant • Arrange for review of the CFP
All personnel (including employees, contractors, sub-contractors and visitors)	<ul style="list-style-type: none"> • Report all incidents and non-compliance to the Project Manager and Environmental Officer • Comply with all requirements in this CFP • Undertake operations in a proper and efficient manner in accordance with the CFP.

6. Review and Improvement

6.1. Review and revisions

Revisions will be made to this CFP in the following circumstances:

- Any salvage activities
- Where new Aboriginal objects and / or Aboriginal ancestral remains are discovered which require specific management approaches proportionate to their cultural significance, and which are not otherwise covered in this CFP
- Where approved modifications to the project introduce new impacts on Aboriginal heritage which are not generally covered by this CFP
- Where approved changes to the project change or remove previously planned impacts on Aboriginal heritage where mitigation was proposed in this CFP but is no longer required.

Where changes are made to this CFP, a draft will be subject to Aboriginal consultation as outlined in **Section 2.2.2**. Matters raised in consultation which are specific to the changes in this CFP may be acknowledged and addressed in the revised CFP.

7. Document Information

7.1. Relevant legislation

The following legislation is relevant to this CFP:

- *National Parks and Wildlife Act 1974*

7.2. Reference information

Reference information, listed in **Table 7-1**, is information that is directly related to the project of this CFP or referenced from within this CFP.

Table 7-1: Reference information.

Author	Description
DECCW 2010	DECCW 2010. <i>Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW</i> , Department of Environment, Climate Change and Water, Sydney.
EMM 2022a	EMM 2022. <i>Wellington South Battery Energy Storage System Environmental Impact Statement</i> . Report to AMPYR Australia Pty Ltd.
EMM 2022b	EMM 2022. <i>Aboriginal Cultural Heritage Assessment Wellington South Battery Energy Storage System</i> . Report to AMPYR Australia Pty Ltd.

7.3. Change information

A summary of the document history is provided in **Table 7-2** below.

Table 7-2: Change information.

Version	Date	Author	Description
1	April 2025	OzArk Environment & Heritage	First CFP for SSD 27014706.

Appendix A:

Conditions of Consent SSD 27014706

Relevant to Aboriginal cultural heritage

HERITAGE

Protection of Heritage Items

- B24. The Applicant must ensure the development does not cause any direct or indirect impacts on Aboriginal heritage items located outside the approved development footprint.

Unexpected Finds Protocol – Aboriginal Heritage

- B25. Prior to the commencement of construction, the Applicant must prepare a Chance Finds Protocol for the development in consultation with the Aboriginal Stakeholders, and to the satisfaction of heritage NSW. Following approval, the Applicant must implement the Chance Finds Protocol.

SOIL AND WATER

Water Supply

- B26. The Applicant must ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of the development to match its available watersupply.

Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Applicant is required to obtain the necessary water licences for the development.

Water Pollution

- B27. The Applicant must ensure that the development does not cause any water pollution, as defined under Section 120 of the POEO Act.

Operating Conditions

NSW Government
Planning and Environment

11

Wellington South Battery Energy Storage System (SSD 27014706)

Appendix B:

Government stakeholder consultation process

Department of Climate Change, Energy, the Environment and Water



Our ref: HMS ID 10061

Andy Winter
AMPYR Energy
andy.winter@ampyreenergy.com

Letter uploaded to the Major Projects Planning Portal

Aboriginal Cultural Heritage Management Plan – State Significant Development

Proposal: Wellington South BESS (SSD-27014706-PA-8)

Major Project reference: SSD-27014706-PA-8

Received: 12 April 2025

Dear Andy,

Thank you for your referral seeking advice on the Chance Finds Protocol (CFP) dated 1 April 2025 for the above State Significant Development. Thank you for the continued opportunity to comment on the project.

Heritage NSW has reviewed the CFP and notes that Heritage NSW should be included in the list of contacts following any suspected skeletal material. Please also update non-compliance reporting requirements to include notification to compliance@planning.nsw.gov.au. Heritage NSW has no further comment on the ACHMP following these additions.

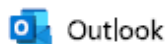
Please note that the above comments relate only to Aboriginal cultural heritage regulation matters. If you have any questions about this correspondence, please contact Sarah McGuinness, Senior Assessments Officer at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely,

Marika Low

Marika Low
A/Practice Lead
Major Projects
Heritage NSW
Department of Climate Change, Energy, the Environment and Water
As Delegate under *National Parks and Wildlife Act 1974*
5 May 2025

4PSQ, 12 Darcy Street, Parramatta NSW, 2150 (02) 9873 8500 www.environment.nsw.gov.au/topics/heritage
Locked Bag 5020, Parramatta 2124



RE: SSD-27014706 / DOC22/1011058 - Ampy Energy Wellington South (BESS SSD-27014706)- Chance Finds Protocol

From Andy Winter <andy.winter@ampyreenergy.com>

Date Thu 4/24/2025 9:18 AM

To Alison Lamond <alison.lamond@environment.nsw.gov.au>

Cc Marika Low <marika.low@environment.nsw.gov.au>; Nicole Davis <Nicole.Davis@environment.nsw.gov.au>; Sarah McGuinness <sarah.mcguinness@environment.nsw.gov.au>

Thanks for confirming, Alison, as well as the prompt reply.
Happy to provide any further information you may need, answer any queries, and/or meet at your convenience.
Enjoy the long weekend!
Regards, Andy



Andy Winter | Contractor

mobile +61 (0) 459 821 430

email andy.winter@ampyreenergy.com

AMPYR Australia Pty Ltd

Level 17, 167 Macquarie Street, Sydney

NSW, 2000, Australia

www.ampyreenergy.com

From: Alison Lamond <alison.lamond@environment.nsw.gov.au>

Sent: Thursday, 24 April 2025 9:15 AM

To: Andy Winter <andy.winter@ampyreenergy.com>

Cc: Marika Low <marika.low@environment.nsw.gov.au>; Nicole Davis <Nicole.Davis@environment.nsw.gov.au>; Sarah McGuinness <sarah.mcguinness@environment.nsw.gov.au>

Subject: RE: SSD-27014706 / DOC22/1011058 - Ampy Energy Wellington South (BESS SSD-27014706)- Chance Finds Protocol

Hi Andy

We have received the Chance Finds protocol for review, we will reach out if we need any further information,

Alison Lamond BSci, BA (Hons), (she/her)

A/ Strategic Manager - Major Projects

Heritage NSW

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

M 0419 762 918 E alison.lamond@environment.nsw.gov.au

dcceew.nsw.gov.au

Level 3, 6 Stewart Ave

Newcastle West NSW 2303

Locked Bag 1002, Dangar NSW 2309

Working days Monday to Friday, 9:00am - 5:00pm



I acknowledge the traditional custodians of the land and pay respects to Elders past and present. I also acknowledge all the Aboriginal and Torres Strait Islander staff working with NSW Government at this time.

Please consider the environment before printing this email.

From: Andy Winter <andy.winter@ampyreenergy.com>

Sent: Wednesday, April 23, 2025 5:01 pm

To: Nicole Davis <Nicole.Davis@environment.nsw.gov.au>

Cc: OEH HD Heritage Mailbox <HERITAGEMailbox@environment.nsw.gov.au>

Subject: SSD-27014706 / DOC22/1011058 - Ampy Energy Wellington South BESS - Chance Finds Protocol

Hi Nicole,

How are you?

In accordance with our DA, we have to develop a Chance Finds Protocol (CFP) to the satisfaction of Heritage NSW. I note you were previously the signatory on Heritage's submissions to our EIS back in November 2022, but I am not sure if you are also responsible for post-approval management plans? If not, I am hopeful you can assist and point me in the right direction within Heritage NSW...

We have recently lodged the CFP on the DPHI Portal following broad consultation with the Aboriginal Stakeholders as referenced within the document, and we'd welcome the opportunity to meet with Heritage NSW to discuss any comments and queries you may have so that we can finalise this CFP to your satisfaction. Please would you kindly connect me with the relevant people within Heritage NSW by return email.

Thank you in advance, regards Andy

Andy Winter | Contractor

mobile +61 (0) 459 821 430

email andy.winter@ampyreenergy.com

AMPYR Australia Pty Ltd

Level 17, 167 Macquarie Street, Sydney

NSW, 2000, Australia

www.ampyreenergy.com



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Appendix C:

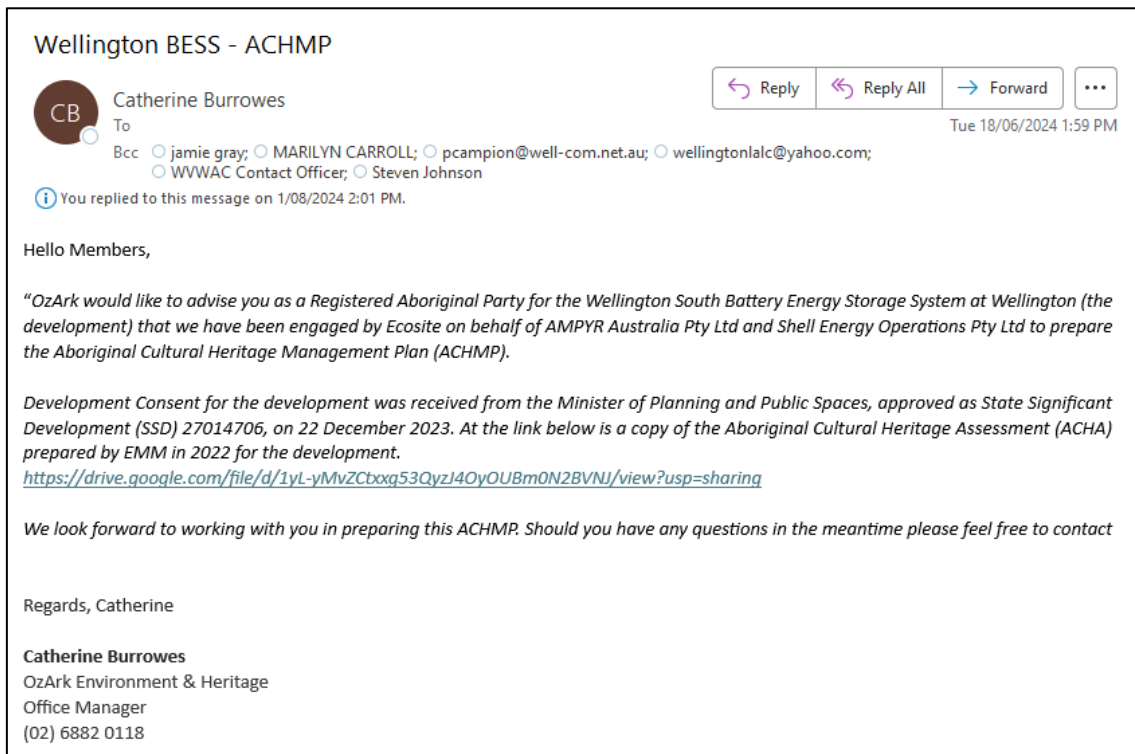
Aboriginal stakeholder consultation records

Appendix C Table 1: Aboriginal consultation log on this CFP.

Date	Organisation	Comment	Method
18.6.24	Binjang Wellington Wiradjuri Aboriginal Corporation.	Catherine Burrowes (CB) emailed project update regarding engagement of OzArk	Email
18.6.24	Corroboree Aboriginal Corporation	CB emailed project update regarding engagement of OzArk	Email
18.6.24	Gallangabang Aboriginal Corporation	CB emailed project update regarding engagement of OzArk	Email
18.6.24	Wellington Local Aboriginal Land Council	CB emailed project update regarding engagement of OzArk	Email
18.6.24	Wellington Valley Wiradjuri Aboriginal Corporation	CB emailed project update regarding engagement of OzArk	Email
18.6.24	Stakeholder 1	CB emailed project update regarding engagement of OzArk	Email
1.8.24	Binjang Wellington Wiradjuri Aboriginal Corporation.	CB emailed draft document - Closing date 30.8.24	Email
1.8.24	Corroboree Aboriginal Corporation	CB emailed draft document - Closing date 30.8.24	Email
1.8.24	Gallangabang Aboriginal Corporation	CB emailed draft document - Closing date 30.8.24	Email
1.8.24	Wellington Local Aboriginal Land Council	CB emailed draft document - Closing date 30.8.24	Email
1.8.24	Wellington Valley Wiradjuri Aboriginal Corporation	CB emailed draft document - Closing date 30.8.24	Email
1.8.24	Stakeholder 1	CB emailed draft document - Closing date 30.8.24	Email
6.8.24	Binjang Wellington Wiradjuri Aboriginal Corporation.	CB emailed AFGM invitation - Closing date 15.8.24	Email
6.8.24	Corroboree Aboriginal Corporation	CB emailed AFGM invitation - Closing date 15.8.24	Email
6.8.24	Gallangabang Aboriginal Corporation	CB emailed AFGM invitation - Closing date 15.8.24	Email
6.8.24	Wellington Local Aboriginal Land Council	CB emailed AFGM invitation - Closing date 15.8.24	Email
6.8.24	Wellington Valley Wiradjuri Aboriginal Corporation	CB emailed AFGM invitation - Closing date 15.8.24	Email
6.8.24	Stakeholder 1	CB emailed AFGM invitation - Closing date 15.8.24	Email
6.8.24	Wellington Valley Wiradjuri Aboriginal Corporation	CB received phone call from Brad Bliss confirming attendance for AFGM	Phone
19.8.24	Wellington Valley Wiradjuri Aboriginal Corporation	Tenae Robertson (TR) and WVVAC attend AFGM	In person
30.8.24	Wellington Valley Wiradjuri Aboriginal Corporation	CB emailed a copy of the AFGM minutes	Email
30.8.24	Binjang Wellington Wiradjuri Aboriginal Corporation.	CB emailed a copy of the AFGM minutes	Email

Date	Organisation	Comment	Method
30.8.24	Corroboree Aboriginal Corporation	CB emailed a copy of the AFGM minutes	Email
30.8.24	Gallangabang Aboriginal Corporation	CB emailed a copy of the AFGM minutes	Email
30.8.24	Wellington Local Aboriginal Land Council	CB emailed a copy of the AFGM minutes	Email
30.8.24	Wellington Valley Wiradjuri Aboriginal Corporation	CB emailed a copy of the AFGM minutes	Email
30.8.24	Stakeholder 1	CB emailed a copy of the AFGM minutes	Email
16.5.25	Binjang Wellington Wiradjuri Aboriginal Corporation	CB emailed project update letter with the final version of the CFP	Email
16.5.25	Corroboree Aboriginal Corporation	CB emailed project update letter with the final version of the CFP	Email
16.5.25	Gallangabang Aboriginal Corporation	CB emailed project update letter with the final version of the CFP	Email
16.5.25	Wellington Local Aboriginal Land Council	CB emailed project update letter with the final version of the CFP	Email
16.5.25	Wellington Valley Wiradjuri Aboriginal Corporation	CB emailed project update letter with the final version of the CFP	Email
16.5.25	Stakeholder 1	CB emailed project update letter with the final version of the CFP	Email

Appendix C Figure 1 – Notification to RAPs regarding preparation of the ACHMP



Appendix C Figure 2 – AFGM invitation

AFGM Invite - Wellington South Battery Energy Storage System Project

CB

Catherine Burrowes

← Reply

↩ Reply All

→ Forward

⋮

To

Tue 6/08/2024 3:09 PM

Bcc

jamie gray;

MARILYN CARROLL;

pcampion@well-com.net.au;

wellingtonlalc@yahoo.com;

WWAC Contact Officer;

Steven Johnson

W

Wellington BESS AFGM invitation_August 2024.docx

.docx File

Hello Members,

Please find attached your invitation to the Aboriginal Focus Group Meeting to be held for the proposed Wellington South Battery Energy Storage System Project.

The AFGM will be held at 9.30 am on **Monday 19 August 2024 (details attached).**

Please RSVP to myself by no later than **Thursday 15 August 2024.**

Regards, Catherine

Catherine Burrowes
OzArk Environment & Heritage
Office Manager
(02) 6882 0118



OzArk Environment & Heritage

Dubbo | Queanbeyan
Wollongong | Newcastle
Katoomba

T: 02 6882 0118
enquiry@ozarkehm.com.au
www.ozarkehm.com.au

ABN 29 675 720 564

145 Wingewarra St
PO Box 2069
DUBBO NSW 2830

6 August 2024

**WELLINGTON SOUTH BATTERY ENERGY STORAGE SYSTEM PROJECT
ABORIGINAL FOCUS GROUP MEETING**

Dear Members,

Thank-you for your continued participation as a Registered Aboriginal Party (RAP) and involvement in the Wellington South Battery Energy Storage System (BESS) (the Project). OzArk recognises and acknowledges the cultural knowledge held by the RAPs.

The Project is located approximately 2.2 kilometres (km) north-east of the township of Wellington in the Dubbo Regional local government area (LGA) adjacent to the Wellington Substation (see **Figure 1**).

On behalf of AMPYR Australia Pty Ltd (AMPYR) and Shell Energy Operations Pty Ltd (Shell) collectively (the Proponents), OzArk would like to invite you to attend an Aboriginal Focus Group Meeting (AFGM) to be held at the Project location. The aim of the AFGM is to provide you with an opportunity to further develop open communication between all parties and discuss the draft Aboriginal Cultural Heritage Management Plan (ACHMP).

This meeting is not a compulsory event and a remuneration fee of \$250 will be provided per Registered Aboriginal Party that attends to cover the cost of travel. Should you not be able to attend, you are still welcome to provide comments on the draft ACHMP via phone, email or letter.

This meeting is scheduled to be held:

Date: Monday 19 August 2024

Time: 9.30 am (It is anticipated the meeting will run for approximately 1-2 hr)

Place: Wellington Visitor Information Centre (**Figure 2**), Corner of Nanima Crescent and, Warne St, Wellington NSW 2820 (attendees will then travel to the Project location together).

It is a requirement for your attendance that PPE (high visibility safety shirt and enclosed, sturdy footwear) is worn.

If you would like to attend the meeting, we ask that you RSVP by contacting our office through telephone (02) 6882 0118 or email catherine@ozarkehm.com.au, by no later than **Thursday 15 August 2024**. Please note RSVPs for this meeting are essential, follow up emails and phone calls will not be conducted and if no RSVPs are received the meeting will not be held.

If you have any queries, please feel free to contact our office.

Kind regards,

Catherine Burrowes
Office Manager/ Community Liaison

Figure 1: Approved project layout

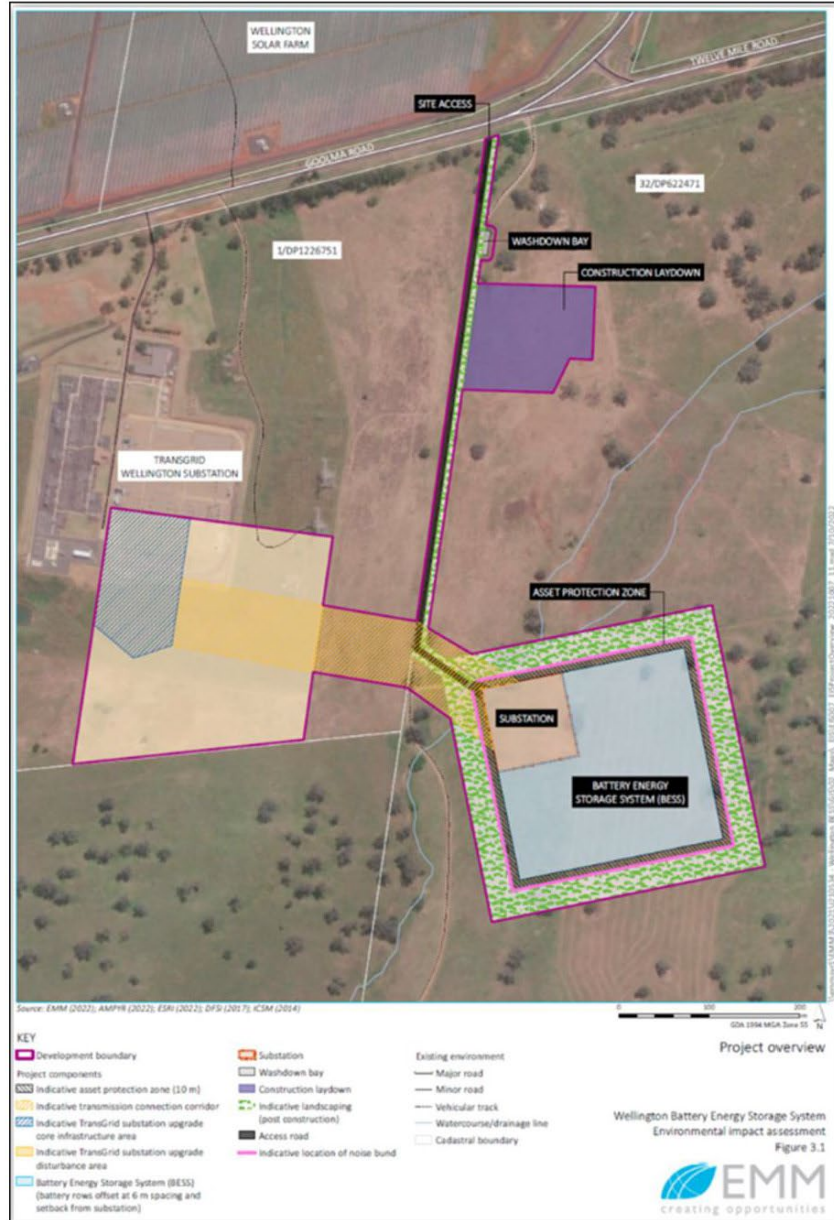


Figure 2: Meeting point.



Appendix C Figure 3 – Review of draft ACHMP

RE: Wellington BESS - ACHMP

CB

Catherine Burrowes

↩ Reply

↩ Reply All

➡ Forward

⋮

To

Thu 1/08/2024 2:04 PM

Bcc

'jamiegray66@gmail.com';

'corroboreecorp@outlook.com';

'pcampion@well-com.net.au';

'wellingtonlalc@yahoo.com';

'WVWAC@hotmail.com';

Steven Johnson;

Stephanie;

+1 other

Apologies, I meant to include the closing date for feedback is Friday 30th August 2024.

Regards, Catherine

Catherine Burrowes

OzArk Environment & Heritage

Office Manager

(02) 6882 0118

From: Catherine Burrowes

Sent: Thursday, August 1, 2024 2:01 PM

Subject: RE: Wellington BESS - ACHMP

Hello Members,

Please find attached Wellington ACHMP. We'll be in touch soon with details for an Aboriginal Focus Group Meeting to discuss the ACHMP.

Regards, Catherine


Catherine Burrowes

OzArk Environment & Heritage

Office Manager

(02) 6882 0118

Appendix C Figure 4 – AFGM meeting minutes



OzArk Environment & Heritage		ABN 29 675 720 564
Dubbo Queanbeyan	T: 02 6882 0118	145 Wingewarra St
Wollongong Newcastle	enquiry@ozarkehm.com.au	PO Box 2069
Katoomba	www.ozarkehm.com.au	DUBBO NSW 2830

ABORIGINAL FOCUS GROUP MEETING – WELLINGTON SOUTH BATTERY ENERGY STORAGE SYSTEM

ABORIGINAL CULTURAL HERITAGE MANAGEMENT PLAN

Attendees:

- Wellington Valley Wiradjuri Aboriginal Corporation – Brad Bliss (BB)
- Wellington Valley Wiradjuri Aboriginal Corporation – Brenda Waters (BW)
- OzArk Environment & Heritage – Tenae Robertson (TR)

Date: 19 August 2024

Meeting: 9:30 am. Convened at Wellington Tourist Information Centre.

TR: Commenced with a brief description of the project and purpose of the meeting, being consultation of the development of the Aboriginal Cultural Heritage Management Plan (ACHMP) for the Wellington South BESS (the project).

Travelled to project location at 9:45 AM.

Management Discussion:

A copy of the draft ACHMP was provided to each representative and the document briefly read through, with a particular focus on the section pertaining to the ongoing management of existing sites located near the development boundary currently registered on the Aboriginal Heritage Information Management System (AHIMS), of which there are three (36-4-0201, 36-4-0203, and 36-4-0220). The following discussions were had regarding the management of the known Aboriginal sites and the draft ACHMP.

- For each Aboriginal site it was noted the management protocols to be applied, which in all cases is avoidance and conservation. Only 36-4-0203 will require fencing, as 36-4-0201 is not a valid site, and 36-4-0220 is protected from the proposed works by an existing boundary fence line. Additionally, upon visitation of 36-4-0220, it was noted that the site has been fenced as part of the cultural heritage management for a different project.
- Aboriginal cultural heritage awareness training (Section 5.2)
 - BB would prefer for the Aboriginal cultural heritage awareness training of all employees, contractors, and sub-contractors to be conducted in-person by Registered Aboriginal Party (RAP) representatives.
- Minimising visual impacts to the cultural landscape (Section 3.2.2)

- When prompted regarding minimising the visual impact of the cultural landscape through tree plantings and paint styles, representatives suggested white box, grey box, wattle, and kurrajong trees. Natural colours such as green/grey to blend with the wider landscape were suggested for paint colours. These suggestions will help to inform the Construction Environment Management Plan (CEMP).
- Discovery of Aboriginal ancestral remains (Section 6.1.1)
 - BB noted that the procedure outlined in Figure 6.1 of the ACHMP does not include consultation with RAPs until the remains are determined to be of Aboriginal descent. BB suggests the inclusion of RAPs before this step, such as when an archaeologist is sought to consult on the origins of the remains.
- Long-term management of unanticipated Aboriginal objects (Section 6.2.2)
 - Should any unanticipated Aboriginal objects be identified during the construction or operation of the project, the long-term management will include the reburial of the object(s) at a nearby location following Aboriginal cultural protocols such as a smoking ceremony.

Appendix C Figure 5 – Response to Wellington Valley Wiradjuri Aboriginal Corporation

RE: Wellington BESS - ACHMP

TR

Tenae Robertson

To WVVAC Contact Officer

Cc Catherine Burrowes; Stephanie

Fri 30/08

Wellington South BESS_Response to Wellington Valley Wiradjuri Aboriginal Corporation.docx

109 KB

Hi Brad,

Thank you for attending the AFGM on 19.08.2024 and providing comments. Please find attached a letter of response to the comments raised regarding the Wellington BESS ACHMP.

If you have any further questions, please feel free to reach out.

Kind regards,

Tenae Robertson
OzArk Environment & Heritage
Archaeologist
(02) 6882 0118



OzArk Environment & Heritage

Dubbo | Queanbeyan
Wollongong | Newcastle
Katoomba

T: 02 6882 0118
enquiry@ozarkehm.com.au
www.ozarkehm.com.au

ABN 29 675 720 564

145 Wingewarra St
PO Box 2069
DUBBO NSW 2830

30 August 2024

Wellington Valley Wiradjuri Aboriginal Corporation
c/- Brad Bliss
[REDACTED]

WELLINGTON SOUTH BATTERY ENERGY STORAGE SYSTEM - RESPONSE TO AFGM FEEDBACK

Dear Members,

Thank you for taking the time to review the provided draft *Aboriginal Cultural Heritage Management Plan* (ACHMP) for the Wellington South Battery Energy Storage System (BESS) (the project) and providing your feedback during the Aboriginal Focus Group Meeting (AFGM) held on 19 August 2024.

Please see below responses to the comments raised by Wellington Valley Wiradjuri Aboriginal Corporation (WVWAC) during the AFGM, where required:

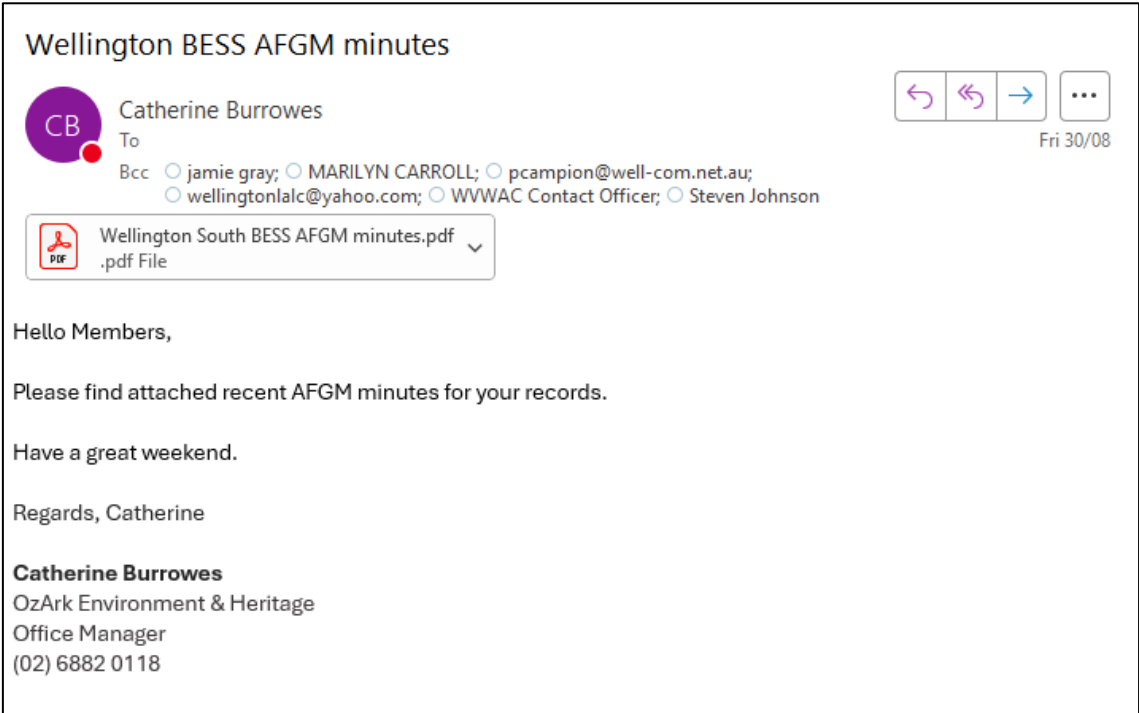
- Regarding Registered Aboriginal Parties (RAP) participation in the Aboriginal cultural heritage awareness training, OzArk would like to advise that Section 3.2.3 of the ACHMP includes provisions for RAPs to participate in the conservation and management of Aboriginal cultural heritage associated with the project, which may include consultation on training materials and involvement of RAPs in delivering cultural awareness training.
- It is noted that WVWAC's preference is that RAPs are identified earlier in the process if suspected human remains are encountered however it is appropriate that RAPs will only be advised once police have confirmed that they are ancient Aboriginal remains.
- Section 6.2.2 of the ACHMP has been updated to include WVWAC's preference for any unanticipated Aboriginal object(s) to include the reburial at a nearby location. The preference for a smoking ceremony to be held has been included, however Section 6.2.2 notes that the ability to undertake a smoking ceremony would only be able to be completed if it meets relevant safety protocols for the project.

If you have any further questions relating to the information provided above, please feel free to contact myself or our office on (02) 6882 0118.


Kind regards,

Tenae Robertson
Project Archaeologist
tenae@ozarkehm.com.au

Appendix C Figure 6 – Distribution of AFGM meeting minutes



Appendix C Figure 7 – Update letter on the CFP.



OzArk Environment & Heritage	ABN 29 675 720 564
Dubbo Queanbeyan	T: 02 6882 0118
Wollongong Newcastle	enquiry@ozarkehm.com.au
Katoomba	www.ozarkehm.com.au

145 Wingewarra St
PO Box 2069
DUBBO NSW 2830

16 May 2025

WELLINGTON SOUTH BATTERY ENERGY STORAGE SYSTEM
ABORIGINAL CULTURAL HERITAGE UPDATE

Dear Members,

Thank you for your continued participation as a Registered Aboriginal Party (RAP) for the Wellington South Battery Energy Storage System (BESS) (the project).

The purpose of this letter is to provide you with an update on the project.

As you are aware, on 1 August 2024 a copy of the *Aboriginal Cultural Heritage Management Plan* (ACHMP) developed for the project was provided for your review, with a 28-day closing period ending 30 August 2024. During this period, all RAPs were invited to attend an Aboriginal Focus Group meeting (AFGM) which was held on 19 August 2024. On 30 August 2024, a copy of the minutes from the AFGM were distributed to all RAPs for their records.

Since this time, there have been two changes to the project, as follows.

Firstly, the Principal for the project has changed from AMPYR Australia Pty Ltd and Shell Energy Operations Pty Ltd, to be solely AMPYR Australia Pty Ltd (AMPYR).

Secondly, following the 28-day RAP review period of the ACHMP, the decision was made by the Principal to prepare a standalone *Chance Finds Protocol* (CFP) and an ACHMP.

The CFP meets the requirements of Condition B25 of the Development Consent (DC) for the project (State Significant Development [SSD] 27014706), while the ACHMP has been developed as per the commitments made by the Principal in the *Environmental Impact Statement* (EIS) (EMM 2022a) and the *Aboriginal Cultural Heritage Assessment* (ACHA) prepared by EMM (2022b) for the project.

The CFP outlines the management measures required for managing Aboriginal heritage relevant to the project as per Condition B24 of the DC. The CFP includes the relevant sections of the previously reviewed ACHMP relating to the management of known Aboriginal heritage, protocols for unexpected finds (including suspected skeletal material), long-term management of any unexpected finds and cultural awareness training for workers.

The current ACHMP is now an internal document, which the Principal will employ for best practice project management relating to Aboriginal cultural heritage. This document also contains the relevant sections of the previously reviewed version of the ACHMP.

The Principal submitted the CFP for review by Heritage NSW and comments on the CFP were received on 5 May 2025. Feedback received from Heritage NSW requested the following:

- Heritage NSW be included in the list of contacts should any suspected skeletal material be encountered
- Non-compliance reporting requirements to also include notification to compliance@planning.nsw.gov.au.

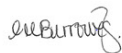
As a result, **Figure 4.1** has been amended to include notification to Heritage should any suspected skeletal material be encountered, and **Section 4.5.2** has been updated to include notification to compliance@planning.nsw.gov.au in the event of a non-compliance.

Attached to this email is a copy of the CFP for your records.

The CFP will now be submitted to the NSW Department of Planning, Housing and Infrastructure (DPHI) for their review and approval.

If you have any queries in relation to the enclosed information, or the CFP please do not hesitate to contact our office.

Kind regards,



Catherine Burrowes
Consultation Officer
catherine@ozarkehm.com.au

Project Update - Wellington South BESS



Catherine Burrowes

To

Bcc [jamie gray](#); [Marilyn Carroll-Johnson](#); [pcampion@well-com.net.au](#);
[wellingtonlalc@yahoo.com](#); [WWWAC@hotmail.com](#); [Steven Johnson](#)



Fri 16/05



Wellington South BESS_Project Update_May2025.docx
.docx File



1541-PLN-INF-00-013-R01-IFR Aboriginal Cultural Heritage Chance Finds Prot^^.32025.pdf
.pdf File

Good afternoon,

Please find attached a project update for your records.

Regards, Catherine

Catherine Burrowes

OzArk Environment & Heritage

Office Manager

(02) 6882 0118

Appendix D:

Document update controls

Heritage NSW review		
Heritage NSW Comment	Proponent Response	Report Reference Updates
Heritage NSW should be included in the list of contacts following any suspected skeletal material	The proponent agrees with this recommendation and the report updated accordingly.	Updated Section 2.1 to include correspondence from Heritage NSW Updated Figure 4.1 to include Heritage NSW Correspondence received from Heritage NSW included in Appendix B.
Update non-compliance reporting to include notification to compliance@planning.nsw.gov.au	The proponent agrees with this recommendation and the report updated accordingly.	Updated Section 4.5.2 to include email address.
DPHI review		
DPHI Comment	Proponent Response	Report Reference Updates
This figure [Figure 1.1] does not show the entire site. What information is provided on this figure that Figure 1.3 does not show (which has the correct boundary)	The proponent agrees with this recommendation and the report updated accordingly.	Figure 1-1 has been removed.
The known isolated find needs to be found by an experienced archaeologist and appropriate protection from construction activities	The proponent agrees with this recommendation and the report updated accordingly.	Section 4.1 has been amended to include permanent fencing with the assistance of a qualified archaeologist.

provided. It looks like it is on the boundary of the access road and could be prone to disturbance. Permanent protection will be needed for the life of the project.		It should be noted as outlined in Section 3.1 that the location of site 36-4-0203 provided by AHIMS is likely incorrect and the site is likely to be in the adjacent lot which is not owned or leased by the proponent. As such the location that would be fenced would only be the AHIMS location.
Prepare one step by step process/flow chart showing the actions that should be taken if material is found. It should provide adequate detail for site personnel to follow and understand the triggers for the various actions and responses required.	The proponent agrees with this recommendation and the report updated accordingly.	Figure 4-2 and Figure 4-3 have been condensed into a single flow chart.