



10 February 2026

South Energy Pty Ltd
attn: Linh Nguyen
Level 35, 360 Collins Street
Melbourne VIC 3000

Dear Linh,

RE: Proposed Battery Energy Storage System (BESS), Lot 2 PS444155 Black Forest Road, Macedon – Matters relating to the Aboriginal Heritage Act 2006

I am writing to provide you with clarification regarding the legislative requirements under the *Aboriginal Heritage Act 2006* and the *Aboriginal Heritage Regulations 2018* for the proposed Battery Energy Storage System (BESS) at Lot 2 PS444155 Black Forest Road, Macedon (hereafter referred to as the 'activity area').

Under the *Aboriginal Heritage Act 2006* and the *Aboriginal Heritage Regulations 2018*, the preparation of a Cultural Heritage Management Plan (CHMP) is mandatory for any project in which the proposed activity is a high impact activity, and the activity area is situated within a mapped area of cultural heritage sensitivity. If the land within an area of cultural heritage sensitivity has been subject to previous significant ground disturbance, then that area of land is no longer considered to be an area of cultural heritage sensitivity.

The activity area is approximately 5.46ha in size and comprises land contained within Lot 2 PS444155 Black Forest Road, Macedon. The activity area is bounded by Black Forest Road to the east, Allison Lane to the north, Calder Freeway to the west and a terminal station to the south. Recent satellite imagery indicates that the activity area currently comprises partially cleared and partially vegetated land with numerous trees, shrubs and grass cover (Figure 1).

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Figure 1: Satellite image dated to 14 August 2025 showing the current state of the activity area (Nearmap 2025)

Under the *Aboriginal Heritage Regulations 2018*, the activity area is not located within a mapped area of Aboriginal cultural heritage sensitivity (Figure 2).

However, it is noted that Aboriginal places have been recorded more than 200m from local waterways, including Aboriginal places approximately 200m to the northeast of the activity area on land of similar elevation (denoted by the green circles in Figure 2).

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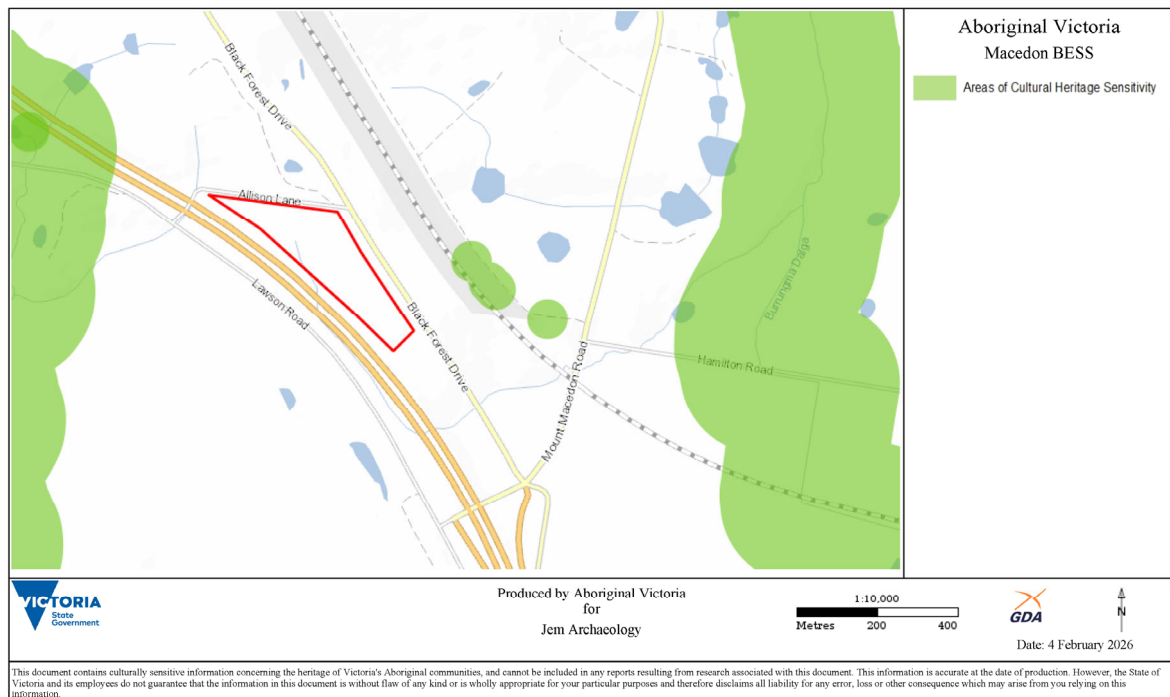


Figure 2: Activity area shown in red, noting the absence of a mapped area of cultural heritage sensitivity within. Source: ACHRIS (DPC 2025)

It is my understanding that you are proposing to develop a BESS within the activity area. Under the *Aboriginal Heritage Regulations 2018*, the proposed development is considered to be a high impact activity as it involves the construction of a building or the construction or carrying out of works for a specified use, a utility installation where the works affect an area greater than 25m² (r.46 [1][b][xxvii][D]]).

A site inspection was undertaken on 29 January 2026 to assess the landforms within the activity area and the likelihood of Aboriginal cultural heritage being present (Photos 1 to 6). The activity area is generally flat land covered in grasses, weeds, shrubs and trees, with the northern half of the activity area reasonably densely vegetated. The activity area does not contain any rises or areas of elevation overlooking lower lying areas, or any particular vantage points which would have been particularly favourable camping locations for Aboriginal people in the past.

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Photo 1: Northeastern portion of the activity area facing south



Photo 2: Southeastern portion of the activity area facing northwest



Photo 3: Central portion of the activity area facing south



Photo 4: Northern portion of the activity area facing west



Photo 5: Central northern portion of the activity area facing south



Photo 6: Northwestern portion of the activity area facing southeast

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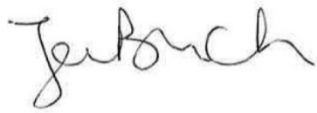
No surface Aboriginal cultural heritage was identified during the site inspection. Remnant native trees are present; however, no evidence of cultural modification was observed. It is considered possible that Aboriginal cultural heritage may be present within sub surface contexts within the activity area, however it is not considered to be likely or highly likely.

While the proposed activity is a high impact activity (r.46 [1][b][xxvii][D]]), the activity area is not situated within an area of cultural heritage sensitivity. Therefore, there is **no requirement** under the *Aboriginal Heritage Act 2006* and the *Aboriginal Heritage Regulations 2018* for a CHMP to be prepared for this project.

If you wish to have this advice independently confirmed, you could choose to prepare a Preliminary Aboriginal Heritage Test (PAHT) for evaluation by First Peoples – State Relations (FPSR). As the activity area is not in a legislated area of cultural heritage sensitivity, the PAHT would be certified and confirm that there is no requirement for a CHMP.

Should you wish to discuss this matter further, please feel free to contact me directly.

Kind regards,



JEN BURCH BArchaeol(Hons), MAACA
Director/Archaeologist/Heritage Advisor

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