

Dear Mr Tsambos

My name is Darrell Fabar and I am Chairperson of the Working Party for the Warrabinga-Wiradjuri #2, #6 and 7 native title claimants.

The Warrabinga-Wiradjuri #2, #6 and 7 native title claimants are the native title claimants for the Tallawang Solar Farm - SSD-23700028 project area.

On behalf of all the elders and members of the Warrabinga-Wiradjuri #2, #6 and 7 native title claimants (**Warrabinga**) we make the following comments on the Tallawang Solar Farm - SSD-23700028 EXH-49560723:

- The Environmental Impact Statement and associated Aboriginal Cultural Heritage Assessment lists 31 sites that were identified during the Aboriginal heritage assessment, as native title claimants we believe every site is important and would like to see these sites avoided in the first instance.
- Warrabinga, as the native title claimants, and not as Registered Aboriginal Parties for the area, request monitoring of all ground disturbance activities within 200m of any creek or standing water source, rock shelter or PAD, as well as of areas in close proximity to any identified heritage sites.
- Warrabinga request that impacts to all identified sites, creeks, water sources, flora and fauna and ridgelines be avoided in the first instance, or the works program designed to mitigate any impacts on these areas, landscapes or sites.
- Warrabinga request that in areas where visibility was low, a further survey of the area is undertaken at a time when visibility may be better or in summer when the light would allow better detection of sites.
- There are a large number of Aboriginal sites located within or in close proximity to the works area, including PADs with associated artefact scatters that have a long history of use, these areas are culturally and spiritually important camping sites and may hold potential burials. These sites are all areas of cultural significance to Warrabinga.
- Warrabinga are concerned that the works will impact on their spiritual connection with the land, and request that disturbance is minimised.
- Warrabinga request that there is a strict unexpected finds procedure in place and that anyone who is involved in the works is made explicitly aware of that procedure.

- Warrabinga request that all employees, agents, contractors and sub-contractors involved in the project undergo cultural awareness training with Warrabinga.
- In relation to any Crown land or Crown waterways included in the project area, Warrabinga note that as native title claimants, they have rights to be consulted and rights to negotiate about future acts which Applicant wants to undertake within the native title claim area. Warrabinga reserve these rights.
- The proposed activities would unduly interfere with Warrabinga's cultural, social or community activities carried within the project area, such as cultural heritage activities and ensuring their heritage sites are intact.
- Activities authorised by application SSD-23700028, if granted, would impact upon Warrabinga's asserted native title rights, cultural heritage, and lifestyle through impacts on the environment.
- Warrabinga are concerned that the works will impact on the spiritual connection with the land within the project area.

In light of the reasons listed above, Warrabinga asserts that native title exists within the land subject to the project and objects to the granting of SSD-23700028 approval without consultation and negotiation with Warrabinga. If the SSD-23700028 approval is granted, the Department is effectively destroying Warrabinga's connection to the area and thus directly impacting their native title claim, and the rights and interests in that land to which the approval applies.

As native title claimants, Warrabinga, have rights to be consulted and rights to negotiate about future acts which the Applicant wants to undertake within the native title claim area. Warrabinga reserves these rights.

Although we object to the granting of SSD-23700028 approval in its current form, we are open to negotiation with the Applicant.

We request that our objections be considered.

Kind regards

Darrell Fabar - Chairperson of the Working Party  
Warrabinga-Wiradjuri #2, #6 and 7 native title claimants