



28 August 2018

Our Ref: EV.743

Ian Reed  
Planning and Development Manager  
ASLAT Consulting  
Level 16, 200 Mary St  
Brisbane QLD 4000

Dear Ian,

**RE: CULTURAL HERITAGE DUE DILIGENCE LETTER OF ADVICE  
EDENVALE AND EWERLEIGH SOLAR PARKS, QLD**

This Cultural Heritage Due Diligence Letter of Advice was commissioned by DPI Solar 3 Pty Ltd (the 'Proponent') in preparation for the proposed development of the Edenvale and Ewerleigh Solar Parks (the 'Project'). The land subject to this assessment is identified as Lot 27 RG653, Lot 4 ROG3414 and part of 8/RP190982 3/RG569 and the Kogan Condamine Road road reserve, Crossroads QLD (the 'Project Area'). Please find **enclosed**:

- a) Attachment A: Project Area Plan;
- b) Attachment B: Department of Aboriginal and Torres Strait Islander Partnerships ('DATSIP') search results; and
- c) Attachment C: historic aerial imagery of the Project Area 1959, 1969, 1973, 1990 and 2002 depicting the extent of land clearing and remnant vegetation.

In accordance with the brief for this assessment, this letter includes:

- a desktop review of the Project Area, including:
  - cultural heritage and Native Title registers search results and associated mapping;
  - Native Title searches;
  - review of historic aerial photography in order to better determine the disturbance history of the Project Area;
  - review of historic documentation;
  - review of archaeological research in surrounding areas as it relates to the Project Area; and
  - mapping of any cultural heritage risks or constraint areas.
- brief update on potential Native Title and Aboriginal party changes that may affect the Project Area;
- review of the social and political background associated with the Project Area;
- brief advice on the risks to cultural heritage; and



- identify heritage compliance strategies, costs and time frames.

**Project Area:** DPI Solar 3 Pty Ltd have proposed the development of two (2) solar parks, Edenvale and Ewerleigh. The land subject to this Project is identified as Lot 27 RG653, Lot 4 ROG3414 and part of 8/RP190982 3/RG569 and the Kogan Condamine Road road reserve, Crossroads QLD (Attachment A, Figure 1).

**Legislative Context:** The Aboriginal Cultural Heritage Act ('ACHA') is the principle piece of legislation offering protection to Aboriginal cultural heritage in Queensland. Under Sections 23 and 24 of the ACHA, it is an offence to undertake an activity that will 'harm' Aboriginal cultural heritage. The definition of harm to Aboriginal cultural heritage means damage or injury to, or desecration or destruction of, the cultural heritage.

The ACHA has established an Aboriginal Cultural Heritage Duty of Care (DoC) for all land users. To assist land users in discharging this duty of care, the DoC Guidelines have been gazetted under Section 28 of the Act. The DoC Guidelines are based on the concept of ground disturbance; the greater the development impact and the less the prior disturbance of the development area, the greater the likelihood of disturbing significant Aboriginal cultural heritage. Conversely, the less the impact and the greater previous disturbance ('Significant Ground Disturbance'), the less the likely impact on Aboriginal cultural heritage. 'Significant Ground Disturbance' is defined under the DoC Guidelines as being:

- a) disturbance by machinery of the topsoil or surface rock layer of the ground such as by ploughing, drilling or dredging; and
- b) the removal of native vegetation by disturbing root systems and exposing underlying soil.

The three considerations when assessing degrees of disturbance in the discharge of the DoC are:

- a) the nature of past disturbance and the impact this may have had on Aboriginal cultural heritage;
- b) the nature of the development and the potential damage it may cause to the cultural heritage; and
- c) the nature of the Aboriginal cultural heritage likely to be found in the Project Area, particularly its characteristics, extent and location.

Where cultural heritage is known or is reasonably likely to exist within an area, and that area is to be disturbed in a manner that would harm the cultural heritage, an agreement with the relevant Aboriginal Party will be required prior to the works proceeding (Section 23(3)(a)(ii) and 24(2)(a)(ii) ACHA).



Part 4 of the ACHA details how a land user can identify the relevant Aboriginal party for an area. Section 35 of the ACHA outlines a hierarchical process used to identify Aboriginal parties:

- a. Native Title Holders for the area; and if none
- b. Registered Native Title Claimants for the area; and if none
- c. a person who was a registered native title claimant for the area, when the person's claim has failed as was the last claim registered; and if none
- d. an Aboriginal person with particular knowledge about traditions, observances, customs or beliefs associated with the area.

The recent Supreme Court decision in late 2017 (*Nuga Nuga Aboriginal Corporation v Minister for Aboriginal and Torres Strait Islander Partnerships* [2017] QSC 321) effectively removed item (c) above, the last failed claim standing for an area, from the hierarchy of Aboriginal Parties. However, the *Revenue and Other Legislation Amendment Bill 2018* introduced on 22 August 2018, aims to provide a solution to difficulties produced by the Nuga Nuga Decision. Part 10(2)(95) of the Bill proposes an amendment of Section 34(1)(b)(1)(C) of the ACHA, which will insert 'registered' before native title holder. This amendment will clarify the circumstance to which there will be a last claim standing native title party for an area.

In relation to the Project, if enacted this amendment will reinstate last failed claim standing native title party over the Project Area, meaning the Barunggam People will be the Aboriginal Party.

**Native Title Register:** A search conducted on 31 July 2018 of the Native Title Register found that no current Registered Native Title Claims or Applications exist over Project Area. However, amendments under the *Revenue and Other Legislation Amendment Bill 2018* will act to revert the Native Title Party back to the last standing claim, being the Barunggam People.

**Aboriginal Party:** The DATSIP search identified no cultural heritage party for the Project Area. However, under Part 4 Section 35 (7) if there is no native title party for an area a person is an Aboriginal party for the area if:

- a) *the person is an Aboriginal person with particular knowledge about traditions, observances, customs or beliefs associated with the area; and*
- b) the person—
  - i. *has responsibility under Aboriginal tradition for some or all of the area, or for significant Aboriginal objects located or originating in the area; or*



- ii. *is a member of a family or clan group that is recognised as having responsibility under Aboriginal tradition for some or all of the area, or for significant Aboriginal objects located or originating in the area.*

Considering this definition, Averill Dillon, a representative of the Barunggam People, could be recognised as **an** Aboriginal party for the Project Area.

As stated above there is a proposed amendment to the ACHA which would re-instate the Barunggam People as **the** Aboriginal party for the Project until such a time that a new Native Title Claim is lodged for the Project Area.

There is no cultural heritage body recorded for the Project Area.

Should the Proponent wish to engage with an Aboriginal Party to enter into a Cultural Heritage Management Plan ('CHMP') while the Nuga Nuga decision stands, it would be necessary to place a public notice inviting any Aboriginal person with a particular knowledge about traditions, observances, customs or beliefs associated with the Project Area to register their interest in the Project. Such a public notice can have very unpredictable outcomes because there is no way to know exactly how many Aboriginal persons may register an interest, all of which would need to be consulted. Very extreme responses to such notices have seen more than 100 individual respondents, making negotiations almost impossible.

Conversely, if the Proponent was to wait for expected reform to the ACHA, which would reinstate the last failed claim in the hierarchy, they would be able to consult directly with Averill Dillon, reducing the uncertainty associated with identifying the Aboriginal Party. Additionally, Everick has worked with Averill Dillon on other projects and she has historically been pragmatic to engage with.

**Environmental Context:** The Project Area is located approximately 17.5 km south of Chinchilla, 70.2 km west of Dalby and 45.20 km south east of Miles, Queensland. It is border by Wambo Creek to the north and east, gas fields to the west and south and is intersected by Kogan Condamine Road. Numerous tributaries of Wambo Creek intersect lands covered by the Project Area. Several of these have been damned to create bodies of standing water. The elevation of the Project Area ranges from 322 m above sea level ('asl') in the south west to 300 m asl at Wambo Creek in the north.

**Geology:** The Project Area is located on an underlying geological landscape with three dominant geological units: Kumbarilla Beds, Qa (flood plain alluvium) and Qs-SQ. The majority of the Project Area overlies the Qs-SQ geological unit. This Quaternary age unit is described as containing sand, red sandy soil, silt and some gravel; floodout and sheet sand with some alluvium. Surrounding Wambo Creek, is the Qa geological unit, which is



considered to be a flood plain alluvium and will usually contain clay, silt, sand, and gravel. The final geological unit, Kumbarilla Beds, is located in the west of the Project Area and consist of sandstone, siltstone, mudstone, conglomerate and kaolinized deeply weathered sediments.

**Vegetation:** It appears that the majority of the Project Area has been subject to previous vegetation clearing, however some stands of trees still remain. The Project Area is currently dominated by closed grass cover.

From vegetation mapping provided by the Queensland Government (DNRM, Qspatial Catalogue 2017) it is evident that historically, the Project Area contained three dominant vegetation groups. The original vegetation of the Project Area consisted of:

*Eucalypt dry woodlands on inland depositional plains (17a):* Located over the majority of the Project Area, this vegetation group originally consisted of Woodlands dominated by Eucalyptus populnea (poplar box) (or E. brownii (Reid River box)) on alluvium, sand plains and footslopes of hills and ranges.

*Eucalypt open forests to woodlands on floodplains (16c):* located along the northern boundary of the Project Area this vegetation group originally consisted of Woodlands and open woodlands dominated by Eucalyptus coolabah (coolabah) or E. microtheca (coolabah) or E. largiflorens (black box) or E. tereticornis (blue gum) or E. chlorophylla on floodplains. Does not include alluvial areas dominated by herb and grasslands or alluvial plains that are not flooded.

*Dry eucalypt woodlands to open woodlands primarily on sandplains or depositional plains (18b):* this vegetation group is located on the western boundary of the Project Area and originally consisted of Woodlands dominated Eucalyptus crebra (sens. lat.) (narrow-leaved red ironbark) frequently with Corymbia spp. or Callitris spp. on flat to undulating plains.

**Local, State and National Heritage Registers:** The following heritage registers were accessed on 01 August 2018 for Indigenous and historic places within the Crossroads/Chinchilla area:

- **The World Heritage List:** contains no places within close proximity to the Project Area.
- **Commonwealth Heritage List:** contains no places within close proximity to the Project Area.
- **The National Heritage List:** contains no places within close proximity to the Project Area.
- **Register of the National Estate:** contains no places within close proximity to the Project Area.
- **The State Heritage Register (QLD Heritage Office):** contains no places within close proximity to the Project Area.



- **Western Downs Planning Scheme:** contains no places within close proximity to the Project Area.

**DATSIP Database Search:** A search conducted on 31 July 2018 of the DATSIP Cultural Heritage Database of the Project Area with a 1000 m buffer revealed fifty (50) registered Cultural Heritage sites within the search area (Ref. No.: 40463, see Attachment B). Eighteen (18) of these Cultural Heritage sites are recorded within the boundaries of the Project Area, and consist of artefacts scatter and isolated finds. A summary of the DATSIP Cultural Heritage sites recorded within the Project Area are provided in Table 1 below.

**Table 1: DATSIP Cultural Heritage Sites within Project Area.**

Site ID	Latitude	Longitude	Record Date	Attribute	Party
JC00002413	-26.935473	150.581461	Oct 15, 2012	Artefact Scatter	N/A
JC00002834	-26.921165	150.582793	Mar 12, 2013	Isolated Find	N/A
JC00003777	-26.915635	150.580233	Jul 17, 2014	Isolated Find	N/A
JC00003778	-26.898652	150.580756	Jul 18, 2014	Isolated Find	N/A
JC00003908	-26.916566	150.580877	Jul 17, 2014	Isolated Find	N/A
JC00003909	-26.915635	150.580233	Jul 17, 2014	Isolated Find	N/A
JC00003910	-26.904931	150.581166	Jul 17, 2014	Isolated Find	N/A
JC00003911	-26.904106	150.579895	Jul 17, 2014	Isolated Find	N/A
JC00003912	-26.898652	150.580756	Jul 18, 2014	Isolated Find	N/A
JC00003914	-26.904359	150.571546	Jul 15, 2014	Isolated Find	N/A
JC00003915	-26.904224	150.571538	Jul 15, 2014	Isolated Find	N/A
JC00003916	-26.904331	150.573579	Jul 15, 2014	Isolated Find	N/A
JC00003932	-26.898614	150.557055	Jul 12, 2014	Artefact Scatter	N/A
JC00003933	-26.916566	150.580877	Jul 17, 2014	Isolated Find	N/A
JC00003934	-26.916512	150.580848	Jul 18, 2014	Isolated Find	N/A
JC00003957	-26.898614	150.557055	Jul 12, 2014	Artefact Scatter	N/A
JC00003958	-26.916566	150.580877	Jul 17, 2014	Isolated Find	N/A
JC00003959	-26.916512	150.580848	Jul 18, 2014	Isolated Find	N/A

**Disturbance Analysis:** Historic aerial photographs of the Project Area were reviewed to assist in ascertaining the level of past ground disturbance. This information is also used in developing a predictive model for potential cultural heritage site locations. Aerial photographs from 1959, 1969, 1973, 1990 and 2002 were examined. The earliest available photograph from 1953 indicates that the Project Area and adjoining lands had been subject to a degree of vegetation removal, however large sections of vegetation remain. Kogan Condamine Road has already



been established by this time, with several small tracks extending into the Project Area. Two areas of significant disturbance can be observed in the Project Area, south of Kogan Condamine Road. This disturbance is interpreted as being preparation and disturbance associated with the construction of dams. By 1969 extensive cropping has appeared in the region, with large sections of the Project Area subject to this landscape modification. The cropping has become more defined in the 1973 image, with additional tracks also prevalent. Some pocket of vegetation remain between fields. Vegetation in the North of the Project Area, close to Wambo Creek, has significantly regrown.

Cropping has ceased in the Project Area by 1990, however the areas subject to this practice still remain clear of vegetation. The track cutting through the south of the Project Area appears to have been upgraded to a permanent access route. The regrowth vegetation along the northern creek line has been drastically thinned, with only sporadic vegetation cover remaining in most areas. This remains consistent through 2002.

In summary, examination of aerial images suggests that the disturbance history of the Project Area is varied and complex. It would appear that the majority of the Project Area has been subject to Significant Ground Disturbance, in accordance with Category for of the DoC Guidelines, as a results of past clearing and cropping activities. However, pockets of remanet vegetation remain sporadically through the Project Area.

**Archaeological Research and Modelling:** A review of previous archaeological assessments forms part of the basis for making predictive statements as to the type and densities of sites and the environmental contexts in which they might be found. Under the ACHA there is no requirement to make archaeological research in Queensland publically available. As a result, there is a limited number of contemporary reports accessible even though extensive cultural heritage work has been undertaken on the lands immediately surrounding the Project Area in preparation for large scale gas, pipeline and mining activities. Nevertheless, Everick is aware of a number of assessments undertaken in the region that are relevant to the Study Area.

In 2012 Coffey Environments undertook an assessment of Indigenous Cultural Heritage, as a part of an Environmental Impact Statement in preparation for the Surat Gas Project. The assessment concluded that there was a strong potential for Indigenous Cultural heritage to exist near watercourses and in forested areas that have not been cleared for agricultural purposes. It was also noted that evidence of cultural heritage would decrease in areas that have been extensively ploughed or along road reserves where extensive construction works have taken place.

In 1992 Hatte undertook an archaeological and anthropological investigation of the proposed route of a Fibre Optic Link between Toowoomba and Roma. No archaeological or cultural heritage material was located along the



proposed route. Hatte concluded that the lack of cultural heritage was due to the extensive and continuous alteration of the landscape by Europeans.

In 2017 Everick Heritage Consultants undertook a Cultural Heritage Filed Assessment of the Warrego and Leichardt Highways from Oakey to Dulacca Qld. The assessment was completed in preparation for proposed widening and vegetation works. The survey identified Aboriginal and historic heritage, with Aboriginal cultural heritage sites consisting of artefact scatters and scar trees. The assessment concluded that the distribution of artefacts were concentrated around creek lines, where exposure is generally higher than in other sections of the studies area. However, it was also found that while artefacts were identified it would be highly unlikely that these remained in-situ due to extensive ground disturbance activities.

On the information available, archaeological modelling for the Project Area indicates that open woodlands in close proximity to water / resources areas correlate with Aboriginal campsites. As such, prior to European settlement, there was a moderate potential for Aboriginal cultural heritage to be encountered within the Project Area, especially in proximity to Wambo Creek. The silty sand soils associated with the Qa geological unit, concentrated on northern boundary of the Project Area, were a favoured occupation area for Aboriginal people. These soils supported open Eucalypt woodland, with the open understory being ideal for occasional occupation. Archaeological deposits would likely have been concentrated on elevated areas close to the several small watercourses that intersect the Project Area. This would likely take the form of artefact scatters and isolated artefacts.

While, the majority of the Project Area has been subject to vegetation clearing small areas of remanet vegetation still remain. These area are likely to have been subject to a lesser degree of disturbance than surrounding lands and therefore are likely to have a higher potential for residual cultural heritage.

**DoC Assessment Results:** The majority of the Project Area has been subject Significant Ground Disturbance, as defined under Category 4 of the Doc Guidelines, as a result of past vegetation clearing practices. However, the Project Area contains areas of old growth vegetation that have not been subject to this level of ground disturbance. Considering the Applying the DoC Guidelines, the proposed works will fall into Category 5, with paragraph 5.14 stating:

*Where an activity is proposed under category 5 there is generally a high risk that it could harm Aboriginal cultural heritage. In these circumstances, the activity should not proceed without cultural heritage assessment. Cultural heritage assessment should involve consideration of the matters a Court may consider under section 23(2) of the Act, set out in paragraph 1.12 of the Preamble to these guidelines.*





Section 23(2) of the ACHA states that the factors the Land Court shall consider when determining whether a proponent has met its cultural heritage duty of care include:

- c) the nature of the activity, and the likelihood of its causing harm to Aboriginal cultural heritage;*
- d) the nature of the Aboriginal cultural heritage likely to be harmed by the activity;*
- e) the extent to which the person consulted with Aboriginal parties about the carrying out of the activity, and the results of the consultation*
- f) whether the person carried out a study or survey, of any type, of the area affected by the activity to find out the location and extent of the Aboriginal cultural heritage, and the extent of the study or survey;*
- g) whether the person searched the database and register for information about the area affected by the activity;*
- h) the extent to which the person complied with cultural heritage duty of care guidelines; and*
- i) the nature and extent of past uses in the area affected by the activity.*

Eighteen (18) DATSIP recorded cultural heritage sites are located within or within very close proximity to the Project Area. Considering the proposed solar power plant layout plans, it appears that the Proponent will to impact on these areas, and therefore an agreement with an Aboriginal Party will be required.

Outside of the recorded sites, it is Everick's opinion that if the Proponent wishes to fulfil their Cultural Heritage Duty of Care, consultation with an Aboriginal Party over potential impacts to significant Cultural Heritage should be undertaken. This is principally due to potential risks to intangible cultural heritage values associated with the proximity to water and remnant vegetation. From an archaeological perspective, the risk of the Project harming significant archaeological deposits is low, with the main risk is that there may be some physical evidence remaining in the area least disturbed by vegetation removal.

**Conclusions and recommendations:** In order to meet the Aboriginal Cultural Heritage Duty of Care under the ACHA, it is recommended that the Proponent seek to engage with an Aboriginal Party. Considering the current status surrounding Native Title in the area, it is recommended that the Proponent postpone further cultural heritage assessment to coincide with the reinstatement of the 'Last Man Standing' clause under section 35 (c) of the ACHA.

If passed, the *Revenue and Other Legislation Amendment Bill 2018* will re-instate the Barunggam People as the Aboriginal party for the Project. Everick will watch the process of the Bill, which has currently been referred to the Economics and Governance Committee, carefully and will guide our consultation with the Barrunggam people



depending on the expected outcomes. At the time when the Bill has been passed or it is accepted that amendments to the ACHA under the Bill will be passed, engagement will commence and the general process for managing Aboriginal cultural heritage in Queensland is will be carried out. Generally, the process will be as follows:



Milestone	Due Date
Submission of Cultural Heritage Due Diligence Assessment draft report	17 August 2018
Preparation for Cultural Heritage Survey	10 September 2018
Initiate contact with Barunggam	10 September 2018
Prepare and negotiate CHMP for immediate execution after legislative reform	26 October 2018
<b>The Revenue and Other Legislation Amendment Bill 2018 Passed</b>	
Issue Part 7 Notices	16 November 2018
Cultural Heritage Survey	20 November 2018
Execute CHMP	20 November 2018
Negotiate Mitigation and Salvage	22 January 2019
Undertake Mitigation	22 February 2019
Draft & Execute Final Clearance Agreement	29 March 2019

Yours faithfully,

Tim Robins  
Director / Archaeologist  
Everick Heritage Consultants



ATTACHMENT A: PROJECT AREA PLAN

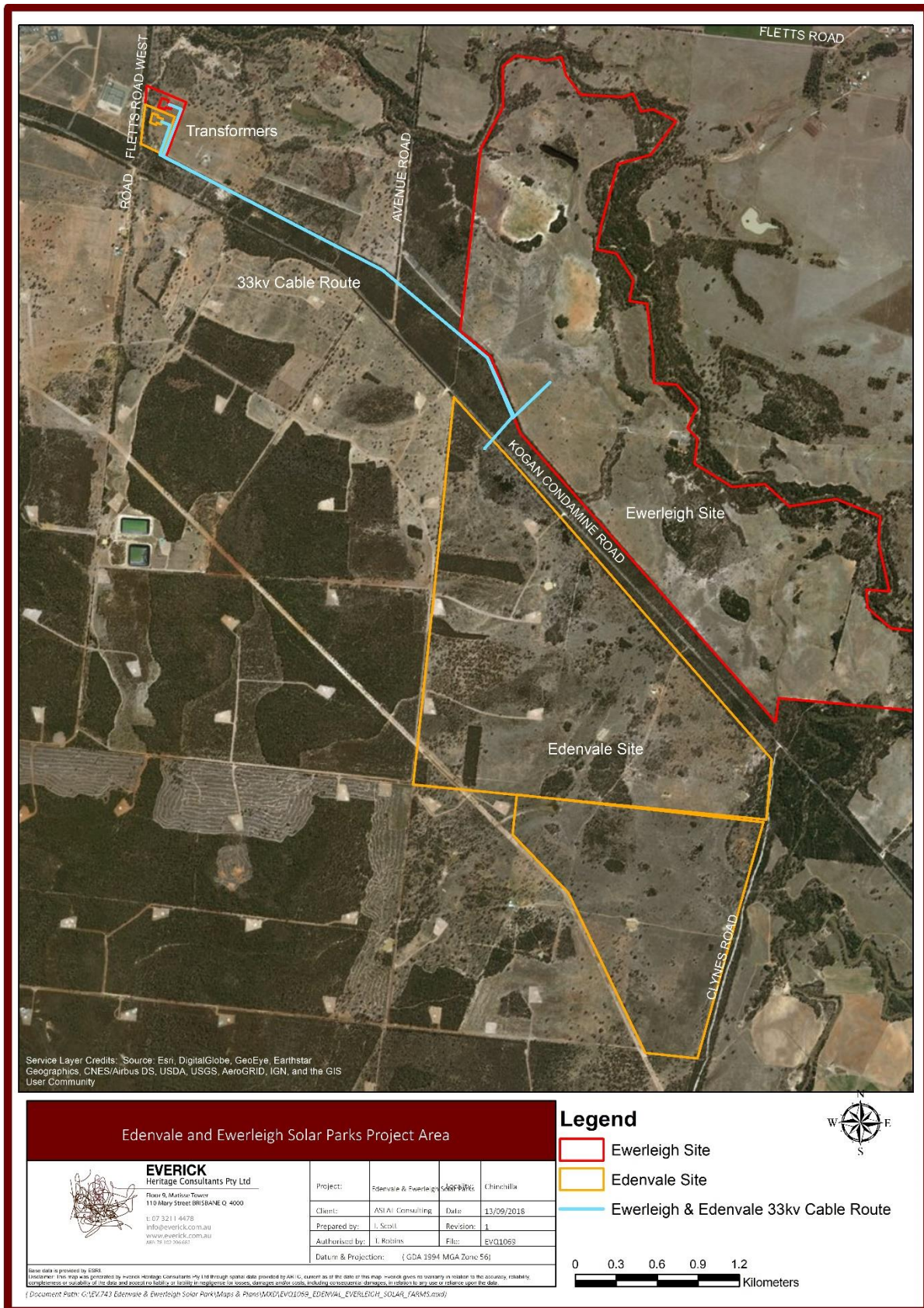


Figure 1: Project Area Regional Locality.

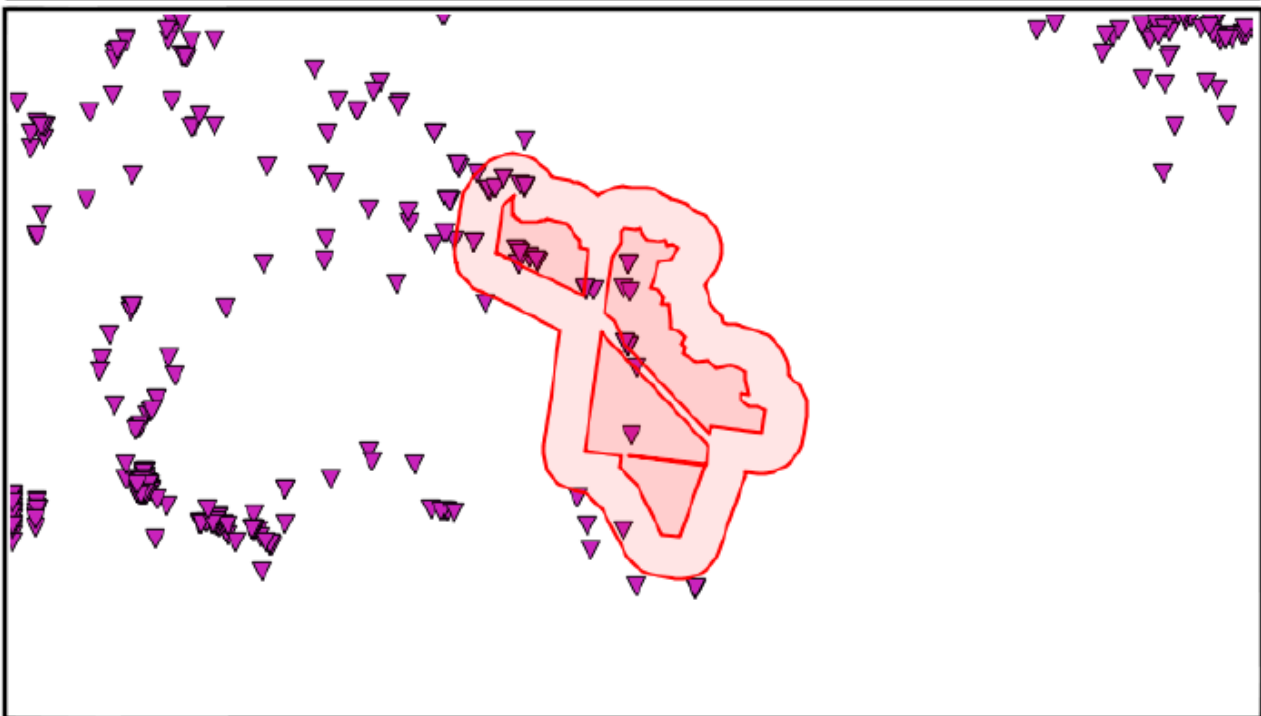


## ATTACHMENT B: DATSIP SEARCH RESULTS



### Digital Data Search

<b>Reference Number:</b>	40463
<b>Buffer Distance:</b>	1000 metres



**Cultural heritage site points for the area are:**

Site ID	Latitude	Longitude	Record Date	Attribute	Party
JC00001321	-26.893677	150.543504	May 4, 2011	Scarred/Carved Tree	
JC00002228	-26.879161	150.548336	Jun 25, 2012	Artefact Scatter	
JC00002229	-26.882353	150.558612	Jun 25, 2012	Artefact Scatter	
JC00002413	-26.935473	150.581461	Oct 15, 2012	Artefact Scatter	
JC00002442	-26.956135	150.57974	Dec 2, 2012	Isolated Find	
JC00002834	-26.921165	150.582793	Mar 12, 2013	Isolated Find	
JC00003672	-26.880258	150.553867	Mar 16, 2014	Isolated Find	
JC00003673	-26.882726	150.550473	Mar 16, 2014	Isolated Find	
JC00003769	-26.895937	150.557233	Jul 12, 2014	Isolated Find	
JC00003770	-26.895596	150.556858	Jul 12, 2014	Isolated Find	

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## Digital Data Search

### Cultural heritage site points for the area are:

Site ID	Latitude	Longitude	Record Date	Attribute	Party
JC00003771	-26.89668	150.557408	Jul 12, 2014	Isolated Find	
JC00003772	-26.896683	150.557589	Jul 12, 2014	Isolated Find	
JC00003773	-26.896554	150.557451	Jul 12, 2014	Isolated Find	
JC00003774	-26.897242	150.559651	Jul 12, 2014	Isolated Find	
JC00003775	-26.898237	150.56138	Jul 12, 2014	Isolated Find	
JC00003776	-26.898171	150.561181	Jul 12, 2014	Isolated Find	
JC00003777	-26.915635	150.580233	Jul 17, 2014	Isolated Find	
JC00003778	-26.898652	150.580756	Jul 18, 2014	Isolated Find	
JC00003821	-26.882729	150.550674	Mar 16, 2014	Isolated Find	
JC00003822	-26.880258	150.553867	Mar 16, 2014	Isolated Find	
JC00003841	-26.894334	150.547576	Jul 20, 2014	Scarred/Carved Tree	
JC00003842	-26.894242	150.547447	Jul 20, 2014	Scarred/Carved Tree	
JC00003843	-26.883286	150.551045	Jul 19, 2014	Scarred/Carved Tree	
JC00003900	-26.895937	150.557233	Jul 12, 2014	Isolated Find	
JC00003901	-26.895596	150.556858	Jul 12, 2014	Isolated Find	
JC00003902	-26.89668	150.557408	Jul 12, 2014	Isolated Find	
JC00003903	-26.896683	150.557589	Jul 12, 2014	Isolated Find	
JC00003904	-26.896554	150.557451	Jul 12, 2014	Isolated Find	
JC00003905	-26.897242	150.559651	Jul 12, 2014	Isolated Find	
JC00003906	-26.898237	150.56138	Jul 12, 2014	Isolated Find	
JC00003907	-26.898171	150.561181	Jul 12, 2014	Isolated Find	
JC00003908	-26.916566	150.580877	Jul 17, 2014	Isolated Find	
JC00003909	-26.915635	150.580233	Jul 17, 2014	Isolated Find	
JC00003910	-26.904931	150.581166	Jul 17, 2014	Isolated Find	
JC00003911	-26.904106	150.579895	Jul 17, 2014	Isolated Find	
JC00003912	-26.898652	150.580756	Jul 18, 2014	Isolated Find	
JC00003914	-26.904359	150.571546	Jul 15, 2014	Isolated Find	
JC00003915	-26.904224	150.571538	Jul 15, 2014	Isolated Find	
JC00003916	-26.904331	150.573579	Jul 15, 2014	Isolated Find	
JC00003919	-26.88229	150.558654	Mar 16, 2014	Isolated Find	
JC00003920	-26.882645	150.552065	Mar 16, 2014	Isolated Find	
JC00003932	-26.898614	150.557055	Jul 12, 2014	Artefact Scatter	
JC00003933	-26.916566	150.580877	Jul 17, 2014	Isolated Find	
JC00003934	-26.916512	150.580848	Jul 18, 2014	Isolated Find	

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### Digital Data Search

**Cultural heritage site points for the area are:**

Site ID	Latitude	Longitude	Record Date	Attribute	Party
JC00003941	-26.882645	150.552065	Mar 16, 2014	Isolated Find	
JC00003942	-26.88229	150.558654	Mar 16, 2014	Isolated Find	
JC00003955	-26.881686	150.55763	Jul 18, 2014	Isolated Find	
JC00003957	-26.898614	150.557055	Jul 12, 2014	Artefact Scatter	
JC00003958	-26.916566	150.580877	Jul 17, 2014	Isolated Find	
JC00003959	-26.916512	150.580848	Jul 18, 2014	Isolated Find	

There are no Aboriginal or Torres Strait Islander cultural heritage site polygons recorded in your specific search area.

There is no cultural heritage party recorded in your specific search area.

There is no cultural heritage body recorded in your specific search area.

**Cultural Heritage Management Plans (CHMP) for the area are:**

CHL Number	Sponsor	Party	Approved
CLH000439	Carbon Energy Pty Ltd	Barunggam People QC99/5	Dec 17, 2007
CLH000759	Origin Energy	BARRANGAM	Feb 7, 2011
CLH000759	Origin Energy	Western Wakka Wakka	Mar 24, 2010

There are no Designated Landscape Areas (DLA) recorded in your specific search area.

There are no Registered Cultural Heritage Study Areas in your specific search area.

**Regional Coordinator:**

Name	Position	Phone	Mobile	Email
Contact Cultural Heritage Unit		1300 378 401		cultural.heritage@datsip.qld.gov.au

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## Digital Data Search

I refer to your submission in which you requested advice regarding Aboriginal or Torres Strait Islander cultural heritage recorded at your nominated location.

The Cultural Heritage Database and Register have been searched in accordance with the location description provided, and the results are set out in the above report.

Aboriginal or Torres Strait Islander cultural heritage which may exist within the search area is protected under the terms of the *Aboriginal Cultural Heritage Act 2003* and the *Torres Strait Islander Cultural Heritage Act 2003*, even if the Department of Aboriginal and Torres Strait Islander Partnerships has no records relating to it.

Under the legislation a person carrying out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal or Torres Strait Islander cultural heritage. This applies whether or not such places are recorded in an official register and whether or not they are located on private land.

Please refer to our website <https://www.datsip.qld.gov.au/people-communities/aboriginal-torres-strait-islander-cultural-heritage> for a copy of the gazetted Cultural Heritage Duty of Care Guidelines, which set out reasonable and practicable measure for meeting the cultural heritage duty of care.

In order to meet your duty of care, any land-use activity within the vicinity of recorded cultural heritage should not proceed without the agreement of the Aboriginal or Torres Strait Islander Party for the area, or by developing a Cultural Heritage Management Plan under Part 7 of the legislation.

If your proposed activity is deemed a Category 5 activity pursuant to the Duty of Care Guidelines, there is generally a high risk that it may harm cultural heritage. In these circumstances, the activity should not proceed without cultural heritage assessment.

Where a category 5 activity is proposed, it is necessary to notify the Aboriginal or Torres Strait Islander Party and seek:

- a. Advice as to whether the area is culturally significant;
- b. If it is, agreement on how best the activity may be managed to avoid or minimise harm to any cultural heritage values.

The extent to which the person has complied with Cultural Heritage Duty of Care Guidelines and the extent the person consulted Aboriginal or Torres Strait Islander Parties about carrying out the activity – and the results of the consultation – are factors a court may consider when determining if a land user has complied with the cultural heritage duty of care.

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## Digital Data Search

Should you have any further queries, please do not hesitate to contact the Search Approval Officer on 1300 378 401.

Kind regards

The Director  
Cultural Heritage | Community Participation | Department of Aboriginal and Torres Strait Islander Partnerships

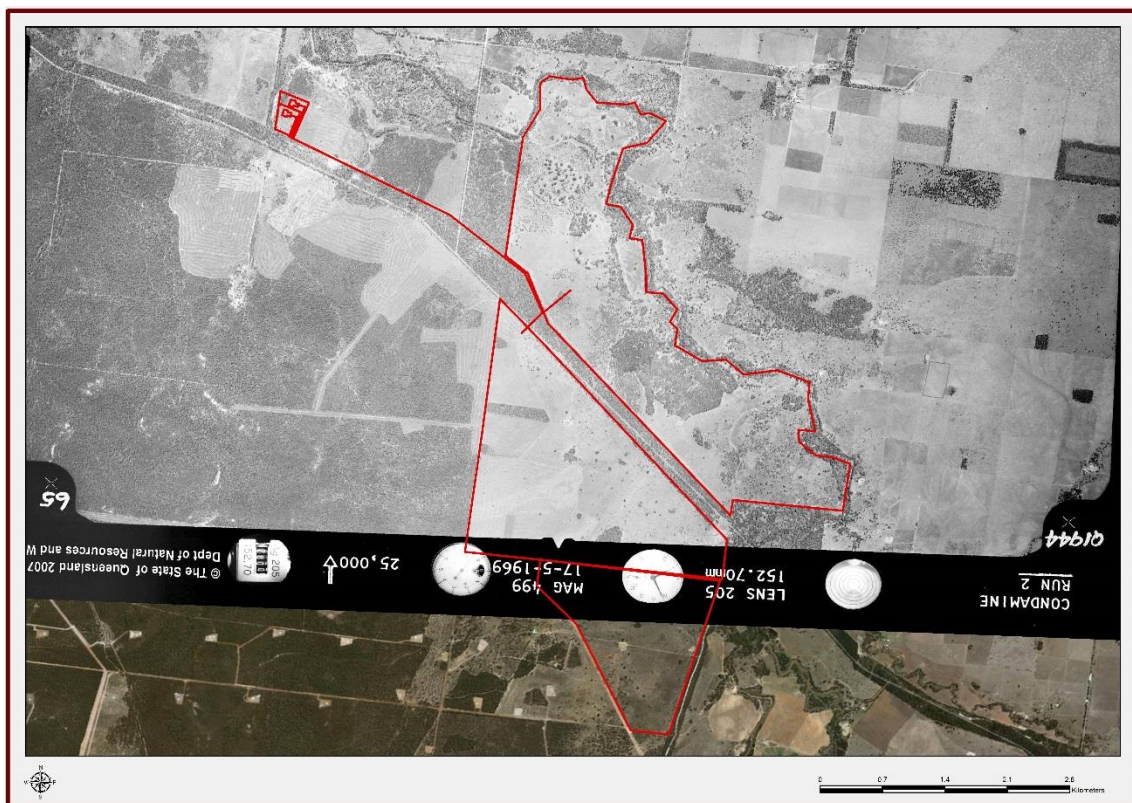
Jul 31, 2018, 12:42 PM



## ATTACHMENT C: HISTORIC AERIAL IMAGERY



**Figure 2: 1959 Aerial Photograph of Project Area.**



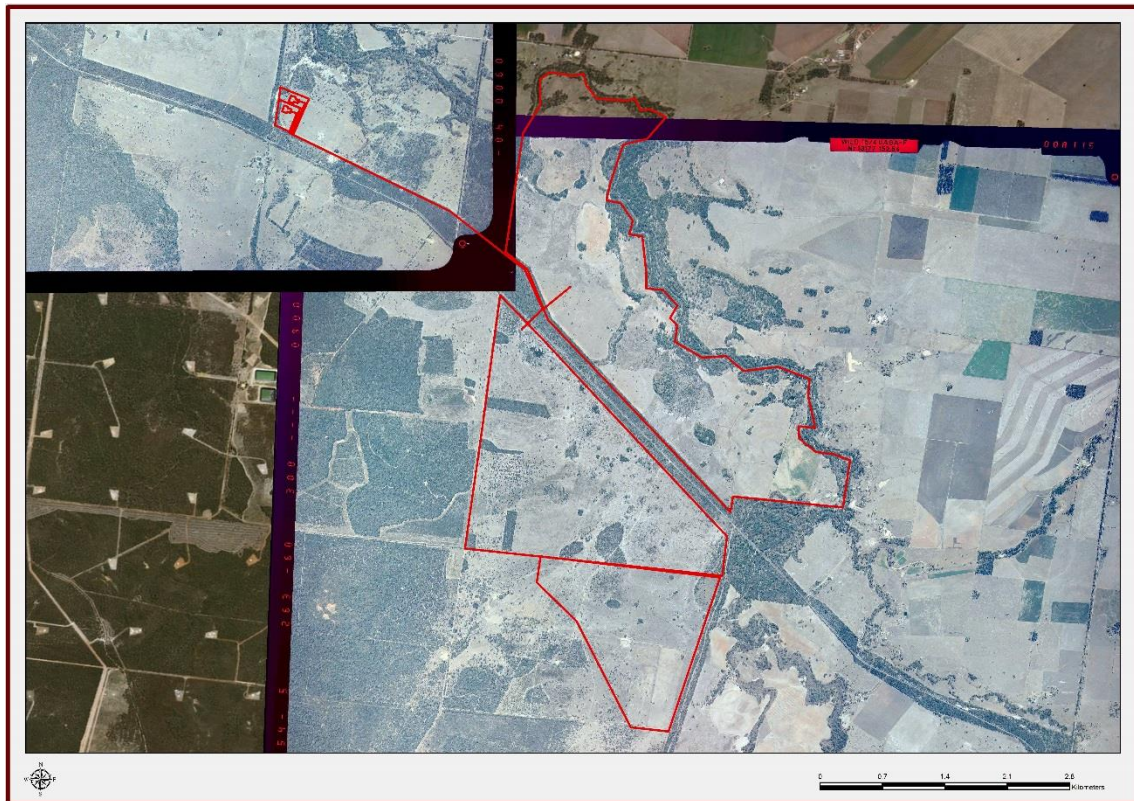
**Figure 3: 1969 Aerial Photograph of Project Area.**



Figure 4: 1973 Aerial Photo of Project Area.



Figure 5: 1990 Aerial Photograph of Project Area.



**Figure 6: 1997 Aerial Photograph of Project Area.**



Edenvale and Ewerleigh Solar Park: Remnant Vegetation



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Project:	Edenvale	Locality:	Western Downs, QLD
Client:	DPI	Date:	01.08.2018
Prepared by:	P. Fowler	Revision:	1
Authorised by:	T. Robins	File:	FV.743
Datum & Projection:	(GCS GDA 1994)		

base data is provided by LIDAR.  
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(Document Path: G:\EV\743 Edenvale & Ewerleigh Solar Park\Maps & Plans\MXD\Edenvale and Ewerleigh\_Potential Category 5 areas\_180801.mxd)

**Legend**

- Project Area
- Potential Category 5 Areas

