

Schedule 5 - Attachment 6 – Aboriginal and Torres Strait Islander Cultural Heritage Database and Register Report

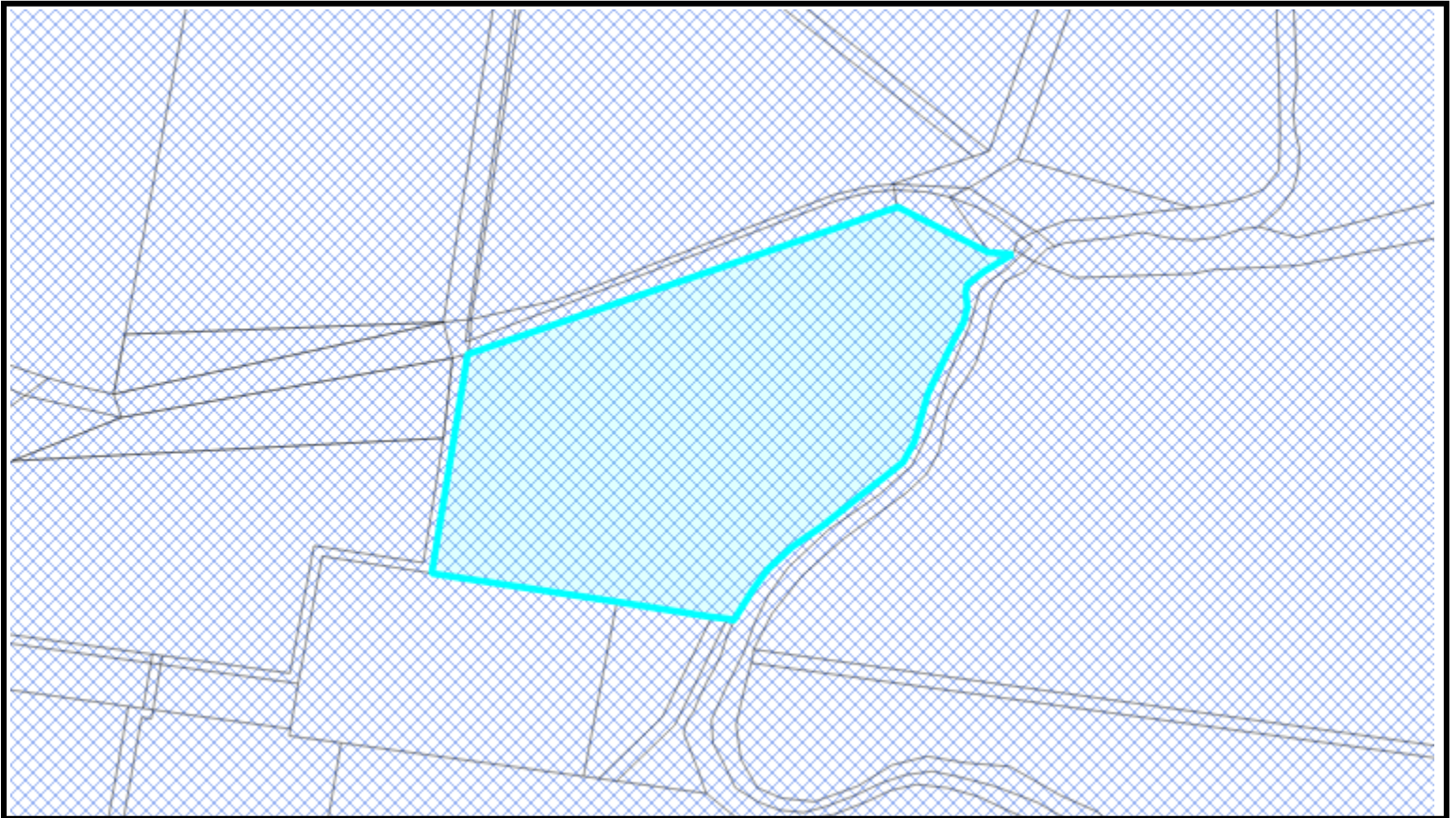
Contract Name: Lot 468 Cinnabar Road (Kilkivan Tansey Road),
Cinnabar - Livestock Agistment

Contract Number: RFI006



Lot on Plan Search

Reference Number:	92600
Lot:	468
Plan:	L37573
LGA:	Gympie Regional
Buffer Distance:	0 metres



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

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

Lot on Plan Search

Cultural heritage party for the area is:

QC Ref Number	QUD Ref Number	Party Name	Contact Details
QC2018/007	QUD20/2019	Kabi Kabi First Nation Traditional Owners Native Title Claim Group	Kabi Kabi First Nation Traditional Owners Native Title Claim Group Queensland South Native Title Services PO Box 10832 BRISBANE QLD 4000 Free Call: 1800 663 693 Phone (07) 3224 1200 Email: reception@qsnts.com.au

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

There are no cultural heritage management plans recorded in your specific search area.

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

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

Regional Coordinator:

Name	Position	Phone	Mobile	Email
Andrew Rutch	Cultural Heritage Coordinator Southern Region	07 3003 6446	0459 840 294	Andrew.Rutch@datsip.qld.gov.au

Disclaimer: Department of Aboriginal and Torres Strait Islander Partnerships is the custodian of spatial data provided by various third parties for inclusion in the Aboriginal and Torres Strait Islander cultural heritage online portal. This includes spatial data provided by the National Native Title Tribunal and Aboriginal and Torres Strait Islander parties. Department of Aboriginal and Torres Strait Islander Partnerships is not responsible for the accuracy of information provided by third parties or any errors in this search report arising from such information. **Map Datum:** Geographic Latitude & Longitude (GDA2020)

Lot on Plan 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.

Lot on Plan 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