

Desktop Cultural Heritage and Native Title Assessment

Jambin Goovigen Road Floodway Upgrades,
Jambin-Goovigen Road, Jambin, QLD
July 2025



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ENVIRONMENTAL . CULTURAL HERITAGE . SPECIAL PROJECTS

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Report Details					
Project Number	24965				
Client	Banana Shire Council		Client Contact	Samantha O'Brien	
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Current Revision		Report v2			

Executive Summary

Redleaf Group was engaged by Banana Shire Council to produce a report assessing the potential risks posed to Aboriginal cultural heritage values by the proposed works at Jambin-Goovigen Road, Jambin. This cultural heritage review includes a desktop assessment identifying any known cultural heritage places recorded on the relevant registers and databases. It then evaluates the potential project impacts to provide recommendations for the mitigation of any potential harm to cultural heritage. Drawing on the results from these investigations, this report evaluates the potential impacts of the proposed works on both historical and Aboriginal heritage and provides recommendations to manage these impacts.

The following is an executive summary of the full recommendations for Cultural Heritage, included in **Section 2.3**, and Native Title, included in **Section 3.6**.

Aboriginal Cultural Heritage

Description of Category 5

Summary of Risks: Category 5 areas have been determined within the watercourses and remnant vegetation. Additional disturbance, particularly the 1 m excavation for rock protection infrastructure, has a high risk of harming Aboriginal cultural heritage.

Recommendations: Consultation with the cultural heritage party is required prior to any proposed activity undertaken in Category 5 areas.

Description of Category 4

Summary of Risks: Most of the Jambin-Goovigen Road corridor has been subject to significant ground disturbance arising from vegetation clearing, and road/floodway construction.

Recommendations: The proposed project activities can proceed without further cultural heritage assessment in Category 4 areas, provided they are consistent with the previous level of disturbance. I.e., the proposed 1 m excavation activity would constitute additional disturbance, even in Category 4 areas, as it is not consistent with previous activities.

Description of Category 3 or Below Areas

Summary of Risks: The footprint of Jambin-Goovigen Road and the existing floodway infrastructure have been developed and maintained. The replacement/upgrade of these developments is unlikely to harm Aboriginal heritage, provided it is consistent with the current footprint of disturbance.

Recommendations: No further cultural heritage assessment is required within the Category 3 or Below areas.

Native Title

The proposed project is within a road parcel. It is highly likely that the road parcels in question were declared before 23 December 1996, thus extinguishing Native Title. However, Redleaf Group do not have access to the required documents. Checking that they were validly declared before 23 December 1996 is recommended.

Abbreviations and Acronyms

ACH Act	<i>Aboriginal Cultural Heritage Act 2003 (Qld)</i>
ATSICHDR	Aboriginal and Torres Strait Islander Cultural Heritage Database and Register
BSC	Banana Shire Council
CHL	Commonwealth Heritage List (Cth)
DCDB	Digital Cadastral Database
DWATSIPM	Department of Women, Aboriginal and Torres Strait Islander Partnerships and Multiculturalism.
EPBC Act/EPBC	<i>Environment Protection and Biodiversity Conservation Act 1999 (Cth)</i>
NNTT	National Native Title Tribunal
RNTC	Registered Native Title Claim
SNTA	Scheduled Native Title Application
TSICH Act	<i>Torres Strait Islander Cultural Heritage Act 2003</i>
VM Act	<i>Vegetation Management Act 1999 (Qld)</i>

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PART I: INTRODUCTION

Background

Redleaf Group was engaged to conduct a Cultural Heritage and Native Title Duty of Care Assessment with the details as shown in Table 1.

Table 1 Project Details

Project Details	
Site Address	Jambin-Goovigen Road, Jambin
Site Co-ordinates	Area 1 -24.18369822, 150.3454909 Area 2 -24.14964585, 150.2924246 -24.14910924, 150.2924216
LGA	Banana Shire Council
Type of Works	Replacement of damaged concrete, rebuilding existing floodway with length extension and rock protection.

1.1 Scope

This Cultural Heritage and Native Title Duty of Care Assessment will consider the potential impacts the project may have on both Aboriginal cultural heritage by:

- Identifying any known cultural heritage places near to or within the project area (refer to Map 1); and
- Providing recommendations for the management of any impacts to cultural heritage values in compliance with the relevant legislation.

Note: This assessment only covers the area shown in Map 1. Areas outside of this scope were not assessed.

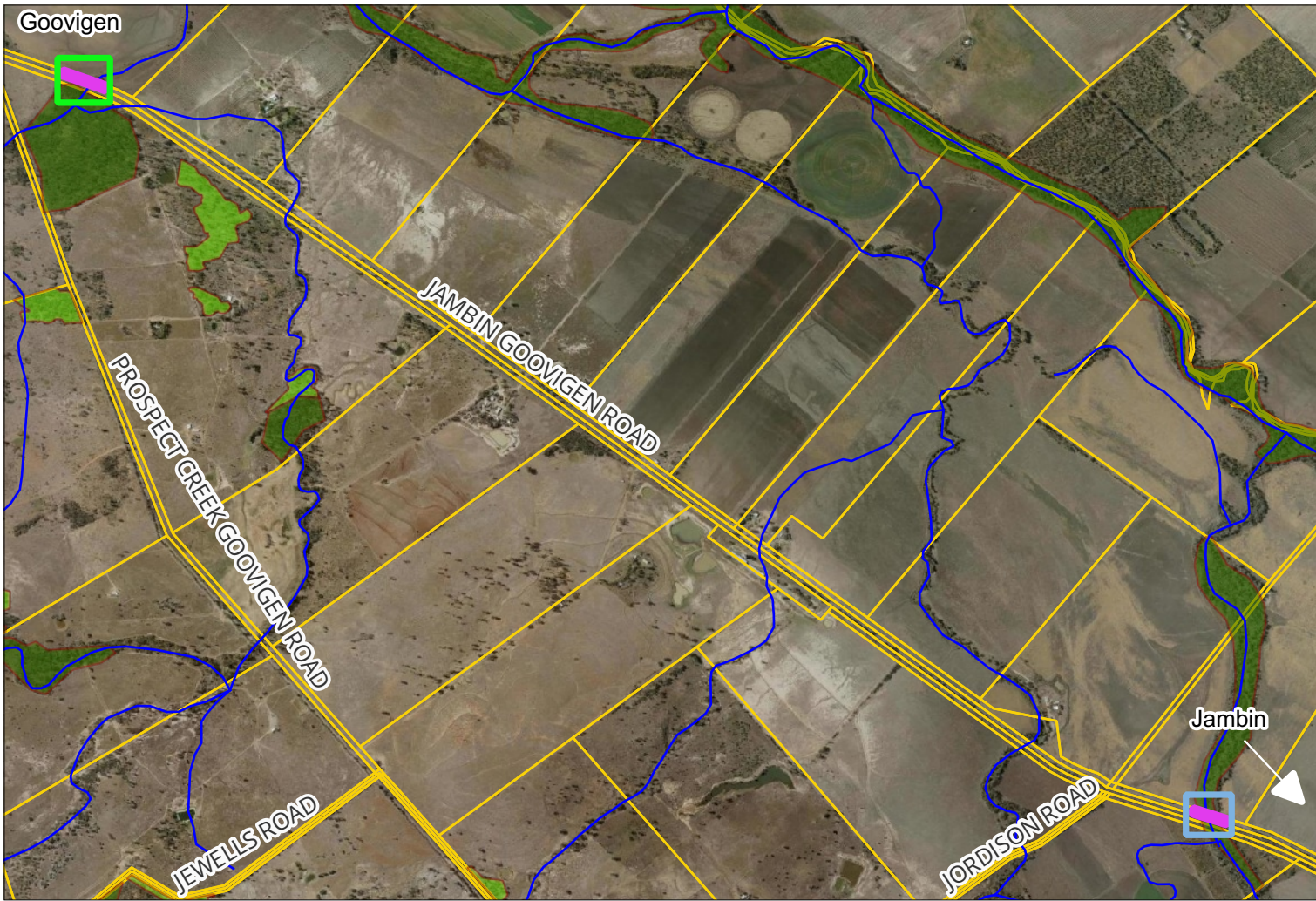
1.2 Desktop Assessment Methodology

The Cultural Heritage and Native Title Duty of Care Assessment was carried out in accordance with the *Aboriginal Cultural Heritage Act 2003* Duty of Care Guidelines (2004), the *Torres Strait Islander Cultural Heritage Act 2003*, the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), the *Underwater Cultural Heritage Act 2018* and the *Native Title Act 1993*.

Places of cultural heritage value were identified by searching both statutory and non-statutory heritage registers and databases. The following **statutory** cultural heritage databases were consulted:

- Aboriginal and Torres Strait Islander Cultural Heritage Database and Register (ATSICHDR)
- UNESCO World Heritage List
- Commonwealth Heritage List (CHL)
- National Heritage List (NHL)

The Native Title status of the proposed works area was considered via the National Native Title Tribunal records and Native Title Vision interactive mapping. Publicly available tenure information, including planning scheme maps and historical cadastral maps were reviewed to assess the historical status of the land and potential extinguishment of Native Title.



Legend

- Proposed Project Area
- DCDB
- Remnant
- High Value Regrowth
- Watercourse

CRS: GDA 2020 MGA Zone 56
Projection: Universal Transverse Mercator

Scale 1:25000

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0 300 600 m

Client

BSC

Client Project No.

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Redleaf Project No.

24965

Map 1 - Location

BSC Jambin Goovigen Road Floodways

Date 07/07/2025

Drawn PD

Approved BM






PART II: CULTURAL HERITAGE ASSESSMENT

2.1 Historical Land Use

Historical land uses, such as clearing, cultivation and construction, may cause destruction of cultural heritage values and disturb their archaeological context. However, the degree of ground disturbance will vary, and it must be assessed on a case-by-case basis. Aerial imagery and field surveys assist with the determination of historical site disturbance. Aerial imagery from 1959 to present demonstrates a history of land use such as pastoral land and road infrastructure upgrades (Appendix C – Historic Aerial Imagery). Selected aerial imagery, which provides the most relevant insight into past ground disturbance, is included below in Table 2.

Table 2 Selected historical aerial imagery, with approximate location of proposed works shown in red.

Year	Image	Description
1959 (Queensland Government, 2024b)		The earliest available imagery from 1959 shows that the first project area (Chainage 3450) had minimal clearing around the existing waterway. The area had no land developments the second project area (Chainage 9960-10125) and had minor clearing.

		
1999 (Queensland Government, 2024b)		<p>Photography from 1999 show road upgrades across the waterway in the first project area (Chainage 3450).</p> <p>The second project area (Chainage 9960-10125) has also undergone road developments alongside a change in the land use in the surrounding area.</p>



2.1.1 Aboriginal History

The project site sits within Gaangalu country, which extends from the Dawson River, stretching south towards Banana and north up to Duaringa near Rockhampton. The caverns in the northern region of Gaangalu in Mount Morgan are connected to the Rainbow Serpent Dreamtime story, also known as the 'Mundagarra' (Hines, 2020).

The two towns on either side of the project area have names of indigenous origin from the Gaangalu. 'Goovigen' was an indigenous name for box tree, and 'Jambin' was indigenous for echidna. The nearby town of Biloela, south of the project area, also means Cockatoo in Gaangalu (Queensland Places, 2024e). Biloela was once home to a ceremonial bora site with the custom to bury the deceased in hollowed-out trees. The trees were then marked with red ochre to identify it as sacred. The region surrounding Biloela, Jambin and Goovigen was also home to many food sources, and the Gaangalu had used dingoes to help round up kangaroos and emus to kill (Morning Bulletin, 1926, pg. 13).

When colonisation began in the region in the 1800s, many indigenous locals were dispersed, namely being moved south to Cherbourg. Over time, a lot of the land has been pasteurized, and Native Police stations had been set up nearby in Rannes in the mid-1800s. Attacks on the station were lead in 1855 in response to the dispersals of the Indigenous population and the taking of women, leading to many deaths of both colonisers and indigenous locals (Skinner, 1975).

had not grown again. This was the custom of some tribes to remove the bark in this way and paint all around the hole with red earth, so as to identify the tree as a sacred one. Later this particular tree had been ringbarked by station hands when that class of work was in hand.

Figure 1 Sacred burial trees in Biloela as mentioned in 1926 (Morning Bulletin, 1926, pg. 13).

2.2 Aboriginal Cultural Heritage

2.2.1 Aboriginal and Torres Strait Islander Cultural Heritage Database and Register

A search of the Aboriginal and Torres Strait Islander Cultural Heritage Database and Register (Reference Number number), encompassing the works area and within a five-kilometre radius, was conducted to identify any recorded cultural heritage values. No known Aboriginal cultural heritage attributes are recorded within five kilometres (Table 3).

Table 3 Aboriginal cultural heritage attributes near the proposed works area.

Site ID	Latitude	Longitude	Record Date	Attribute	Party	Distance from Site
n/a	n/a	n/a	n/a	n/a	n/a	n/a

2.2.2 Cultural Heritage Body

A cultural heritage body is an Aboriginal or Torres Strait Islander cultural heritage body for an area that serves as the first point of contact for matters pertaining to cultural heritage. Additionally, the cultural heritage body also has a purpose to identify the Aboriginal or Torres Strait Islander parties for an area. If there is a registered cultural heritage body for the area, they are the appropriate representatives to contact. If there is no registered cultural heritage body, then the appropriate cultural heritage party or parties should be approached.

The Aboriginal cultural heritage body for the area of the proposed works is recorded within Table 4.

Table 4 Aboriginal cultural heritage body for the proposed works area.

Reference No.	Name	Contact Details	Registration Date
CHB024004	GNP Holdings Pty Ltd	Gaangalu Nation People Saylor Legal AMP Building PO Box 4017 VINCENT QLD 4814 Phone: (07) 4431 0074 Mobile: 0474 244 447 Email: david@saylorlegal.com.au	05/08/2024

2.2.3 Cultural Heritage Parties

A cultural heritage party is an Aboriginal or Torres Strait Islander native title party for an area. In order of decreasing precedence, native title parties include: a registered native title holder, a registered native title claimant, or a previously registered native title claimant. The existence of a higher priority native title party excludes the others as the cultural heritage party for the area. In the case that there is no cultural heritage body but are multiple cultural heritage parties, they should all be approached. In the absence of both a cultural heritage body and cultural heritage parties, further steps are required to ascertain the correct Aboriginal group to consult with.

The Aboriginal cultural heritage parties for the area of the proposed works are recorded within Table 5.

Table 5 Aboriginal cultural heritage parties for the proposed works area.

Reference No.	Federal Court No.	Name	Contact Details
QCD2024/001 PRC	QUD33/2019	Gaangalu Nation People	Gaangalu Nation People Saylor Legal AMP Building PO Box 4017 VINCENT QLD 4814 Phone: (07) 44310074 Mobile: 0474 244 447 Email: david@saylorlegal.com.au



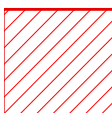
2.3 Cultural Heritage Risk Assessment

The items, values or places identified from the various cultural heritage registers have been combined into the Cultural Heritage Risk Assessments below. For all activity relating to the proposed works, the Appendix A – Site Management Protocols must always be adhered to. These protocols apply within all areas, regardless of all other conclusions and recommendations.

2.3.1 Aboriginal Cultural Heritage

The risk matrix below (Table 6) is used to display the risk to Aboriginal cultural heritage values posed by the proposed works in Map 2. It is informed by the Duty of Care Guidelines (2004), in combination with industry best practice, and professional experience in the prediction of intact potential archaeological deposits (PADs). Landscape features, such as watercourses, remnant vegetation, ridgelines, wetlands, rock shelters and rock outcrops are also factored into this assessment, as these are generally considered to be high risk features for varying reasons.

Table 6 A risk matrix for Aboriginal cultural heritage values as informed by the Duty of Care Guidelines (2004).

Category	Description	Map Symbol
Category 3 or Below	<p>Developed Areas (Category 3) Activities proposed in a 'Developed Area' are generally unlikely to harm Aboriginal cultural heritage. A Developed Area is one that has been developed and maintained for a particular purpose, e.g. railway, utilities, roads. In these circumstances it is usually reasonable and practicable that the activity proceeds without further cultural heritage assessment*.</p> <p>Note: Category 2 and 1 activities also usually do not require further cultural heritage assessment*, therefore they have been combined with Category 3 activities.</p>	
Category 4	<p>Areas Previously Subject to Significant Ground Disturbance (Category 4) Activities proposed in an area which has previously been subject to Significant Ground Disturbance are generally unlikely to harm Aboriginal cultural heritage. Subject to mitigation measures it may be reasonable and practicable that the activity proceeds without further cultural heritage assessment*.</p>	
Category 5	<p>Activities Causing Additional Surface Disturbance (Category 5) Activities proposed in an area that has not been disturbed, or will cause disturbance inconsistent with previous activity, generally have a high risk of harming Aboriginal cultural heritage. In these circumstances, the activity should not proceed without further cultural heritage assessment*.</p>	

2.3.2 Aboriginal Cultural Heritage Conclusion and Recommendations

Known and potential Aboriginal cultural heritage values were assessed for the proposed works area. These results are combined with the Duty of Care Categories. Currently there are no recorded Aboriginal artefacts identified in the immediate proposed works area; however, the absence of recorded data is not indicative of a true absence of cultural heritage values and may be due to a lack of cultural heritage survey efforts.

Description of Category 5

Summary of Risks: Both proposed project areas intersect with a watercourse, and with remnant vegetation nearby in one area, which are both high-risk landscape features for Aboriginal cultural heritage. There is a high risk of harm to Aboriginal cultural heritage through excavating a depth of 1 m for the rock protection construction.

Recommendations: Consultation with the cultural heritage party is required prior to any proposed activity undertaken in Category 5 areas.

Description of Category 4

Summary of Risks: Jambin-Goovigen Road has been subject to significant ground disturbance from vegetation clearing and initial road/floodway construction. It is unlikely that the proposed project activities will harm Aboriginal cultural heritage in these areas, however, there may be residual values below the extent of the previous disturbance.

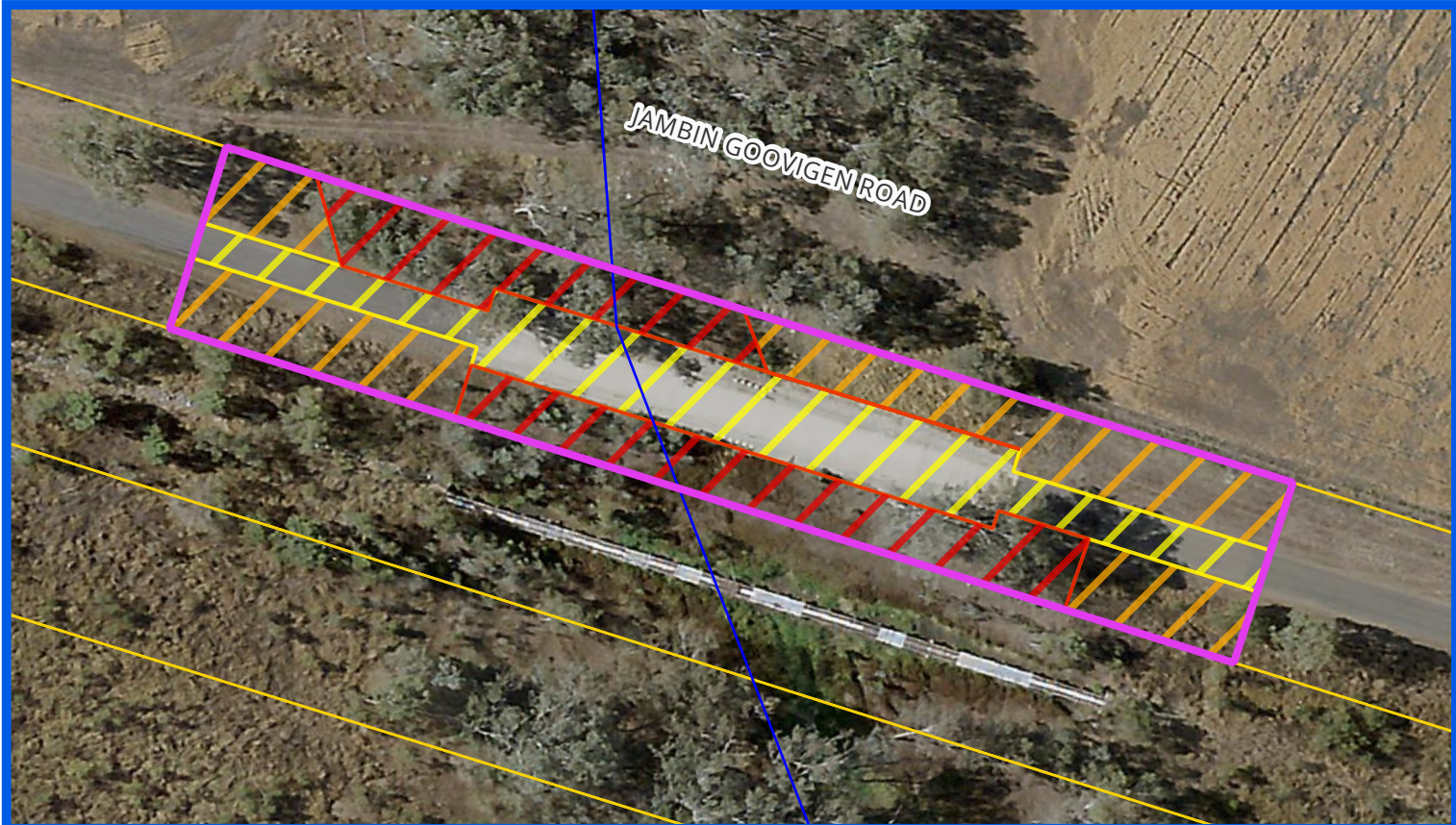
Excavation of 1 m of soil in these areas would constitute additional ground disturbance (Category 5).

Recommendations: The proposed project can proceed within Category 4 areas without further assessment, provided they are consistent with previous disturbance.

Description of Category 3 and Below Areas

Summary of Risks: The footprint of Jambin-Goovigen Road and the existing floodway infrastructure have been developed and maintained. The replacement/upgrade of these developments is unlikely to harm Aboriginal heritage, provided it is consistent with the current footprint of disturbance.

Recommendations: No further cultural heritage assessment is required within the Category 3 or Below areas.



Legend

- Proposed Project Area
- DCDB
- Watercourse

Aboriginal Cultural Heritage

- Category 3 or Below Risk
- Category 5 Risk
- Category 4 Risk



CRS: GDA 2020 MGA Zone 56
Projection: Universal Transverse Mercator

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Client Project No. #

Redleaf Project No. 24965

PART III: NATIVE TITLE ASSESSMENT

3.1 Native Title Claims and Legal Outcomes

Native Title refers to the rights and interests held by the Aboriginal and Torres Strait Islander peoples in accordance with the traditional laws recognised and customs observed. Common law in Australia recognises those laws and customs that are associated with the land or waters.

The main objectives of the Commonwealth Native Title Act 1993 are:

- to provide for the recognition and protection of Native Title;
- to establish ways in which future dealings affecting Native Title may proceed and to set standards for those dealings;
- to establish a mechanism for determining claims to Native Title; and
- to provide for, or permit, the validation of past acts, and intermediate period acts, invalidated because of the existence of Native Title.

The Native Title rights and interests of Native Title claimants must be recognised via Australian common law and thus requires the filing of a Native Title determination application with the Federal Court of Australia.

A Scheduled Native Title Application (SNTA) is an application for a determination of native title in a particular area that is provided to the Registrar by the Federal Court. The claimants, referred to as the Native Title Party, are responsible for providing evidence with their application that is used by the Federal or High Court of Australia to assess the validity of the application. Once the SNTA has been registered, it becomes a Registered Native Title Claim (RNTC). The outcome of this process is a Native Title determination. An affirmative determination may confer either 'exclusive' or 'non-exclusive' Native Title rights and interests to the Native Title Party. These rights and interests may or may not resemble those granted to owners of land, such as freehold.

Native Title holders have the right to negotiate an agreement with private or public corporations or governments that wish to develop land, open mines, or construct infrastructure on land with a Native Title determination, in accordance with the Native Title Act. Native Title holders are granted the opportunity to provide input on development that impacts their traditional waters and territories; this is an important measure. It also signifies that recompense may be offered to Native Title holders in exchange for permitting industry access to their traditional lands. The right to negotiate is not a right to veto, unless the property in question is designated as a cultural heritage site or the Aboriginal Party hold freehold tenure, they are not permitted to impede development (Queensland Government, 2024d).

Note: Redleaf Group cannot provide legal advice regarding Native Title, and any advice given should not be interpreted as legal advice. Redleaf Group only has access to publicly accessible information for tenure and Native Title assessments. Separate legal advice may be advisable in some situations.

3.2 Tenure Types and Other Interests

Freehold Land

Freehold tenure is typically found on a private lot and means that the land is 'free from hold' by any other entity and the owner can mortgage, lease, or sell their land and build a dwelling in accordance with local laws and planning regulations. Valid grants of freehold tenure extinguish Native Title, and a Native Title determination won't affect private land ownership. Grants are known as previous exclusive possession acts (PEPA). If it can be proven that freehold tenure was granted prior to 23 December 1996, in the proposed works area, Native Title has likely been extinguished.

Road Parcels

Validly dedicated road parcels can extinguish Native Title. The Queensland Government's Module CB explains the circumstances in which roads, meeting certain requirements, can lead to the outcome that 'Native Title is wholly and permanently extinguished over the dedicated or declared area' (Queensland Government, 2024a):

- 'Requirement 1: The road was dedicated or declared on or before 23 December 1996' (Queensland Government, 2024a).
- 'Requirement 2: The road was dedicated or declared'.
- This can be proven through SmartMap and/or a plan or map, though in other cases accompanying evidence will be needed such as a gazettal. The road must have been dedicated or declared under a registered plan of survey, lease instrument, gazette notification, proclamation/notification (Queensland Government, 2024a).

Reserves

Because reserves often co-exist with Native Title, undertaking works in reserves requires consideration of some conditions. Module J can be used for an assessment of the effect of the proposed works on Native Title in a reserve.

The Queensland Government Native Title Work Procedures - Module J, states that:

For the proposed dealing to be validly undertaken on the reservation, the activity must:

- not have the effect of cancelling the reservation, and
 - o be done in accordance with the reservation purpose; or
 - o not have a greater physical impact on Native Title (Queensland Government, 2023a).

Watercourse Parcels

Native Title often continues to exist on public or Crown lands which have not been used for other purposes, such as public works. For this reason, watercourse parcels, including the seabed, can continue to be subject to Native Title. Valid public works, or previous grants of freehold tenure, for example, can extinguish Native Title in watercourses.

Public Works

If public works have been constructed at the footprint of proposed works pre-1996, then Native Title has likely been extinguished for that reason (Queensland Government, 2023b). Module CA states that a valid public work, constructed/established on or before 23 December 1996 or after 24 December 1996 on a reserve, can extinguish Native Title (Queensland Government, 2023b). It will also have been extinguished in the immediately surrounding area necessary for, or incidental to, the construction, establishment, or operation of the work (also known as section 251D areas) (Queensland Government, 2023b).

3.3 Project Tenure - Historical

Historical cadastral maps aid in understanding how the land may have been utilised, and the kinds of tenure that have existed previously over the proposed works area. Past land tenure is key to understanding Native Title, as most tenures and interests continue to affect Native Title even after they have ceased. All previous tenures or interests over the land may have permanently affected and possibly extinguished Native Title rights (*Native Title Act 1993* section 47). Cadastral maps of the Banana Shire, including the township of Goovigen, from the late 20th century demonstrate a history of freehold and leasehold land surrounding the proposed works area.

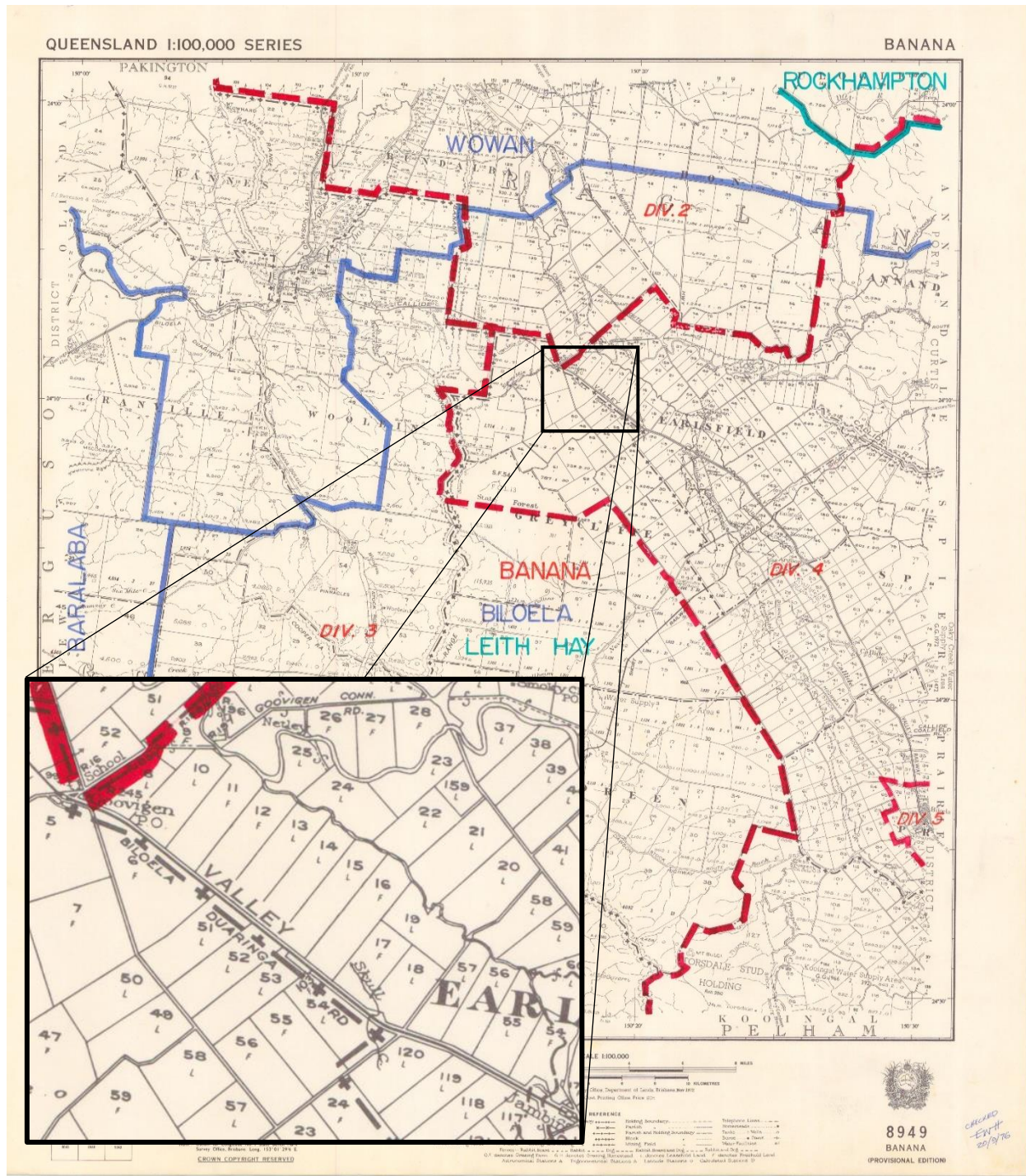


Figure 2 A 1972 map of Banana shire, with inset map of the proposed works area near Goovigen (Queensland Government, 1972).

3.4 Project Tenure – Current

The current details of the proposed works area's tenure, retrieved from the Digital Cadastral Database are included in Table 7.

Table 7 Current land tenure according to Digital Cadastral Database.

Lotplan	Tenure	Comments
Jambin Goovigen Road	Road Parcel	It is highly likely that the road in question was validly declared before 23 December 1996, and therefore, that Native Title has been extinguished.
8RN1560	Freehold	Within 20m buffer zone on north side of first project area
6PM16	Freehold	Within 20m buffer zone on south side of first project area
18RN329	Freehold	Within 20m buffer zone on north side of second project area
RP619672	Freehold	Within 20m buffer zone on south side of second project area

3.5 National Native Title Tribunal Search

Current and ongoing Native Title applications, determinations, and agreements within or surrounding the project areas for the proposed works were considered. All Native Title applications and determinations, whether accepted, rejected or in process, are kept on record by the Australian National Native Title Tribunal [NNTT] (Queensland Government, 2024c). Native Title considerations have been reported in Table 8 and Table 9.

A search of the Native Title Tribunal has indicated that the following determinations, applications, and land use agreements exist over the proposed works area.

It is important to consider who is party to the Indigenous Land Use Agreements (ILUA) that may be present over the area. ILUAs generally only bind the parties to the agreement. If Banana Shire Council is not a party to the agreement, it need not be considered. Consideration of the full ILUAs is advised if there is any doubt about who is bound by its terms.

Table 8 National Native Title Tribunal search results - determinations and claims.

Native Title Matter	Name	NNTT No.	Federal Court No.	Details
n/a	n/a	n/a	n/a	n/a

Table 9 National Native Title Tribunal search results - Indigenous Land Use Agreements (ILUA).

NNTT No.	Short Name	ILUA Type	Date Registered	Parties
n/a	n/a	n/a	n/a	n/a

3.6 Native Title Assessment and Recommendations

After an assessment of land tenure, both historically and on current databases, and consideration of current Native Title determinations, applications and agreements, the following conclusions have been reached.

The proposed works overlap the extent of a watercourse parcel where Native Title may remain. If there has not been a Native Title determination over the area whose outcomes dictate that Native Title has been extinguished in the identified watercourse parcel/s, then a Future Act Notice is required to be supplied to the relevant Native Title parties.

Native Title often continues to exist on public or Crown lands which have not been used for other purposes, such as public works. For this reason, watercourse parcels, including the seabed, can continue to be subject to Native Title. Valid public works, or previous grants of freehold tenure, for example, can extinguish Native Title in watercourses.

Conclusion and Recommendations:

The proposed project is along a road parcel. However, it is highly likely that the roads in question were declared before 23 December 1996, thus extinguishing Native Title. Checking that it was validly declared before 23 December 1996 is recommended.

References

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Glossary and Legislative Frameworks

Glossary

Term	Definition
Aboriginal cultural heritage	<p>Anything that is a significant Aboriginal area in Queensland; or a significant Aboriginal object; or evidence of archaeological significance, historic significance or of Aboriginal occupation of an area of Queensland.</p> <p>Aboriginal cultural heritage is protected by the <i>Aboriginal Cultural Heritage Act 2003</i>.</p> <p>Examples include:</p> <ul style="list-style-type: none"> • Stone artefacts (e.g. flints, blades, axe heads) • Old campfires and hearths • Middens • Rock Art • Scarred and carved trees (culturally modified trees) • Remains of rock quarries and axe grinding grooves • Human remains • Ceremonial and ritual areas.
Additional surface disturbance	Surface disturbance inconsistent with previous surface disturbance.
Archaeological artefact	<p>Any artefact that is evidence of an aspect of Queensland's history, whether it is located in, on, or below the surface of land.</p> <p>Note: Under the <i>Queensland Heritage Act 1992</i>, an archaeological artefact does not include: a thing that is Aboriginal cultural heritage under the <i>Aboriginal Cultural Heritage Act 2003</i> or Torres Strait Islander cultural heritage under the <i>Torres Strait Islander Cultural Heritage Act 2003</i>; or underwater cultural heritage artefact.</p>
Artefact	Artefact means an archaeological artefact or underwater cultural heritage artefact.
Cultural heritage body/party	The cultural heritage party/ies for the area of the proposed works according to Native Title. If there is no current Native Title claim over the area, previously registered Native Title claimants ('last claim standing') may be the relevant cultural heritage body. To identify details about statutory Aboriginal or Torres Strait Islander parties for an area, please visit the Aboriginal and Torres Strait Islander Cultural Heritage online portal.
Cultural heritage find	<p>An object or area in, or around, the work area that is suspected to constitute Aboriginal cultural heritage or historical (non-Indigenous) cultural heritage.</p> <p>Note: These may also be referred to as potentially significant objects or artefacts.</p>
Cultural Heritage Management Plan (CHMP)	<p>An agreement between a land user (sponsor) and Aboriginal Party (endorsed party) developed under Part 7 of the <i>Aboriginal Cultural Heritage Act 2003</i> and <i>Torres Strait Islander Cultural Heritage Act 2003</i>.</p> <p>A CHMP explains how land use activities can be managed to avoid or minimise harm to Aboriginal or Torres Strait Islander cultural heritage. A CHMP must be developed and approved under Part 7 of the legislation when an environmental impact statement is required for a project.</p> <p>Note: This is different from a Conservation Management Plan, which are used for places of non-Indigenous cultural heritage significance.</p>
Cultural heritage values	<p>Also referred to as 'heritage values', it is the aesthetic, historic, scientific, or social significance of a place and can include both Aboriginal non-Indigenous (historic) cultural heritage.</p> <p>Note: this term is often used interchangeably with cultural heritage significance.</p>
Culturally modified tree	Also known as: scar trees, scarred trees, and carved trees. Culturally modified trees (CMTs) are trees that have been scarred or modified by Aboriginal people through the deliberate removal of bark or wood, typically modified prior to European settlement. CMTs were used to make items such as canoes, shield, and boomerangs, but may have also been used for wayfinding and denoting significant areas in the landscape.

	Scar trees may also date to post-European settlement and may have been modified by either by Aboriginal people, or European settlers.
Designated landscape area	Under the repealed <i>Cultural Record (Landscapes Queensland and Queensland Estate) Act 1987</i> , an area was declared a 'designated landscape area' (DLA) if it was deemed necessary or desirable for it to be preserved or to regulate access. DLAs are recorded on the Aboriginal and Torres Strait Islander Cultural Heritage Register in accordance with section 162 of the <i>Aboriginal Cultural Heritage Act 2003</i> and the <i>Torres Strait Islander Cultural Heritage Act 2003</i> .
Developed area	An area that is developed or maintained for a purpose such as a park, garden, railway, road or other access route, navigation channel, municipal facility, or infrastructure facility, such as power lines, telecommunication lines or electricity infrastructure.
Disturbed, cleared or modified areas	Includes any area that will be disturbed, cleared, or modified as a result of approved development and any area where historical disturbance, clearing or modification, being natural (e.g. due to invasive pest species) or unnatural is evident.
Exclusion zone	Under the <i>Aboriginal Cultural Heritage Act 2003</i> and the <i>Torres Strait Islander Cultural Heritage Act 2003</i> , it is an area that has been cordoned off and has restricted access arrangements in place.
Land tenure	The means of identifying who has the right to use and occupy land in accordance with the varying degrees of ownership, governed by the <i>Land Act 1994</i> . Strictly speaking, the word 'tenure' refers only to a lease or freehold which conveys possession of land to a person. For convenience, in this report the term is also used to embrace other forms of occupation such as licences, permits to occupy and State reserves. The provisions of the Commonwealth and State Native Title Acts—that is, the <i>Native Title Act 1993 (Cth)</i> and the <i>Native Title (Queensland) Act 1993</i> —must be satisfied before any dealings under the Land Act can be undertaken in relation to non-freehold land.
Laydowns	A temporary, designated area to place equipment and machinery necessary for the proposed works.
Native Title Party	The Native Title party for an area is defined as: Native Title holders – that is where Native Title has been recognised by the Federal Court of Australia. Registered Native Title claimants – Native Title claims currently before the Federal Court of Australia. Previously registered Native Title claimants (the 'last claim standing') – Native Title claims that have been removed from the Register of Native Title Claims administered by the National Native Title Tribunal (NNTT). Previously registered Native Title claimants will continue to be the Native Title party for that area providing: There is no other registered Native Title claimant for the area. There is not, and never has been, a Native Title holder for the area. The Native Title party maintains this status within the external boundaries of the claim even if Native Title has been extinguished.
No additional surface disturbance	Surface disturbance not inconsistent with previous surface disturbance.
Non-Indigenous (historical) cultural heritage	A place or features of a place that have cultural heritage significance to present, past, or future generations. Non-Indigenous cultural heritage is protected by the <i>Queensland Heritage Act 1992</i> . Examples include: <ul style="list-style-type: none"> • Historical dwellings and buildings • Abandoned town sites/settlements • Evidence of historic settlement • Industrial & mining sites • Cemeteries and graves • Historical roads and streetscapes • Survey marks, pegs, or blazed trees • Places of historical interest.

Project area	In relation to a project, means the area the subject of the project, whether in construction or operational phases.
Queensland Heritage Register	A register identifying places of cultural heritage significance to the State of Queensland, administered by the Department of Environment, Science, and Innovation (formerly known as DES) under the <i>Queensland Heritage Act 1992</i> .
Registered significant area	An area recorded in the Aboriginal and Torres Strait Islander Cultural Heritage Database and Register as a significant Aboriginal or Torres Strait Islander area.
Registered significant object	<p>An object recorded in the Aboriginal and Torres Strait Islander Cultural Heritage Database and Register as a significant Aboriginal or Torres Strait Islander cultural heritage object.</p> <p>Note: This is the term used for registered artefacts relating to Aboriginal cultural heritage under the <i>Aboriginal Cultural Heritage Act 2003</i> and <i>Torres Strait Islander Cultural Heritage Act 2003</i>, rather than archaeological artefact as defined under the QHA.</p>
Remnant vegetation	<p>As defined under the <i>Vegetation Management Act 1999</i>.</p> <p>For the purposes of this report, it broadly refers to vegetation that has not been cleared since European settlement.</p>
Significant ground disturbance	Disturbance by machinery of the topsoil or surface rock layer of the ground, such as by ploughing, drilling, or dredging; the removal of native vegetation by disturbing root systems and exposing underlying soil.
Significant object	An object or artefact of cultural heritage significance to Aboriginal peoples. (See also registered significant object).
Stockpile	A designated area where construction materials are piled and to manage handling. Materials are transported to and from the project site as needed.
Surface disturbance	Any disturbance of an area which causes a lasting impact to the land or waters during the activity or after the activity has ceased.
Torres Strait Islander cultural heritage	<p>Anything that is a significant Torres Strait Islander area in Queensland; or a significant Torres Strait Islander object; or evidence of archaeological significance, historic significance or of Torres Strait Islander occupation of an area of Queensland.</p> <p>Torres Strait Islander cultural heritage is protected by the <i>Torres Strait Islander Cultural Heritage Act 2003</i>.</p> <p>Examples include:</p> <ul style="list-style-type: none"> • Stone artefacts (e.g. flints, blades, axe heads) • Old campfires and hearths • Middens • Rock Art • Scarred and carved trees (culturally modified trees) • Remains of rock quarries and axe grinding grooves • Human remains • Ceremonial and ritual areas.

Legislative Frameworks

Aboriginal Cultural Heritage Act 2003

The Queensland legislation for the protection of Aboriginal cultural heritage in the landscape is the *Aboriginal Cultural Heritage Act 2003* (ACH Act). The purpose of the ACH Act is to provide for the effective recognition, protection, and conservation of Aboriginal cultural heritage. Through this legislation, the State aims to establish timely and efficient processes for the management of activities that may harm Aboriginal cultural heritage. It also states the protection and conservation of Aboriginal cultural heritage should be based on respect for Aboriginal knowledge, culture, and traditional practices; and Aboriginal people are recognised as the primary guardians, keepers, and knowledge holders of Aboriginal cultural heritage.

Aboriginal cultural heritage values are defined in the ACH Act as meaning a significant Aboriginal place, object, or evidence, of archaeological or historic significance, of Aboriginal occupation of an area of Queensland. Aboriginal cultural heritage values should not be confused with Native Title. As with non-Aboriginal heritage values, Aboriginal cultural heritage can exist on an area regardless of the land tenure. The existence of Aboriginal cultural heritage in an area does not mean that Native Title exists over that area. The ACH Act also establishes a duty for the chief executive to keep an 'Aboriginal Cultural Heritage Database' under Part 5. This database is accessible through the Department of Treaty, and Aboriginal and Torres Strait Islander Partnerships, Communities, and the Arts (formerly DSDSATSIP) database.

Duty of Care Guidelines 2004

The *Aboriginal Cultural Heritage Act 2003* Duty of Care Guidelines (2004) is the primary tool for determining a duty of care outcome for activities that may harm Aboriginal cultural heritage. Section 23(1) of the ACH Act states that a person who 'carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage'.

Environment Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC) is the Australian Government's environment and heritage legislation. Established under the EPBC Act, the Commonwealth Heritage List comprises outstanding natural, Aboriginal, and historic heritage places on Commonwealth lands and waters, or under Australian Government control.

The EPBC Act requires listed places to undergo special requirements to ensure that the values of the place are protected and conserved for future generations. The EPBC Act provides for the preparation of management plans which set out the significant heritage aspects of the place and how the values of the site will be managed.

Native Title Act 1993 (Cth)

The *Commonwealth Native Title Act 1993* is the Australian Government's Native Title legislation that provides a national system for the recognition and protection of Native Title and for its co-existence with the national land management system. Under the Native Title Act 1993, Native Title claimants can make an application to the Federal Court to have their Native Title recognised by Australian law.

The Act recognises the traditional rights and interests to land and waters of Aboriginal and Torres Strait Islander people. These rights and interests have been practised, and continue to be, by Aboriginal and Torres Strait Islander groups under traditional laws and customs prior to sovereignty (British occupation).

These rights and interests include such activities as the right to live and camp in the area, performing of ceremonies, hunting, and fishing, collection of food, building shelters and visiting places of cultural importance.

Native Title (Queensland) Act 1993

The *Native Title (Queensland) Act 1993* is the Queensland Government's legislation to ensure alignment with the *Commonwealth Native Title Act 1993* for future dealings affecting Native Title.

APPENDICES

Appendix A – Site Management Protocols

Site Inductions

Provide machinery and road/traffic personnel with relevant cultural heritage training to ensure they:

- Understand the Duty of Care requirements under the *Aboriginal Cultural Heritage Act 2003*.
- Understand their obligations under the *Queensland Heritage Act 1992*.
- Understand where machinery, stockpiles etc. should be located.
- The site induction can be delivered by the responsible Cultural Heritage Officer (Tim Menkins 0497 259 960).

Finds Procedure

1. FIND: An item of potential cultural heritage value is found.
2. STOP: All work at the FIND location shall cease. The item shall not be removed or disturbed and an exclusion zone must be installed around the area.
3. NOTIFY: The Contractor shall immediately notify a 'responsible person'.
4. MANAGE: This may include restricting access to that area and liaison with relevant Aboriginal party/parties. The Contractor shall notify all site personnel of the object and/or area and proposed treatment of the object and/or area as soon as possible, but prior to commencing work on the next working day. Please immediately notify the responsible Cultural Heritage Officer should further historical or Aboriginal heritage values be identified (Redleaf Group Ph: 1300562 494).

Note: These guidelines were developed using the Department of Environment, Technology, Science, and Innovation (DETSI) 'Procedural Guide for Managing Indigenous Cultural Heritage' and can be used for both Aboriginal and non-Indigenous cultural heritage.

Archaeological Discoveries

Archaeological discoveries can occur regardless of land tenure. Refer to section 1 for the legislative framework relevant to the proposed development. In certain situations, an Archaeological Management plan may be required to achieve compliance. Archaeological Management Plans outline the steps to follow in the event of previously unidentified cultural heritage values being found during proposed works.

Note: The recommendations provided in this report do not preclude adherence to relevant cultural heritage legislation, including, but not limited to; the *Aboriginal Cultural Heritage Act 2003*, *Environment Protection and Biodiversity Conservation Act 1999* and the *Queensland Heritage Act 1992*.

Appendix B – ATSICHDR Report

Cultural Heritage Database and Register Search Report

Search report reference number: 190087

The Aboriginal and Torres Strait Islander Cultural Heritage Database (cultural heritage database) and Aboriginal and Torres Strait Islander Cultural Heritage Register (cultural heritage register) have been searched in accordance with the location description provided, and the results are set out in this report.

The cultural heritage database is intended to be a research and planning tool to help Aboriginal and Torres Strait Islander parties, researchers, and other persons in their consideration of the cultural heritage values of particular areas.

The cultural heritage register is intended to be a depository for information for consideration for land use and land use planning, and a research and planning tool to help people in their consideration of the Aboriginal cultural heritage values of particular objects and areas.

Aboriginal or Torres Strait Islander cultural heritage which may exist within the search area is protected under the [Aboriginal Cultural Heritage Act 2003](#) and the [Torres Strait Islander Cultural Heritage Act 2003](#) (the Cultural Heritage Acts), even if the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships (the Department) has no records relating to it.

The placing of information on the database is not intended to be conclusive about whether the information is up-to-date, comprehensive or otherwise accurate.

Under the Cultural Heritage Acts, 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.

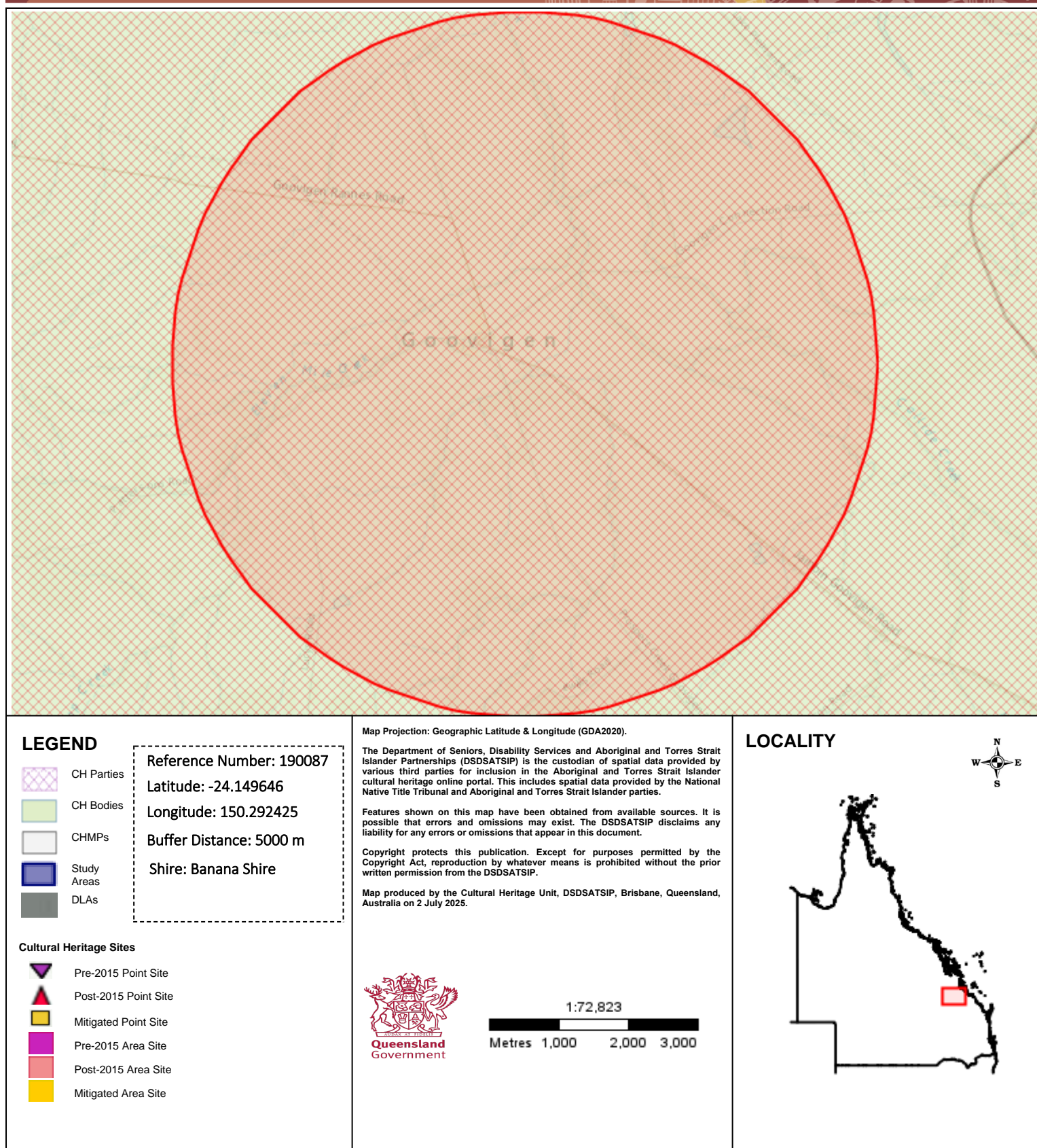
Please refer to the Department website <https://www.qld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care> to obtain a copy of the gazetted Cultural Heritage Duty of Care Guidelines, which set out reasonable and practicable measure for meeting the 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 Cultural Heritage Acts.

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.

Should you have any further queries, please do not hesitate to contact the department via email: cultural.heritage@dssdsatip.qld.gov.au or telephone: 1300 378 401.

Cultural Heritage Database and Register Search Report



Cultural Heritage Database and Register Search Report

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.

Cultural Heritage Party/ies for the area:

Reference No.	Federal Court No.	Name	Contact Details
QCD2024/001 PRC	QUD33/2019	Gaangalu Nation People	Gaangalu Nation People Saylor Legal AMP Building PO Box 4017 VINCENT QLD 4814 Phone: (07) 4431 0074 Mobile: 0474 244 447 Email: david@saylorlegal.com.au

Cultural Heritage Body/ies for the area:

Departmental Reference No.	Name	Contact Details	Registration Date
CHB024004	GNP Holdings Pty Ltd	Gaangalu Nation People Saylor Legal AMP Building PO Box 4017 VINCENT QLD 4814 Phone: (07) 4431 0074 Mobile: 0474 244 447 Email: david@saylorlegal.com.au	05/08/2024

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 Cultural Heritage Study Areas recorded in your specific search area.

There are no National Heritage Areas (Indigenous values) recorded in your specific search area.

Cultural Heritage Database and Register Search Report

Glossary

Cultural Heritage Body: An entity registered under Part 4 of the Cultural Heritage Acts as an Aboriginal or Torres Strait Islander cultural heritage body for an area. The purpose of a cultural heritage body is to:

- identify the Aboriginal or Torres Strait Islander parties for an area
- serve as the first point of contact for cultural heritage matters.

Cultural Heritage Management Plan (CHMP): An agreement between a land user (sponsor) and Traditional Owners (endorsed party) developed under Part 7 of the Cultural Heritage Acts. The CHMP explains how land use activities can be managed to avoid or minimise harm to Aboriginal or Torres Strait Islander cultural heritage.

Cultural Heritage Party: Refers to a native title party for an area. A native title party is defined as:

- Registered native title holders (where native title has been recognised by the Federal Court of Australia).
- Registered native title claimants (whose native title claims are currently before the Federal Court of Australia).
- Previously registered native title claimants (the 'last claim standing') are native title claims that are no longer active and have been removed from the Register of Native Title Claims administered by the National Native Title Tribunal. Previously registered native title claimants will continue to be the native title party for that area providing:
 - o there is no other registered native title claimant for the area; and
 - o there is not, and never has been, a registered native title holder for the area.

The native title party maintains this status within the external boundaries of the claim even if native title has been extinguished.

Cultural heritage site points (pre 2015): Aboriginal and Torres Strait Islander cultural heritage sites and places recorded in the database as point data **before** 1 July 2015.

Cultural heritage site points (post 2015): Aboriginal and Torres Strait Islander cultural heritage sites and places recorded in the database as point data **after** 1 July 2015.

Cultural heritage site points (post 2015 mitigated): Aboriginal and Torres Strait Islander cultural heritage sites and places recorded in the database as point data after 1 July 2015 where the recorder has advised the department that the site has been mitigated.

Cultural heritage site polygons: Aboriginal and Torres Strait Islander cultural heritage sites and places recorded in the database as a polygon.

Designated Landscape Areas (DLA): Under the repealed *Cultural Record (Landscapes Queensland and Queensland Estate) Act 1987*, an area was declared a 'designated landscape area' (DLA) if it was deemed necessary or desirable for it to be preserved or to regulate access.

Indigenous Protected Areas (IPA): Areas of land and sea managed by Indigenous groups as protected areas for biodiversity conservation through voluntary agreements with the Australian Government. For further information about IPAs visit <https://www.environment.gov.au/land/indigenous-protected-areas>

National Heritage areas: Places listed on the National Heritage List for their outstanding heritage significance to Australia and are protected under the *Environment Protection and Biodiversity Conservation Act 1999*. For further information about the National Heritage List visit <https://www.environment.gov.au/heritage/about/national>

National Heritage Areas (Indigenous values): Places listed on the National Heritage list (Indigenous values) are recognised for their outstanding Indigenous cultural heritage significance to Australia and are protected under the *Environment Protection and Biodiversity Conservation Act 1999*. These areas are now included in the cultural heritage

Cultural Heritage Database and Register Search Report

register.

Registered Cultural Heritage Study Areas: Comprehensive studies of Aboriginal and or Torres Strait Islander cultural heritage in an area conducted under Part 6 of the Cultural Heritage Acts for the purpose of recording the findings of the study on the register.

Traditional Use of Marine Resources Agreement (TUMRA): Areas subject to agreement between Great Barrier Reef Traditional Owners and the Australian and Queensland governments on the management of traditional use activities on their sea country. For further information about TUMRAs visit <https://www.gbrmpa.gov.au/our-partners/traditional-owners/traditional-use-of-marine-resources-agreements>

World Heritage Areas: Places inscribed on the World Heritage List pursuant to the World Heritage Convention adopted by the United Nations Education, Scientific and Cultural Organisation (UNESCO) and are protected under the [Environment Protection and Biodiversity Conservation Act 1999](#). For further information about World Heritage places in Queensland visit <https://parks.des.qld.gov.au/management/managed-areas/world-heritage-areas>

Disclaimer: *The Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships is the custodian of spatial data and information 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 Seniors, Disability Services and 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.*

Appendix C – Historic Aerial Imagery

Table 10 Historical aerial imagery of the proposed site, demonstrating changing land use or site circumstances (Queensland Government, 2024b).



Figure 3 1959 aerial imagery (Chainage 3450) (Film QAP0934 Frame 039)



Figure 4 1959 aerial imagery (Chainage 9960-10125) (Film QAP0932 Frame 119)



Figure 5 1984 aerial imagery (Chainage 3450) (Film QAP4365 Frame 067)



Figure 6 1984 aerial imagery (Chainage 9960-10125) (Film QAP4365 Frame 161)

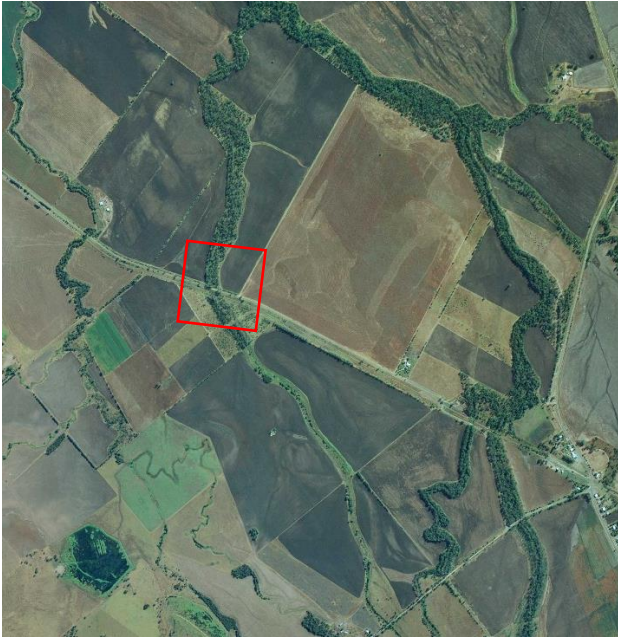


Figure 7 1999 aerial imagery (Chainage 3340) (Film QAP5749 Frame 118)



Figure 8 1999 aerial imagery (Chainage 9960-10125) (Film QAP5749 Frame 095)



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Phone: 1300 562 494

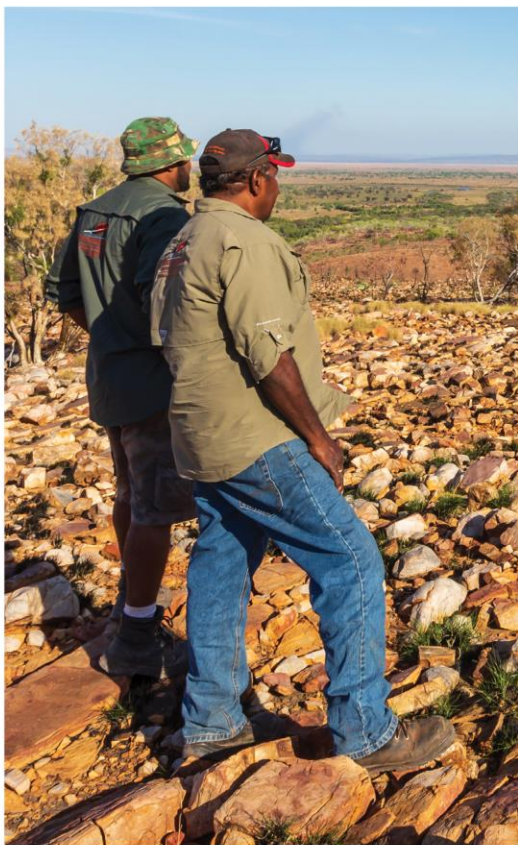
Email: enquiries@redleafgroup.au

Suite 11, 566 Ruthven Street, Toowoomba Qld

(PO Box 158, Grand Central Shopping Centre, Toowoomba Qld 4350)

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SCHEDULE 15 – ABORIGINAL CULTURAL HERITAGE IDENTIFICATION REPORT

This document is to be prepared when a site inspection or site visit occurs.

ABORIGINAL CULTURAL HERITAGE IDENTIFICATION REPORT Insert Name PEOPLE

This form is to be completed by the Aboriginal Party or Aboriginal Party's Representative after a Site Inspection and then handed to the Council Representative on the same day that the inspection is completed.

Council Job Ref:	W8899
Work Project:	Jambin Gooigen floodway
Location of Site Inspection/ Monitoring:	CH 9960 - 10125
Date(s):	15/07/2025
Aboriginal Party Representative:	(Gangulu) Jeffrey Toby + Nathan Campbell
Council Representative In Attendance:	Nikkheia McClintock + Gail Weber

1. I, JEFFREY TOBY (insert name) on behalf of the Gangulu People provide Banana Shire Council with an unconditional clearance to proceed with the Works Project above (more details in the related Proposed Works Notice):

☒ Yes

☐ No

If the 'Yes' box is ticked – sign here Signature: [Signature]

(on behalf of the _____ People) Date: _____

If the 'No' box is ticked – complete below paragraphs

2. Having conducted a Site Inspection I have identified in the proposed works area, Aboriginal cultural heritage in the nature of (specify type of cultural heritage find e.g. artefact, painting, etching, burial site, sacred site and brief reasons for its significance):

3. The Aboriginal Cultural Heritage is located on or near: (specify general location or if possible GPS coordinates).

4. The _____ People make the following recommendation(s): (tick relevant recommendation/s).
(Through the Consultative Committee, the Parties may continue to refine this Notice template).

- ☒ Monitors are employed during work in the location of identified Aboriginal Cultural Heritage.
- ☐ The work project is to avoid specified areas.
- ☐ A fence is to be erected to prevent access on or around an area of cultural significance.
- ☐ An expert is to be engaged to evaluate and document the general location of a cultural heritage find.
- ☐ The _____ People relocate a cultural heritage find made.
- ☐ Other action is recommended (specify):

Monitors to be onsite for excavation activities.

JEFFREY TOBY
Name of Representative

Jeffrey Toby
Signed on behalf of the Carpuen People

15/7/25
Date

Nikkhea McClintock
Name of Representative

[Signature]
Signed on behalf of Banana Shire Council

15/7/25
Date

Sketch indicating general location of cultural heritage at or around the work site



SCHEDULE 15 – ABORIGINAL CULTURAL HERITAGE IDENTIFICATION REPORT

This document is to be prepared when a site inspection or site visit occurs.

ABORIGINAL CULTURAL HERITAGE IDENTIFICATION REPORT Insert Name PEOPLE

This form is to be completed by the Aboriginal Party or Aboriginal Party's Representative after a Site Inspection and then handed to the Council Representative on the same day that the inspection is completed.

Council Job Ref:	W8899
Work Project:	Jambin Gooigen Floodways
Location of Site Inspection/ Monitoring:	CH 3450
Date(s):	15/07/25
Aboriginal Party Representative:	(Gangulu) Jeffrey Toby + Nathan Campbell
Council Representative In Attendance:	Nikkiea McIntock + Cail Weber

1. I, JEFFREY TOBY (insert name) on behalf of the _____ People provide
Banana Shire Council with an unconditional clearance to proceed with the Works Project above (more
details in the related Proposed Works Notice):

☒ Yes

☐ No

If the 'Yes' box is ticked – sign here Signature: _____

(on behalf of the Gangulu People) Date: 15/7/25

If the 'No' box is ticked – complete below paragraphs

2. Having conducted a Site Inspection I have identified in the proposed works area, Aboriginal cultural
heritage in the nature of (specify type of cultural heritage find e.g. artefact, painting, etching, burial site, sacred site
and brief reasons for its significance):

Scar Tree (CH 3500) details at back

3. The Aboriginal Cultural Heritage is located on or near: (specify general location or if possible GPS coordinates).

GPS details at back.

4. The _____ People make the following recommendation(s): (tick relevant recommendation/s).
(Through the Consultative Committee, the Parties may continue to refine this Notice template).

- ☒ Monitors are employed during work in the location of identified Aboriginal Cultural Heritage.
- ☒ The work project is to avoid specified areas.
- ☐ A fence is to be erected to prevent access on or around an area of cultural significance.
- ☐ An expert is to be engaged to evaluate and document the general location of a cultural heritage find.
- ☐ The _____ People relocate a cultural heritage find made.
- ☐ Other action is recommended (specify):

Monitors to be on site during excavation activities

Avoid Scar tree location.

JEFFREY TOSSY
Name of Representative

[Signature]
Signed on behalf of the Country People

15/07/25
Date

Nikheca McIntosh
Name of Representative

[Signature]
Signed on behalf of Banana Shire Council

15/07/25
Date

Sketch indicating general location of cultural heritage at or around the work site

CH3500 - Scar Tree

Long: 150.345188

Lat - 24.183603