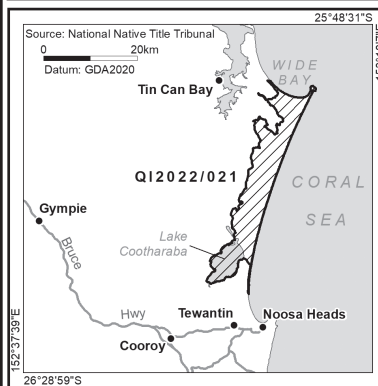


Notice of an application to register an area agreement on the Register of Indigenous Land Use Agreements in Queensland

Notification day: 15 February 2023



National Native Title Tribunal



Q12022/021 Cooloola Great Walk Ecotourism Project ILUA

Description of the agreement area:

The agreement area covers about 227.4 sq km and is located about 37 km east of Gympie and extends from Wide Bay to Lake Cootharaba

Relevant LGAs: Gympie Regional and Noosa Shire Councils

The agreement contains the following statements:

[Explanatory notes in brackets inserted by the National Native Title Tribunal]

5. Consents

5.1 [Subject to certain conditions regarding choosing an Ecotourism Operator and granting a lease, the parties consent to the doing of all acts necessary to give effect to this agreement, to the extent they are Future Acts.]

5.6 [If a Project Lease ends because of an Early Termination Event, the parties consent, subject to certain conditions regarding the nomination of a qualified person, to the grant of an Interim Management Authority, to the extent it is a Future Act.]

5.15 The parties also consent to the validation of any Prior Act, to the extent it:

- (a) was a Future Act;
- (b) was done invalidly for the purposes of Native Title; and
- (c) can be validated in this Agreement.

“Early Termination Event”, for a Project Lease, means any of the following:

- (a) the voluntary surrender of the Project Lease by the Ecotourism Operator before its term ends;
- (b) the termination of the Project Lease as the result of a breach by the Ecotourism Operator;
- (c) if the Ecotourism Operator becomes insolvent—the disclaimer of the Project Lease by a liquidator appointed for the Ecotourism Operator;
- (d) any other event that results in the Project Lease ending before its term expires, whether or not by agreement between the parties to the Project Lease.

“Ecotourism Operator”:

- (a) means a person holding a Project Lease that is in force; and
- (b) includes the Original Ecotourism Operator.

“First Project Lease” means the first Project Lease granted after Registration.

“Interim Management Authority” means a lease, licence, permit or other authority granted by the State to a person to manage and operate the Project for a period not exceeding 3 years.

“NCA” means the *Nature Conservation Act 1992* (Qld).

“Original Ecotourism Operator” means the person to whom the First Project Lease is granted.

“Prior Acts” means any Agreed Act done within the Agreement Area prior to Registration.

“Project” means the establishment, construction, maintenance, operation, repair and decommissioning of:

- (a) infrastructure, such as signage, associated with commercially guided walks along the Cooloola Great Walk by the Ecotourism Operator; and
- (b) associated ecologically sustainable hiker eco-accommodation facilities located at five separate locations (“Sites”) within the Assessment Area in the vicinity of the Cooloola Great Walk, but limited to:
 - (i) 10 cabins (each of no more that 38m² in area) and a communal facility at each of Sites D and R, and ancillary infrastructure and amenities; and
 - (ii) 6 tents (each of no more that 24m² in area) and a communal facility at each of Sites B, L and K, and ancillary infrastructure and amenities.

“Project Lease” means a lease, agreement, licence, permit or other authority under section 34 or section 35 of the NCA for the Project of no more than thirty (30) years duration.

Parties to the agreement and their contact addresses:

State of Queensland (acting through the Department of Tourism, Innovation and Sport and the Department of Environment and Science) c/- Ecotourism and Industry Engagement, Queensland Parks and Wildlife Service & Partnerships, Department of Environment and Science PO Box 15187, City East QLD 4002	Michael Douglas, Helena Gulash, Cecilia Combo, Melissa Bond, Norman Bond, Kerry Jones and Brian Warner; Kabi Kabi Peoples Aboriginal Corporation ICN 8996 c/- P&E Law PO Box 841, Maroochydore QLD 4558
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Responses to an application to register an ILUA—where the application has not been certified:

Any person claiming to hold native title in relation to land or waters in the area covered by the agreement may wish, in response to this notice, to make a native title determination application or equivalent application under a law of a state or territory in respect of any part of the area. **The application must be made by 15 May 2023.** If that application is registered on the Register of Native Title Claims, the registered native title claimants must be a party to this agreement before it can be registered.

Details of the terms of the agreement are not available from the National Native Title Tribunal.

For assistance and further information about this application, call Sylvia Jagtman on 07 3052 4248 or visit www.nntt.gov.au.