



Extract from Register of Indigenous Land Use Agreements

NNTT number	QI2017/004
Short name	Jinibara-Cedar Hill Plant Harvesting ILUA
ILUA type	Body Corporate
Date registered	13/07/2017
State/territory	Queensland
Local government region	Brisbane City Council, Moreton Bay Regional Council, Somerset Regional Council, Sunshine Coast Regional Council

Description of the area covered by the agreement

'ILUA Area' means the area to which this Agreement applies, being the land or waters as described in Schedule 2 and shown in the map in Schedule 3.

[A description of the agreement area is contained in Schedule 2 of the agreement. A map of the agreement area is contained in Schedule 3 of the agreement. A copy of Schedules 2 and 3 are attached to this register extract.

The following general description of the agreement area has been provided by the National Native Title Tribunal to assist people to understand the location of the agreement area. It is provided for information only and should not be considered part of the Register of ILUAs:

The ILUA area covers about 715 sq km, where native title exists, located north west of Brisbane and extends towards Eumundi in the north, Mt Crosby in the south, Linville to the west and Caboolture to the east.]

Parties to agreement

Applicant

Party name	Jinibara People Aboriginal Corporation RNTBC (ICN 7794)
Contact address	c/- King & Wood Mallesons GPO Box 1406 Brisbane QLD 4001

Other Parties

Party name	Cedar Hill Flowers & Foliage Pty Ltd (ACN 010 925 256)
Contact address	158 Old Palmwoods Road Woombye QLD 4559

Period in which the agreement will operate

Start date	20/04/2017
End Date	not specified

2. This Agreement commences on the Commencement Date.

'Commencement Date' means the date this Agreement is executed by the last of the Parties to execute it.

Statements of the kind mentioned in ss. 24EB(1) or 24EBA(1) or (4)

5. For the purposes of:

- (a) section 24EB(1)(c) of the NTA [Native Title Act 1993 (Cth)]; and
- (b) regulation 6(5)(b) of the ILUA Regulations [Native Title (Indigenous Land Use Agreement) Regulations 1999 (Cth)],

the Parties agree that Subdivision P, Division 3, Part 2 of the NTA is not intended to apply to the Grant of the Resources Permits, the New Permits, or the extension or renewal of the Existing Permits, or any other acts consented to under this Agreement.

9.1(a) The Parties consent to:

- (i) the Grant of the Resources Permits; and
- (ii) other acts necessary or expedient to give effect to the Grant of the Resources Permits, in the ILUA Area and agree not to challenge their validity in the future.

9.2(a) Subject to clause 9.2(c), the Parties consent to:

- (i) the Grant of the New Permits; and
 - (ii) other acts necessary or expedient to give effect to the Grant of the New Permits, in the ILUA Area and agree not to challenge their validity in the future.
- (c) Prior to seeking the grant of any New Permits, CHFF [Cedar Hill Flowers & Foliage Pty Ltd] will:
- (i) give to the Native Title Body Corporate notice of its intention to seek a New Permit, including details of the species for which the permit is sought and the areas to which the permit is proposed to apply;
 - (ii) agree with the Native Title Body Corporate the Benefits to be payable to the Native Title Body Corporate in exchange for its consents given under this Agreement.

9.3(d) The Parties consent to:

- (i) the renewal or extension of the Existing Permits; and
- (ii) other acts necessary or expedient to give effect to the renewal or extension of the Existing Permits, in the ILUA Area and agree not to challenge their validity in the future.

1.1 'Existing Permits' means any:

- (a) permits for the harvesting of any species of flora Granted in accordance with the Nature Conservation Act [Nature Conservation Act 1992 (Qld)] to CHFF by the State, including permits to take, use, keep or interfere with cultural or natural resources under section 9 of the Nature Conservation (Administration) Regulation 2006 (Qld);
- (b) previous use authorities Granted under section 36 of the Nature Conservation Act; and
- (c) sales permits Granted under section 56 of the Forestry Act 1959 (Qld), which have been Granted prior to the Registration Date applicable to the ILUA Area (or any part therein) that are still in force on the Registration Date.

'New Permits' means any permits sought by CHFF and Granted by the State applicable to the ILUA Area (or any part therein) for the harvesting of any species, other than those for which the Resources Permits are Granted, in accordance with the Nature Conservation Act on or after the Registration Date, including permits to take, use, keep or interfere with cultural or natural resources under section 9 of the Nature Conservation Regulation.

'Resources Permits' means permits Granted to CHFF by the State applicable to the ILUA Area (or any part therein) for the harvesting of *Sticherus* species (Umbrella Fern), *Xanthorrhoea* species (Steel Grass), *Lomandra* species (Aussie Typha) or *Baloskion* species (Dingo Fern) in accordance with the Nature Conservation Act, including permits to take, use, keep or interfere with those species under section 9 of the Nature Conservation Regulations on or after the Registration Date, but not including the Existing Permits.

Attachments to the entry

[QI2017_004 Schedule 2 - ILUA Area Description.pdf](#)

[QI2017_004 Schedule 3 - Map ILUA Area.pdf](#)