

Schedule 4

OTHER INTERESTS IN THE DETERMINATION AREA

The nature and extent of the other interests in relation to the Determination Area are the following as they exist as at the date of the determination:

1. The rights and interests of the parties under the following agreements:
 - (a) the agreement between Abraham Muriata and Claude Frank Beeron on their own behalf and on behalf of the Girramay People and the Cassowary Coast Regional Council (the Girramay Cassowary Coast Regional Council Area ILUA Q12009/064) registered on 25 May 2010;
 - (b) the agreement between Abraham Muriata and Claude Frank Beeron on their own behalf and on behalf of the Girramay People and Ergon Energy Corporation Limited ACN 087 646 062 (Q12009/065 - Ergon Energy and Girramay ILUA) registered on 27 May 2010;
 - (c) the agreement between Abraham Muriata and Claude Frank Beeron on their own behalf and on behalf of the Girramay People and the Cassowary Coast Regional Council (Q12009/067, Abraham Muriata on his own behalf and on behalf of the Girramay People, Girramay People Aboriginal Corporation, Cassowary Coast Regional Council and State of Queensland) registered on 25 May 2010;
 - (d) the agreement between Abraham Muriata and Claude Frank Beeron on their own behalf and on behalf of the Girramay People and the State of Queensland, which was authorised by the native title claim group on 10 May 2018 and executed by Abraham Muriata and Claude Frank Beeron on 20 June 2018 and the State of Queensland on 4 June 2018 (the Girramay Tenure Resolution ILUA);
 - (e) the agreement between Abraham Muriata and Claude Frank Beeron on their own behalf and on behalf of the Girramay People and the Tablelands Regional Council, which was authorised by the native title claim group on 10 May 2018 and executed by Abraham Muriata and Claude Frank Beeron on 20 June 2018 and the Tablelands Regional Council on 28 June 2018 (the Tablelands Regional Council Girramay People #2 Indigenous Land use (Area) Agreement); and

- (f) the agreement between Abraham Muriata and Claude Frank Beeron on their own behalf and on behalf of the Girramay People and the Cassowary Coast Regional Council, which was authorised by the native title claim group on 10 May 2018 and executed by Abraham Muriata and Claude Frank Beeron on 20 June 2018 and the Cassowary Coast Regional Council on 18 June 2018 (the Girramay People #2 and Cassowary Coast Regional Council ILUA).
2. The rights and interests of Telstra Corporation Limited ACN 051 775 556:
- (a) as the owner or operator of telecommunications facilities installed within the Determination Area;
 - (b) created pursuant to the *Post and Telegraph Act 1901* (Cth), the *Telecommunications Act 1975* (Cth), the *Australian Telecommunications Corporation Act 1989* (Cth), the *Telecommunications Act 1991* (Cth) and the *Telecommunications Act 1997* (Cth), including rights:
 - (i) to inspect land;
 - (ii) to install, occupy and operate telecommunication facilities;
 - (iii) to alter, remove, replace, maintain, repair and ensure the proper functioning of its telecommunications facilities;
 - (c) for its employees, agents or contractors to access its telecommunications facilities in and in the vicinity of the Determination Area in performance of their duties; and
 - (d) under any lease, licence, permit, access agreement or easement relating to its telecommunications facilities in the Determination Area.
3. The rights and interests of Ergon Energy Corporation Limited ACN 087 646 062:
- (a) as the owner and operator of any “Works” as that term is defined in the *Electricity Act 1994* (Qld) within the Determination Area;
 - (b) as a distribution entity and the holder of a distribution authority under the *Electricity Act 1994* (Qld);
 - (c) created under the *Electricity Act 1994* (Qld) and the *Government Owned Corporations Act 1993* (Qld) including:
 - (i) rights in relation to any agreement relating to the Determination Area existing or entered into before the date on which these orders are made;

- (ii) rights to enter the Determination Area by its employees, agents or contractors to exercise any of the rights and interests referred to in this paragraph; and
 - (iii) to inspect, maintain and manage any Works in the Determination Area.

- 4. The rights and interests of the State of Queensland in Reserves, the rights and interests of the trustees of those Reserves and of the persons entitled to access and use those Reserves for the respective purpose for which they are reserved.

- 5. The rights and interests of the Tablelands Regional Council and the Cassowary Coast Regional Council as the local governments for that part of the Determination Area within their respective Local Government Areas, including:
 - (a) their powers, functions, responsibilities and jurisdiction under a Local Government Act;
 - (b) their rights and interests under any interest in land or waters within the Determination Area including under any lease, license, access agreement, easement or reserve in the Determination Area;
 - (c) the rights to use, operate, maintain, replace, restore, remediate, repair and otherwise exercise all other rights as the owners and operators of infrastructure, structures, earthworks , access works, facilities and other improvements within the Determination Area;
 - (d) the rights under any agreements between the local governments and third parties which relate to land or water in the Determination Area; and
 - (e) the rights of their employees, agents and contractors to enter upon the Determination Area for the purpose of performing their powers and responsibilities under paragraphs (a) to (d).

- 6. The rights and interest of the James Cook University as holder of permit to occupy PER5379, title reference 17686127, granted under the *Land Act 1994* (Qld) comprising that part of Lot 3 on Plan CWL3513 described as Lot A on PER5379.

- 7. The rights and interests of members of the public arising under the common law, including but not limited to any subsisting public right to fish.

8. So far as confirmed pursuant to s 212(2) of the *Native Title Act 1993* (Cth) and s 18 of the *Native Title Act (Queensland) Act 1993* (Qld) as at the date of this Determination, any existing public access to, and enjoyment of, the following places in the Determination Area:
 - (a) waterways;
 - (b) beds and banks or foreshores of waterways;
 - (c) stock routes; and
 - (d) areas that were public places at the end of 31 December 1993.

9. Any other rights and interests:
 - (a) held by the State of Queensland or Commonwealth of Australia; or
 - (b) existing by reason of the force and operation of the Laws of the State and the Commonwealth.

Note: Entry of orders is dealt with in Rule 39.32 of the *Federal Court Rules 2011*.