



SCHEDULE 2 – OTHER INTERESTS IN THE DETERMINATION AREA

The nature and extent of the Other Interests in relation to that part of the Determination Area described in Parts 1 and 2 of Schedule 4 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 registered on the Register of Indigenous Land Use Agreements:
 - (a) QI2016/023 – Gkuthaarn and Kukatj People Commercial Fishers ILUA;
 - (b) QI2020/002 – Gkuthaarn and Kukatj People Tenure Resolution Indigenous Land Use Agreement (Area Agreement);
 - (c) QI2020/001 – Gkuthaarn and Kukatj People and Ergon Energy Indigenous Land Use Agreement (Area Agreement); and
 - (d) QI2020/003 - Carpentaria Shire Council Gkuthaarn and Kukatj Indigenous Land Use (Area) Agreement.
2. The rights and interests of the holders of the following leases granted pursuant to the *Land Act 1962* (Qld) or *Land Act 1994* (Qld):
 - (a) pastoral holding lease PH 5562 over Lot 2 on CP838627 (also known as Inverleigh West);
 - (b) pastoral holding lease PH 5411 over Lot 1 on IF5 (also known as Milgarra);
 - (c) that part of pastoral holding lease PH 5415 over Lot 2 on NM108 (also known as Broadwater) that falls within the External Boundary;
 - (d) pastoral holding lease PH 2399 over Lot 78 on NM109 (also known as McDonalds Lagoon);
 - (e) pastoral holding lease PH 5520 over Lot 9 on NM143 (also known as Magowra North);
 - (f) pastoral holding lease PH 5534 over Lot 2461 on SP273186 (also known as Kelwood & Hesperus);
 - (g) that part of pastoral holding lease PH 5544 over Lot 4 on SP280675 (also known as Sawtell Creek) that falls within the External Boundary;
 - (h) term lease for pastoral purposes TL 240610 over Lot 2 on SP181805 (also known as Worgum/Wernadinga);
 - (i) term lease for pastoral purposes TL 240609 over Lot 3 on SP181805 (also known as Worgum/Wernadinga);
 - (j) term lease for pastoral purposes TL 239265 over Lot 1 on SP284255 (also known as Inverleigh East);
 - (k) term lease for pastoral purposes TL 239266 over Lot 3 on SP284255 (also known as Inverleigh East);
 - (l) term lease for grazing purposes TL 212082 over Lot 21 on NM39; and
 - (m) term lease for grazing purposes TL 207889 over Lot 30 on NM70.
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 an electricity entity under the *Electricity Act 1994* (Qld), including but not limited to:
- (i) as the holder of a distribution authority;
 - (ii) to inspect, maintain and manage any Works in the Determination Area; and
 - (iii) in relation to any agreement or consent relating to the Determination Area existing or entered into before the date these orders are made; and
- (c) to enter the Determination Area by its employees, agents or contractors to exercise any of the rights and interests referred to in this clause.
4. The rights and interests of Century Mining Limited ABN 59 06 670 300 as the holder of:
- (a) a licence granted by the Minister under the *Transport Infrastructure Act 1994* (Qld) on 19 September 1997, to construct, operate, maintain and use a mineral slurry pipeline, on certain parts of easements held by the Chief Executive (under the *Transport Infrastructure Act 1994* (Qld)) within the Determination Area; and
 - (b) a licence granted by the Chief Executive under the *Transport Infrastructure Act 1994* (Qld) and the *Transport Planning and Coordination Act 1994* (Qld) on 19 September 1997, to occupy certain parts of easements held by the Chief Executive within the Determination Area.
5. The rights and interests of Far North Queensland Ports Corporation Limited (trading as Ports North) ACN 131 836 014 as the port authority for the Port of Karumba and provider of port services under Chapter 8 of the *Transport Infrastructure Act 1994* (Qld) and under the *Transport Infrastructure (Ports) Regulation 2016* (Qld), including its functions and powers:
- (a) to establish, manage and operate effective and efficient port facilities and port services;
 - (b) to make land available for the establishment, management and operation of effective and efficient port facilities and services by other persons or other purpose consistent with the operation of its ports;
 - (c) to keep appropriate levels of safety and security in the provision and operation of its port facilities and services;
 - (d) to provide other services incidental to the performance of its other functions or likely to enhance the usage of its ports;
 - (e) to perform any other functions conferred on it under this or another Act or under the regulation;
 - (f) to provide or arrange for the provision of ancillary services or works necessary or convenient for the effective and efficient operation of its ports;
 - (g) to provide port services relating to the establishment, operation and administration of its ports including pilotage services, dredging services, services relating to the reclamation of land and ancillary services to the provision of port services;
 - (h) to dredge and otherwise maintain or improve navigational channels of its ports and to reduce or remove a shoal, bank or accumulation in its ports that, in the port authority's opinion, impedes navigation in its ports;



- (i) to impose a charge for the use of port areas, for example a charge imposed by reference to a ship using its ports, or goods or passengers loaded, unloaded or transhipped from ships using port facilities;
 - (j) controlling activities in its port areas by issuing port notices and granting port approvals; and
 - (k) requesting information from vessels entering its port areas.
6. The rights and interests of Carpentaria Shire Council:
 - (a) under the *Local Government Act 2009* (Qld) (**LGA**), *Local Government Regulation 2012* (Qld) and 'Local Government Act' as defined in the LGA;
 - (b) as the:
 - (i) lessor under any leases which were validly entered into before the date on which these orders are made and whether separately particularised in these orders or not;
 - (ii) grantor of any licences or other rights and interests which were validly granted before the date on which these orders were made and whether separately particularised in these orders or not;
 - (iii) holder of any estate or interest in land, as trustee of any reserves, which exist in the Determination Area;
 - (c) as the owner and operator of infrastructure, and those facilities and other improvements located in the Determination Area validly constructed or established on or before the date on which these orders are made, including but not limited to:
 - (i) water pipelines and water supply infrastructure;
 - (ii) drainage facilities;
 - (iii) watering point facilities; and
 - (iv) recreational facilities;
 - (d) to enter the land for the purposes described in paragraphs 6(a), 6(b) and 6(c) by their employees, agents or contractors to:
 - (i) exercise any of the rights and interests referred to in paragraph 6;
 - (ii) inspect, maintain and repair the infrastructure, facilities and other improvements referred to in paragraph 6(c) above;
 - (iii) undertake operational activities in its capacity as a local government such as feral animal control, weed control, erosion control, waste management and fire management.
7. The rights and interests of the State of Queensland and the Carpentaria Shire Council to access the Determination Area for the purpose of using, operating, maintaining and controlling the Current Roads in the Determination Area and the rights and interests of the public to use and access the Current Roads.
8. The rights and interests of the State of Queensland or any other person existing by reason of the force and operation of the laws of the State of Queensland, including those existing by reason of the following legislation or any regulation, statutory



instrument, declaration, plan, authority, permit, lease or licence made, granted, issued or entered into under that legislation:

- (a) the *Land Act 1994* (Qld);
 - (b) the *Nature Conservation Act 1992* (Qld);
 - (c) the *Forestry Act 1959* (Qld);
 - (d) the *Water Act 2000* (Qld);
 - (e) the *Petroleum Act 1923* (Qld) or *Petroleum and Gas (Production and Safety) Act 2004* (Qld);
 - (f) the *Mineral Resources Act 1989* (Qld);
 - (g) the *Integrated Planning Act 1997* (Qld) or *Sustainable Planning Act 2009* (Qld);
 - (h) the *Transport Infrastructure Act 1994* (Qld);
 - (i) the *Fire and Rescue Service Act 1990* (Qld) or *Ambulance Service Act 1991* (Qld);
 - (j) the *Marine Parks Act 2004* (Qld);
 - (k) the *Fisheries Act 1994* (Qld);
 - (l) the *Coastal Protection and Management Act 1995* (Qld);
 - (m) the *Transport Operations (Marine Safety) Act 1994* (Qld); and
 - (n) the *Transport Operations (Marine Pollution) Act 1995* (Qld).
9. The rights and interests of members of the public arising under the common law, including but not limited to the following:
- (a) any subsisting public right to fish; and
 - (b) the public right to navigate.
10. 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.