



SCHEDULE 2

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 registered on the Register of Indigenous Land Use Agreements:
 - (a) Florence Bell, Michael Bond Snr, Patricia Bond, Cynthia Button, Kevin Doolan, Arnold Murray, and Carl Simpson on behalf of the Wakka Wakka People #3 (QI2018/019) and the Gympie Regional Council, registered on 13 December 2018 (the Wakka Wakka People #3 and the Gympie Regional Council Indigenous Land Use Agreement); and
 - (b) TEC Coal Pty Ltd and Stanwell Corporation Limited under the Wakka Wakka #2 and Tarong ILUA (QI2008/027), dated 16 March 2009, between Cyril Couchy, David Anthony Beezley, George Bone, Kevin John Doolan, Michael Bond, Oscar Chapman, Robert Lacy, Beryl Gambrill, Pam Peggy Duncan and Patricia Dawn Bond, on their own behalf and on behalf of the Wakka Wakka People, and TEC Coal Pty Ltd and Tarong Energy Corporation Limited, which was registered on the Register of Indigenous Land Use Agreements on 8 September 2009.
2. The rights and interests of the holders of the following leases or permits granted pursuant to the *Land Act 1962* (Qld) or *Land Act 1994* (Qld):
 - (a) term lease for grazing purposes TL0/235010 over Lot 313 on FY509;
 - (b) term lease for grazing purposes TL0/234138 over Lot 5 on MZ21, within Lot 255 on FTY1025;
 - (c) term lease for grazing purposes TL0/239788 over Lot A on MZ1179, within Lot 342 on MZ1078;
 - (d) term lease for grazing purposes TL0/241719 over Lot A on MZ1067, within Lot 108 on MZ1067;
 - (e) term lease for pastoral purposes TL0/231460 over Lot 14 on MZ830, within Lot 220 on FTY998;
 - (f) rolling term lease for grazing purposes TL0/212600 over Lot 57 on BO406 and Lot 8 on BO516;



- (g) rolling term lease for grazing purposes TL0/234223 over Lot 18 on BO77;
 - (h) rolling term lease for grazing purposes TL0/231052 over Lot 30 on BO560;
and
 - (i) permit to occupy PO 0/230732 over Lot A on AP14756, within Lot 44 on BO391.
3. The rights and interests of the holders of the following tenements granted pursuant to the *Mineral Resources Act 1989* (Qld):
- (a) mineral development licence MDL 200;
 - (b) mineral development licence MDL 201; and
 - (c) mining lease ML 6674.
4. The rights and interests of Telstra Corporation Limited (ACN 051 775 556):
- (a) as the owner or operator of telecommunications facilities 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 telecommunications facilities; and
 - (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 the performance of their duties; and
 - (d) under any lease, licence, access agreement, permit or easement relating to its telecommunications facilities in the Determination Area.
5. The rights and interests of Ergon Energy Corporation (ACN 087 646 062):
- (a) as the owner and operator of any Works 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.
- 6. The rights and interests of Sunwater Limited, including:
 - (a) an estate in Sunwater land (vested) in Lot 502 on FY2592;
 - (b) rights, interests and responsibilities as owner, occupier and operator of dams (including impoundment areas), weirs, pipelines, barrages, channels, water treatment plants and other such infrastructure located within the Determination Area;
 - (c) rights, interests and responsibilities under the *Water Act 2000* (Qld) and the *Water Supply (Safety and Reliability) Act 2008* (Qld), including as a water service provider, resource operations licence holder and bulk water supplier; and
 - (d) 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 6 of Schedule 2.
- 7. The rights and interests of Stanwell Corporation Limited:
 - (a) as the owner and operator of electricity generation and associated facilities in the Determination Area;
 - (b) as an electricity entity, as that term is defined in the *Electricity Act 1994* (Qld), including:
 - (i) as the holder of a generation authority under the *Electricity Act 1994* (Qld);
 - (ii) rights to enter the Determination Area by its employees, agents or contractors, at any reasonable time, to exercise any of the rights and interests referred to in this paragraph, including to access, inspect, operate, manage, maintain, repair, replace, upgrade or otherwise deal with any electricity generation or associated facilities in the Determination Area; and



- (iii) as the owner and operator of the Wivenhoe Dam - Tarong Power Station Pipeline, including the rights to enter the Determination Area by its employees, agents or contractors, at any reasonable time, to access, inspect, operate, manage, maintain, repair, replace, upgrade or otherwise deal with the said pipeline.
 - (c) arising under the
 - (i) Cultural Heritage Management Plan - Northern Land Ash Emplacement Project, dated 8 September 2008, between Pam Duncan, Beryl Gambril and George Bone, as Endorsed Aboriginal Parties, and Tarong Energy Corporation Limited, which was approved by a delegate of the Chief Executive under section 107 of the *Aboriginal Cultural Heritage Act 2003* (Qld) on 7 May 2009.
- 8. The rights and interests of Stanwell Corporation Limited and TEC Coal Pty Ltd arising under the Cultural Heritage Investigation Agreement, dated 8 September 2006, as varied on or about 5 September 2008, between Beryl Gambrill, Pam Duncan, Duncan Cobbo, George Bone, Patty Bond and Michael Bond, as Wakka Wakka No. 2 Aboriginal Parties, and Tarong Energy Corporation Limited.
- 9. The rights and interests of Gympie Regional Council, North Burnett Regional Council, and South Burnett Regional Council (jointly 'Council'):
 - (a) under their local government jurisdiction and functions under the *Local Government Act 2009* (Qld), under the *Stock Route Management Act 2002* (Qld), under any other Local Government Act, or under any other legislation, for that part of the Determination Area within the area declared to be their respective Local Government Areas;
 - (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 any other interest in land;
 - (iv) trustee of any Reserves or holder of any interest under access agreements or easements;



- (c) as the owner and operator of infrastructure, structures, earthworks, access works and any other 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) undedicated but constructed roads except for those not operated by Council;
 - (ii) water pipelines and water supply infrastructure;
 - (iii) drainage facilities;
 - (iv) watering point facilities;
 - (v) recreational facilities;
 - (vi) transport facilities;
 - (vii) gravel pits operated by Council;
 - (viii) cemetery and cemetery related facilities; and
 - (ix) community facilities;
- (d) to enter the land for the purposes described in paragraphs 9(a), 9(b) and 9(c) above by their employees, agents or contractors to:
- (i) exercise any of the rights and interests referred to in this paragraph 9 and paragraph 10 below;
 - (ii) use, operate, inspect, maintain, replace, restore and repair the infrastructure, facilities and other improvements referred to in paragraph 9(c) above; and
 - (iii) undertake operational activities in its capacity as a Local Government such as feral animal control, erosion control, waste management and fire management.
10. The rights and interests of the State of Queensland, the Gympie Regional Council, North Burnett Regional Council and South Burnett Regional Council to access, use, operate, maintain and control the dedicated roads in the Determination Area and the rights and interests of the public to use and access the roads.
11. The rights and interests of the State of Queensland in Reserves, the rights and interests of the trustees of those Reserves and the rights and interests of the persons entitled to access and use those Reserves for the respective purpose for which they are reserved.



12. 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 *Planning Act 2016* (Qld);
 - (h) the *Transport Infrastructure Act 1994* (Qld);
 - (i) the *Fire and Emergency Services Act 1990* (Qld) or *Ambulance Service Act 1991* (Qld);
 - (j) the *Fisheries Act 1994* (Qld);
 - (k) the *Vegetation Management Act 1999* (Qld); and
 - (l) the *Stock Route Management Act 2002* (Qld).
13. So far as confirmed pursuant to s 212(2) of the *Native Title Act 1993* (Cth) and s18 of the *Native Title (Queensland) Act 1993* (Qld) as at the date of this Determination, any existing rights of the public to access and enjoy the following places in the Determination Area:
- (a) waterways;
 - (b) beds and banks or foreshores of waterways;
 - (c) stock routes; or
 - (d) areas that were public places at the end of 31 December 1993;
14. 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.



15. 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.