



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) QI2005/021 – Darumbal Area ILUA;
 - (b) QI2007/006 – Darumbal Marlborough Nickel Project Area #2 ILUA; and
 - (c) QI2012/133 – Arrow Energy and Southern Barada People, Kabalbara People, Jetimarala/Yetimarla People, Darumbal People and Darumbal People #2 LNG Project ILUA.
2. The rights and interests of Ergon Energy Corporation Limited ACN 087 646 062:
 - (a) as the owner and operator of any Works 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;
 - (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.
3. The rights and interests of Livingstone Shire Council (**Council**):
 - (a) under its local government jurisdiction and functions under the *Local Government Act 2009* (Qld), under the *Stock Route Management Act 2002* (Qld) and under any other legislation, for that part of the Determination Area within the area declared to be its local government area under the *Local Government Regulation 2012* (Qld);



- (b) as the:
 - (i) lessor under any leases which were validly entered into before the date on which the Determination is made and whether separately particularised in the Determination or not;
 - (ii) grantor of any licences or other rights and interests which were validly granted before the date on which the Determination is made and whether separately particularised in the Determination or not; and
 - (iii) holder of any estate or interest in land, including as trustee of any Reserves that exist in the Determination Area;
- (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 the Determination is 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 3(a), 3(b) or 3(c) above by its employees, agents or contractors to:
 - (i) exercise any of the rights and interests referred to in paragraph 3;
 - (ii) use, operate, inspect, maintain, replace, restore and repair the infrastructure, facilities and other improvements referred to in paragraph 3(c) above; and
 - (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.



4. The rights and interests of the State of Queensland and the 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.
5. 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.
6. 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); and
 - (i) the *Fire and Emergency Services Act 1990* (Qld) or *Ambulance Service Act 1991* (Qld);
 - (j) the *Vegetation Management Act 1999* (Qld); and
 - (k) the *Stock Route Management Act 2002* (Qld).
7. 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.
8. So far as confirmed pursuant to s 212(2) of the NTA and s 18 of the *Native Title (Queensland) Act 1993* (Qld) as at the date of the 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.
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.