



## Schedule 2 – Other Interests

### “Other interests” – Orders 15 and 16

#### *Part 1*

The other interests, as they exist as at the date of the determination, are as follows:

- (1) The right of an employee or agent or instrumentality of the Crown, or of any local government or other statutory authority, to access land or waters in the Determination Area and to undertake works, carry out activities and take any other action on such land or waters as may be required in the performance of statutory or common law duties.
- (2) The interests of the Crown, or a local government body or other statutory authority of the Crown, in any capacity in any public works and other facilities whose construction or establishment:
  - (a) was valid or has been validated;
  - (b) did not extinguish native title (even as a consequence of validation); and
  - (c) commenced prior to the date of this determination.
- (3) The rights and interests of Telstra Corporation Limited (ACN 051 775 556), its related bodies corporate and any of their successors in title:
  - (a) as the owner(s) or operator(s) 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 existing rights:
    - (i) to inspect land;
    - (ii) to install, occupy and operate telecommunication facilities; and
    - (iii) to alter, remove, replace, maintain, repair and ensure the proper functioning of their telecommunications facilities;



- (c) for their employees, agents or contractors to access their telecommunication facilities in and in the vicinity of the Determination Area in the performance of their duties; and
  - (d) under any lease, licence, permit, access agreement or easement relating to their telecommunication facilities in the Determination Area.
- (4) The interests of persons holding licences, permits, statutory fishing rights, quotas, quota units or other statutory rights pursuant to:
- (a) the *Fisheries Act 1995* (Vic) or regulations or management plans made under that Act;
  - (b) the *Fisheries Management Act 1991* (Cth), or regulations or management plans made under that Act;
  - (c) any other legislative scheme for the control, management and exploitation of the living resources within the Determination Area.
- (5) The interests of Powercor Australia Limited (and its related entities), including:
- (a) rights and interests as an entity holding a distribution licence under the *Electricity Industry Act 2000* (Vic);
  - (b) rights and interests created pursuant to the *Electricity Industry Act 2000* (Vic);
  - (c) rights and interests as owner or operator of electrical facilities and infrastructure (facilities) installed within the Determination Area; and
  - (d) rights of access for the performance of their duties by employees, agents or contractors of Powercor Australia Limited to its facilities in, and in the vicinity of, the Determination Area; and
  - (e) rights and interests under Order in Council published in Victorian Government Gazette No. G29 18 July 2002 (page 1704) pursuant to section 138A(11) of the *Land Act 1958* (Vic) to occupy without licence any stratum of Crown land on, over or under government roads for electricity services.
- (6) The interests of persons to whom valid and validated rights have been:
- (a) granted by the Crown pursuant to statute or otherwise in the exercise of its executive power; or
  - (b) granted or issued by a statutory authority or otherwise conferred by the State.



- (7) The rights and interests of Cooper Energy (CH) Pty Ltd (**Cooper**) (including any of its related entities and successors, or joint venture partners and any of their related entities and successors, in title from time to time):
- (a) as holder of the following (including any renewal, extension or interest granted in place of any of the following):
    - (i) an interest in Pipeline Licence 228 (**PL228**) and Pipeline Licence 251 (**PL251**) granted under the *Pipelines Act 2005* (Vic);
    - (ii) an interest in the pipeline the subject of PL228;
    - (iii) an interest in the pipeline the subject of PL251; and
    - (iv) any permits, easements, licences or other approval issued in respect of PL228 and/or PL251.
  - (b) for Cooper, its employees, agents and contractors (or any of them) to enter the Determination Area to access Cooper's rights and interests and to do all things necessary to exercise those rights and interests and perform all obligations in and in the vicinity of the Determination Area in performance of their duties.
- (8) The interests of Beach Energy Ltd (**Beach**) (including any of its related entities and successors, or joint venture partners and any of their related entities and successors, in title from time to time):
- (a) as holder of the following (including any renewal, extension or interest granted in place of any of the following):
    - (i) Petroleum Exploration Permit 168 (PEP 168); and
    - (ii) Onshore Petroleum Production Licence (6 and 9).
  - (b) For Beach, its employees, agents and contractors (or any of them) to enter the Determination Area to access its rights and interests and to do all things necessary to exercise those rights and interests and perform all obligations in and in the vicinity of the Determination Area in performance of their duties.
- (9) The interests of Beach Energy (Operations) Ltd (**BOL**) (including any of its related entities and successors, or joint venture partners and any of their related entities and successors, in title from time to time):



- (a) as holder of the following (including any renewal, extension or interest granted in place of any of the following):
- (i) Onshore Petroleum Special Drilling Authorisation (PSDA2);
  - (ii) Offshore Petroleum Access Authority (VIC/AA21(V));
  - (iii) Offshore Petroleum Production Licence (VIC/L1(V));
  - (iv) Offshore Petroleum Production Licence (VIC/L007745(V));
  - (v) Offshore Petroleum Exploration Permit (VIC/P42(V));
  - (vi) Offshore Petroleum Exploration Permit VIC/P007192(V);
  - (vii) Onshore Petroleum Special Drilling Authorisation (PSDA006846);
  - (viii) Onshore Pipeline Licence (PL250);
  - (ix) Onshore Pipeline Licence (PL006009);
  - (x) Onshore Pipeline Licence (PL006998); and
  - (xi) Offshore Pipeline Licence (VIC/PL36(V)).
- (b) For BOL, its employees, agents and contractors (or any of them) to enter the Determination Area to access its rights and interests and to do all things necessary to exercise those rights and interests and perform all obligations in and in the vicinity of the Determination Area in performance of their duties.
- (10) The rights and interests of South East Australia Gas (Mortlake) Pty Ltd (and its related entities and successors in title from time to time):
- (a) as:
- (i) holder of Miscellaneous Licence No. 2017643 for an easement issued pursuant to section 130 of the *Land Act 1958* (Vic) on 25 August 2016 (licence); and
  - (ii) owner of the pipeline the subject thereof known as the Mortlake pipeline; and
  - (iii) holder of Pipeline Licence No.259 issued pursuant to the *Pipelines Act 2005* (Vic) on 28 November 2008.
- (b) recognising those licences entitle and require South East Australia Gas (Mortlake) Pty Ltd, inter alia, to install, maintain and operate the pipeline and to carry out authorised purposes including the installation, operation,



inspection, extension, alteration, repair and removal of the pipeline or associated equipment and the carrying out of maintenance work on the pipeline or associated equipment; and

- (c) for South East Australia Gas (Mortlake) Pty Ltd, its employees, agents and contractors (or any of them) in performance of their duties to enter the Determination Area and to do all things necessary to exercise the rights and interests and perform all obligations of South East Australian Gas (Mortlake) Pty Ltd in the Determination Area.
- (11) The rights and interests of the Australian Fisheries Management Authority in relation to plans of management made under the *Fisheries Management Act 1991* (Cth), including for the Eastern Tuna and Billfish Fishery and the Southern Bluefin Tuna Fishery, and permits issued for the Eastern Skipjack Tuna Fishery.
- (12) The rights and interests of the Australian Maritime Safety Authority (the Authority) as the owner, manager, or operator of aids to navigation pursuant to section 190 of the *Navigation Act 2012* (Cth) and in performing the functions of the Authority under section 6(1) of the *Australian Maritime Safety Act 1990* (Cth) including to be a national marine safety regulator, to combat pollution in the marine environment and to provide a search and rescue service.

## **Part 2**

The other interests, as they exist as at the date of the determination, are as follows:

- (13) So far as confirmed pursuant to section 15 of the LTV Act as at 24 November 1998, public access to and enjoyment of the following places:
- (a) waterways;
  - (b) bed and banks or foreshores of waterways;
  - (c) coastal waters;
  - (d) beaches; and
  - (e) areas that were public places at the end of 31 December 1993.
- (14) Any public right to fish.
- (15) The public right to navigate.
- (16) The international right of innocent passage through the territorial sea.