

SCHEDULE 4

OTHER INTERESTS (paragraph 8)

The nature and extent of the Other Interests in relation to the Determination Area are as follows.

Land tenure interests registered with the Western Australian Land Information Authority are current as at 29 June 2018. Mining tenements and petroleum interests registered with the Department of Mines, Industry Regulation and Safety are current as at 29 October 2018 and 1 November 2018 respectively. All other interests are current as at the date of the determination.

1. Pastoral Leases

The following pastoral leases and the rights and interests of the holders from time to time of those pastoral leases:

Pastoral Lease	Station Name
PL N050360	Wyloo
PL N050594	Glenflorrie
PL N049418	Kooline
PL N049994	Ullawarra

2. Mining Tenements

(a) The rights and interests of the holders of the following mining tenements under the *Mining Act 1904* (WA) (repealed) and the *Mining Act 1978* (WA):

(i) Mining Leases

Tenement ID	Tenement ID	Tenement ID
M 0800191	M 0800192	M 0800193

(ii) Exploration Licences

Tenement ID	Tenement ID	Tenement ID
E 0802754	E 0802848	E0802904
E 0802897	E 0802945	

3. Access to Mining Areas

- (a) Without limiting the operation of any other clause in Schedule 4, but subject to clause 3(b) below, the rights of the holders from time to time of a mining tenement referred to in clause 2 of Schedule 4 to use (including by servants, agents and contractors) such portions of existing roads and tracks in the Determination Area as necessary to have access to the area the subject of the mining tenement for the purposes of exercising the rights granted by that tenement.
- (b) Nothing in clause 3(a) above allows any upgrade, extension, widening or other improvement to the road or track other than work done to maintain it in reasonable repair and in order to leave it in substantially the same condition as it was prior to its use pursuant to clause 3(a).

4. Other

The following rights and interests:

- (a) Rights and interests, including licences and permits, granted by the Crown in right of the State or of the Commonwealth pursuant to statute or otherwise in the exercise of its executive power and any regulations made pursuant to such legislation;
- (b) Rights or interests held by reason of the force and operation of the laws of the State or of the Commonwealth, including but not limited to, the force and operation of the *Rights in Water and Irrigation Act 1914* (WA);
- (c) Rights and interests of members of the public arising under common law, including but not limited to:
 - (i) the public right to fish;
 - (ii) the public right to navigate; and
 - (iii) the right of any person to use and enjoy any roads in the Determination Area (subject to the laws of the State) over which, as at the date of this determination, members of the public have a right of access under the common law;
- (d) The right to access the Determination Area by:
 - (i) an employee, agent or instrumentality of the State;

- (ii) an employee, agent or instrumentality of the Commonwealth;
- (iii) an employee, agent or instrumentality of any local government authority,
as required in the performance of his or her statutory or common law duty;
- (e) So far as confirmed pursuant to section 212(2) of the *Native Title Act* and section 14 of the *Titles (Validation) and Native Title (Effect of Past Acts) Act 1995* (WA) as at the date of this determination, any existing public access to, and enjoyment of, the following places in the Determination Area:
 - (i) waterways;
 - (ii) beds and banks or foreshores of waterways;
 - (iii) coastal waters;
 - (iv) beaches;
 - (v) stock routes; and
 - (vi) areas that were public places at the end of 31 December 1993;
- (f) Any other:
 - (i) legal or equitable estate or interest in the land or waters; or
 - (ii) any other right (including a right under an option and a right of redemption), charge, power or privilege over, or in connection with:
 - (A) the land or waters; or
 - (B) an estate or interest in the land or waters; or
 - (c) restriction on the use of the land or waters, whether or not annexed to other land or waters.