



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 Santos Limited (ABN 80 007 550 923) as a party to the Santos-Wongkumara People ILUA (QI2012/073) registered on the Register of Indigenous Land Use Agreements on 4 January 2013.
 2. The rights and interests of Vintage Energy Limited (ACN 609 200 580) as a successor party to the Deed Regarding The Grant of ATP 2021 made pursuant to section 31(1)(b) of the *Native Title Act 1993* (Cth) between The State of Queensland and Metgasco Ltd (ACN 088 196 383) (Metgasco) and Wongkumara People concluded on 26 March 2018 and the Conjunctive Ancillary Agreement referred to therein made between Metgasco and Wongkumara People.
 3. The rights and interests of the holders of the following lease granted pursuant to the *Land Act 1962* (Qld) or the *Land Act 1994* (Qld):
 - (a) term lease for communication purposes TL 242189 over Lot 5 on Survey Plan 184928.
 4. The rights and interests of the holders of the following tenements granted pursuant to the *Petroleum Act 1923* (Qld) and administered under the *Petroleum Act 1923* (Qld) or the *Petroleum and Gas (Production and Safety) Act 2004* (Qld):
 - (a) petroleum leases PL 23, PL 24, PL 25, PL 26, PL 33, PL 34, PL 35, PL 36, PL 51, PL 58, PL 59, PL 60, PL 61, PL 62, PL 68, PL 75, PL 76, PL 77, PL 78, PL 79, PL 80, PL 81, PL 82, PL 83, PL 85, PL 85, PL, 87, PL 88, PL 108, PL 111, PL 112, PL 114, PL 129, PL 131, PL 132, PL 133, PL 135, PL 136, PL 137, PL 138, PL 141, PL 142, PL 143, PL 144, PL 145, PL 146, PL 147, PL 148, PL 149, PL 150, PL 151, PL 152, PL 153, PL 154, PL 155, PL 156, PL 158, PL 175, PL 177, PL 181, PL 182, PL 187, PL 193, PL 205, PL 241, PL 244, PL 249, PL 254, PL 255, PL 287, PL 288, PL 301 and PL 302; and
 - (b) petroleum pipeline licences PPL 6, PPL 8, PPL 13, PPL 14, PPL 16, PPL 17, PPL 18, PPL 31, PPL 35, PPL 36, PPL 37, PPL 38, PPL 39, PPL 40, PPL 46, PPL 47, PPL 62, PPL 64, PPL 65, PPL 66, PPL 67, PPL 68, PPL 69, PPL 78, PPL 80, PPL 81, PPL 82, PPL 94, PPL 96, PPL 98, PPL 101 and PPL 105.
 5. The rights and interests of the holders of the following tenements granted pursuant to the *Petroleum and Gas (Production and Safety) Act 2004* (Qld):
 - (a) authorities to prospect ATP 752, ATP 1189, ATP 2021 ATP 2023;
 - (b) potential commercial areas PCA 155, PCA 206, PCA 248, PCA 250, PCA 251, PCA
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- 268, PCA 269, PCA 270, PCA 271, PCA 272, PCA 273, PCA 274, PCA 275, PCA 276, PCA 277, PCA 278, PCA 279, PCA 280 and PCA 281;
- (c) petroleum leases PL 495, PL 496, PL 502, PL 508, PL 509, PL 513, PL 1013, PL 1014, PL 1016, PL 1026, PL 1035, PL 1046, PL 1047, PL 1051, PL 1054, PL 1055, PL 1056, PL 1057, PL 1058, PL 1060, PL 1072, PL 1073, PL 1075, PL 1076, PL 1078, PL 1079, PL 1080, PL 1085, PL 1087, PL 1090, PL 1091, PL 1092, PL 1094, PL 1105, PL 1107, PL 1108, PL 1118 and PL 1120; and
- (d) petroleum pipeline licences PPL 111, PPL 113, PPL 127, PPL 128, PPL 142, PPL 169, PPL 187, PPL 190, PPL 2017, PPL 2031, PPL 2035, PPL 2036, PPL 2039, PPL 2042, PPL 2044, PPL 2045, PPL 2046, PPL 2050, PPL 2053, PPL 2054, PPL 2055, PPL 2067 and PPL 2071.
6. The rights and interests of the holder of the following easements that exist within the Determination Area:
- (a) easements in land described as Lot 5 on Crown Plan CR9;
- (b) easements in land described as Lot 450 on Survey Plan 274333; and
- (c) easements in land described as Lot 415 on Crown Plan 835115.
7. The rights and interests of Telstra Corporation Limited ACN 051 775 556, Amplitel Pty Ltd as trustee for the Towers Business Operating Trust ABN 75 357 171 746 and any of their successors in title:
- (a) as the owner(s) or operator(s) 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 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, access agreement, permit or easement relating to their telecommunications facilities in the Determination Area.
8. The rights and interests of Essential Energy ABN 37 428 185 226 and any of its successors



in title as follows:

- (a) as the owner(s) or operator(s) of telecommunications facilities within the Determination Area;
 - (b) created pursuant to the *Telecommunications Act 1997* (Cth), *Telecommunications (Consumer Protection and Service Standards) Act 1999* and regulations under those Acts including 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 its 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;
 - (d) under any lease, licence, access agreement, permit or easement relating to their telecommunications facilities or as either or both owner and operator of facilities for the transmission of electricity and other forms of energy and associated infrastructure in the Determination Area;
 - (e) as the owner(s) or operator(s) of any “Works” as the term is defined in the *Electricity Act 1994* (Qld) within the Determination Area;
 - (f) as an electricity entity under the *Electricity Act 1994* (Qld) and any regulations under that Act, including but not limited to:
 - (i) as the holder of a distribution authority;
 - (ii) to access, use, inspect, maintain, repair, replace, upgrade or otherwise deal with any Works in the Determination Area;
 - (iii) in relation to any agreement or consent relating to the Determination Area existing or entered into before the date on which these orders are made; and
 - (iv) to enter the Determination Area by its employees, agents or contractors to exercise any of the rights and interests referred to in this paragraph.
 - (g) The Applicant acknowledges that, by the operation of s 23B of the *Native Title Act 1993* (Cth), native title has been extinguished over:
 - (i) land upon which, or waters over which, overhead powerlines and associated infrastructure owned and operated by Essential Energy (being a public work as defined in s 253 of the *Native Title Act* (Cth) (“Powerlines”) have been constructed (“Powerline Locations”); and
 - (ii) any adjacent land or waters in accordance with section 251D of the *Native Title Act 1993* (Cth) (**Adjoining Land**) being:
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- (A) in relation to land adjoining 33kV Powerlines a total of 30 metres (ie. 15 metres either side of the Powerlines); and
 - (B) in relation to land adjoining 19.1kV Powerlines a total of 20 metres (ie. 10 metres either side of the Powerlines).
- (h) Despite paragraph (g), but subject to paragraphs (i) and (j) below, Essential Energy has no objection to the native title holders exercising the rights set out in orders 6 and 7 over the Powerline Locations or on the Adjoining Land as if native title rights had not been extinguished by the matters acknowledged in paragraph (g);
- (i) The native title holders:
- (i) must not camp or erect any shelter on the Powerline Locations or the Adjoining Land;
 - (ii) must comply with any reasonable direction of Essential Energy in respect of the Powerline Locations or Adjoining Land;
 - (iii) acknowledge that Essential Energy may erect, install, extend, alter, upgrade, replace, maintain and /or remove the Powerlines or construct new powerlines in the same position as the existing Powerlines or on the Adjoining Land; and
 - (iv) agree that Essential Energy:
 - (A) may exercise all of its statutory rights in respect of the Powerline Locations and the Adjoining Land without having to comply with the procedural requirements in the *Native Title Act 1993 (Cth)*;
 - (B) is not liable to compensate the native title holders when exercising its statutory, or other, rights.
- (j) Paragraphs (g), (h) and (i) do not apply where native title has been wholly extinguished over the Powerline Locations or Adjoining Land for reasons other than as set out in paragraph (g);
- (k) Nothing in paragraphs (a) to (j) detracts from Essential Energy's statutory obligations in relation to the preservation of Aboriginal cultural heritage, including but not limited to any such obligations under the *Aboriginal Cultural Heritage Act 2003 (Qld)*, insofar as there may be any places or objects within the Powerline Locations or Adjoining Land to which such obligations apply.
9. The rights and interests of Ergon Energy Corporation 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:
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- (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 on which these orders are made; and
 - (iv) to enter the Determination Area by its employees, agents or contractors to exercise any of the rights and interests referred to in this paragraph.
10. The rights and interests of Bulloo Shire Council, Barcoo Shire Council and Quilpie Shire Council:
- (a) under their local government jurisdiction and functions under the Local Government Act, 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 their respective Local Government Area;
 - (b) as the:
 - (i) lessors 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) grantors 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) party to any agreement with a third party which relates to land and waters in the Determination Area; and
 - (iv) holders of any estate or any other interest in land, including as trustee of any Reserves or holder of any interest under access agreements and easements that exist in the Determination Area;
 - (c) as the owners and operators 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 the Bulloo Shire Council or Barcoo Shire Council or Quilpie Shire Council;
 - (ii) water pipelines and water supply infrastructure;
 - (iii) drainage facilities;
 - (iv) watering point facilities;
 - (v) recreational facilities;
 - (vi) transport facilities;
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- (vii) gravel pits operated by the Bulloo Shire Council or Barcoo Shire Council or Quilpie Shire Council;
- (viii) cemetery and cemetery-related facilities;
- (ix) community facilities; and
- (d) to enter the land for the purposes described in paragraphs 10(a), 10(b) or 10(c) above by its employees, agents or contractors to:-
- (i) exercise any of the rights and interests referred to in this paragraph 10 and paragraph 11 below;
 - (ii) use, operate, inspect, maintain, replace, restore and repair the infrastructure, facilities and other improvements referred to in paragraph 10(c) above;
 - (iii) undertake operational activities in its capacity as a local government such as feral animal control, erosion control, waste management and fire management.
11. The rights and interests of the State of Queensland and the Bulloo Shire Council, Barcoo Shire Council and Quilpie Shire 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.
12. 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.
13. 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 *Fisheries Act 1994* (Qld);
 - (b) the *Land Act 1994* (Qld), the *Land Act 1962* (Qld) or the *Land Act 1910* (Qld);
 - (c) the *Nature Conservation Act 1992* (Qld);
 - (d) the *Forestry Act 1959* (Qld);
 - (e) the *Water Act 2000* (Qld)
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- (f) the *Petroleum Act 1923* (Qld) or *Petroleum and Gas (Production and Safety) Act 2004* (Qld);
 - (g) the *Mineral Resources Act 1989* (Qld);
 - (h) the *Planning Act 2016* (Qld);
 - (i) the *Electricity Act 1994* (Qld);
 - (j) the *Transport Infrastructure Act 1994* (Qld); and
 - (k) the *Fire and Emergency Services Act 1990* (Qld) or *Ambulance Service Act 1991* (Qld).
14. The rights and interests of members of the public arising under the common law or statute, including but not limited to any subsisting public right to fish.
15. So far as confirmed pursuant to s 212(2) of the *Native Title Act 1993* (Cth) and s 18 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;
 - (d) areas that were public places at the end of 31 December 1993.
16. 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 of Queensland and the Commonwealth.
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