



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) QI2007/041 - Joint Bar-Barrum Jirrbal Herberton Project ILUA;
 - (b) QI2007/040 - Bar-Barrum Herberton Project ILUA;
 - (c) QI2011/012 - Herberton Tin Fields ILUA;
 - (d) QI2012/056 - Bar Barrum #2-#7 and Tablelands Regional Council ILUA;
 - (e) QI2010/029 - Jirrbal People and Tablelands Regional Council ILUA;
 - (f) QI2007/039 - Jirrbal Herberton Project ILUA;
 - (g) QI2010/031 - Jirrbal People and Ergon Energy ILUA;
 - (h) QI2010/033 - Jirrbal People Protected Areas ILUA;
 - (i) QI2022/013 - Chalumbin Wind Farm Area ILUA; and
 - (j) QI2010/030 - Jirrbal People and QLACCA ILUA.

2. The rights and interests of the holders of the following water allocations granted pursuant to the *Water Act 2000* (Qld):
 - (a) 36279K;
 - (b) 48242K; and
 - (c) 58722K.

3. The rights and interests of the holders of the following interests granted pursuant to the *Land Act 1962* (Qld) or *Land Act 1994* (Qld):
 - (a) permit to occupy No. PO 0/233421 over Lot 2 and 3 on Plan AP5947;
 - (b) permit to occupy No. PO 0/234055 over Lot 2 on Plan AP12192;
 - (c) occupation licence OL 22/211 over Lot 1 on Plan AP17369;
 - (d) occupation licence OL 22/183 over Lot 183 on Plan OL443;
 - (e) occupation licence OL 22/150 over Lot 150 on Plan OL444;
 - (f) occupation licence OL 22/145 over Lot 145 on Plan OL186;
 - (g) occupation licence OL 22/216 over Lot 216 on Plan OL204;



- (h) occupation licence OL 22/206 over Lot 206 on Plan AP23116; and
 - (i) occupation licence OL 22/136 over Lot 136 on Plan OL452.
4. The rights and interests of the holders of the following tenements granted pursuant to the *Mineral Resources Act 1989* (Qld):
- (a) Exploration permit for minerals no 14185 (EPM 14185);
 - (b) Exploration permit for minerals no 26536 (EPM 26536);
 - (c) Mineral development licence no 381 (MDL 381); and
 - (d) Mining lease no 201140 (ML 20140).
5. The rights and interests of Telstra Corporation Limited ACN 051 775 556 and any of its successors in title:
- (a) as the owners or operators 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 its telecommunications facilities;
 - (c) for its employees, agents or contractors to access its telecommunication facilities in and in the vicinity of the Determination Area in the performance of its duties; and
 - (d) under any lease, licence, access agreement, permit or easement relating to its telecommunications facilities in the Determination Area.



6. The rights and interests of CleanCo Queensland Limited (ABN 85 628 008 159):
 - (a) as the owner and operator of any Works in the Determination Area;
 - (b) as an electricity entity under the *Electricity Act 1994* (Qld), including:
 - (i) as the holder of a generation authority;
 - (ii) to access, inspect, operate, manage, maintain, repair, replace, upgrade or otherwise deal with any Works in the Determination Area; and
 - (iii) 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;
 - (c) pursuant to the Water Licences 613512, 613513 and 51227P granted under the *Water Act 2000* (Qld); and
 - (d) as the holder of Occupation Permit PID2021 under the *Forestry Act 1959* (Qld), which relates to Lot 1 on AP14613.

7. 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;
 - (iii) in relation to any agreement relating to the Determination Area existing or entered into before the date on which these orders are made; and
 - (c) to enter the Determination Area by its employees, agents or contractors to exercise any of the rights and interests referred to in this paragraph.

8. The rights and interests of Cassowary Coast Regional Council and Tablelands Regional Council (Councils):
 - (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 Local Government Area;



- (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; and
 - (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 Councils;
 - (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 Councils;
 - (viii) cemetery and cemetery-related facilities; and
 - (ix) community facilities;
- (d) to enter the land for the purposes described in paragraphs 8(a), 8(b) or 8(c) above by their employees, agents or contractors to:
 - (i) exercise any of the rights and interests referred to in this paragraph 8;
 - (ii) inspect, maintain and repair the infrastructure, facilities and other improvements referred to in paragraph 8(c) above;
 - (iii) undertake operational activities in their capacity as a Local Government such as feral animal control, weed control, erosion control, waste management and fire management.



9. The rights and interests of the State of Queensland, Tablelands Regional Council and Cassowary Coast 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.
10. 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.
11. 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);
 - (c) the *Nature Conservation Act 1992* (Qld);
 - (d) the *Forestry Act 1959* (Qld);
 - (e) the *Water Act 2000* (Qld);
 - (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 *Transport Infrastructure Act 1994* (Qld);
 - (j) the *Fire and Emergency Services Act 1990* (Qld) or *Ambulance Service Act 1991* (Qld); and
 - (k) the *Wet Tropics World Heritage Protection and Management Act 1993* (Qld).
12. 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.



13. 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 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; or
 - (c) areas that were public places at the end of 31 December 1993.
14. 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.