

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:

- (a) The rights and interests of Mr Ross Olive as the holder of the following special lease issued pursuant to the *Land Act 1962* (Qld) and the *Forestry Act 1959* (Qld):
 - (b) Special Lease for Primary Industry (Grazing) No 701416846, over Lot 3 on LI807533 being strata title lease within the boundary of Lot 65 on FTY1503.
- 17. 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 Works in the Determination Area existing or entered into before the date 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 clause.
- 18. The rights and interests of the Rockhampton Regional Council and the Livingstone Shire Council (**Councils**):
 - (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 within their respective 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 interest in land, including as trustee of any Reserves, under access agreements and easements 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 these orders are made, including but not limited to any:
 - (i) gravel pits operated by Councils;
 - (ii) undedicated but constructed roads except for those not operated by Councils;
 - (iii) water pipelines and water supply infrastructure;
 - (iv) drainage facilities;
 - (v) cemetery and cemetery related facilities;
 - (vi) watering point facilities;
 - (vii) recreational facilities;
 - (viii) transport facilities; and
 - (ix) community facilities; and
 - (d) to enter the land for the purposes described in paragraphs 3(a), 3(b) or 3(c) above by their employees, agents or contractors to:
 - (i) exercise any of the rights and interests referred to in this 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, erosion control, waste management and fire management.
- 19. The rights and interests of the State of Queensland, Livingstone Shire Council and Rockhampton 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.
- 20. 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.

21. 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); and
 - (j) the Fire and Emergency Services Act 1990 (Qld) or Ambulance Service Act 1991 (Qld).
22. 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.
23. 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; and
 - (d) areas that were public places at the end of 31 December 1993.
24. 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.