



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 holders of rolling term lease for pastoral purposes PH 0/201754 comprising Lot 170 on Plan CP887723 (also known as Glen Russell) issued pursuant to the *Land Act 1962* (Qld) and administered under the *Land Act 1994* (Qld).
2. The rights and interests of Mareeba Shire Council (“Council”):
 - (a) under its local government jurisdiction and functions under Local Government Acts, and under any other legislation, for that part of the Determination Area within the area declared to be its Local Government Area;
 - (b) as the owner and operator of infrastructure, structures, earthworks, access works and any other facilities and other improvements in the Determination Area constructed or established by the Council on or before the date on which these orders are made, including but not limited to any undedicated but constructed roads except for those not operated by Council;
 - (c) to enter the land for the purposes described in paragraphs (a) and (b) above by its employees, agents or contractors to:
 - (i) exercise any of the rights and interests referred to in this paragraph and paragraph 3 below;
 - (ii) use, operate, inspect, maintain, replace, restore and repair the infrastructure, facilities and other improvements referred to in paragraph (b) 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.
3. The rights and interests of the State of Queensland and Mareeba Shire Council to access, use, operate, maintain and control the dedicated roads and those roads described in paragraph 2(b) in the Determination Area and the rights and interests of the public to use and access those roads.



4. 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 *Forestry Act 1959* (Qld);
 - (d) the *Water Act 2000* (Qld);
 - (e) the *Petroleum Act 1923* (Qld) or *Petroleum and Gas (Production and Safety) Act 2004* (Qld);
 - (f) the *Mineral Resources Act 1989* (Qld);
 - (g) the *Planning Act 2016* (Qld);
 - (h) the *Transport Infrastructure Act 1994* (Qld); and
 - (i) the *Fire and Emergency Services Act 1990* (Qld) or *Ambulance Service Act 1991* (Qld).

5. 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; or
 - (d) areas that were public places at the end of 31 December 1993.

6. 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.