



## SCHEDULE 5

### 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:
  - (a) the agreement between Robert Anderson on his own behalf and on behalf of the Quandamooka People, the Quandamooka Yoolooburrabee Aboriginal Corporation RNTBC ICN 7564 and the State of Queensland, which was authorised by the native title claim group on 30 September 2019 and executed by Mr Robert Anderson, the Quandamooka Yoolooburrabee Aboriginal Corporation RNTBC ICN 7564 and the State of Queensland on 14 October 2019 (the Quandamooka People Tenure Resolution Indigenous Land Use Agreement – Mulgumpin / Moreton Island);
  - (b) the agreement between Robert Anderson on his own behalf and on behalf of the Quandamooka People, the Quandamooka Yoolooburrabee Aboriginal Corporation RNTBC ICN 7564, the State of Queensland, Tangalooma Pty Ltd and Tangalooma Island Resort Pty Ltd, which was authorised by the native title claim group on 30 September 2019 and executed by Mr Robert Anderson, the Quandamooka Yoolooburrabee Aboriginal Corporation RNTBC ICN 7564, the State of Queensland, Tangalooma Pty Ltd and Tangalooma Island Resort Pty Ltd on 21 October 2019 (the Quandamooka People and Tangalooma Indigenous Land Use Agreement);
2. The rights and interests of Telstra Corporation Limited (ACN 051 775 556):
  - (a) as the owner or operator of telecommunications facilities installed 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 their duties; and



- (d) under any lease, licence, permit, access agreement or easement relating to its telecommunications facilities in the Determination Area.
3. The rights and interests of Brisbane City Council:
- (a) under its local government jurisdiction and functions under the *City of Brisbane Act 2010* (Qld) and any other legislation, for all parts of the Determination Area within the area declared to be Council's local government area under the *City of Brisbane Regulations 2012* (Qld), and
- (b) as trustee under the *Land Act 1994* (Qld) of the following reserves:
- (i) Lot 115 on SP183608 Reserve for Environment and Open Space (Public Toilet);
  - (ii) Lot 21 on SL12508 Reserve for Park (Public Toilet);
  - (iii) Lot 406 on C9562 Reserve for Local Government, Historical Park and Recreation (Signal Station);
  - (iv) Lot 48 on SL10011 Reserve for Local Government, Refuse Disposal;
  - (v) Lot 49 on SL10012 Reserve for Local Government, Refuse Disposal; and
  - (vi) Lot 52 on SL12538 Reserve for Local Government, Refuse Disposal;
- including any rights and interests it or its employees, or agents have to enter land to perform those functions and as the owner and operator of infrastructure located in the Determination Area;
4. The rights and interests of the Tangalooma Island Resort Pty Ltd (ACN 010 170 902) as registered permittees under Permit No 0/210290, to occupy Lot 18 on SL11788 for the purposes of tourism, ancillary tourism and tourism supportive purposes in conjunction with the tourist activities on the adjoining Lot 8 on SL8209.
5. The rights and interests of Koorinal Aquacultural Company Pty Ltd (ACN 010 390 931) as registered permittee, for the purposes of conducting any and all activities relating to the permitted activity storage or equipment used in primary production (oyster production) on part of Lot 9 on AP22155, being the area described as Lot 1 on PER 6896.
6. The rights and interests of the Commonwealth of Australia, represented by the Bureau of Meterology, for its employees, agents and contractors to access its facilities located at Lot 528 on NPW 663 in the exercise of powers and functions under the *Meterology Act 1955* (Cth).
7. The rights and interests of the Australian Maritime Safety Authority as the owner, manager or operator of aids to navigation pursuant to s 190 of the *Navigation Act 2012* (Cth).
8. 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.
9. So far as confirmed pursuant to s 212(2) of the *Native Title Act 1993* (Cth) and s 18 of the *Native Title Act (Queensland) Act 1993* (Qld) as at the date of this Determination, any existing public access to, and enjoyment of, the following places in the Determination Area:
- (a) waterways;
  - (b) beds and banks or foreshores of waterways;
  - (c) coastal waters;
  - (d) beaches; and
  - (e) areas that were public places at the end of 31 December 1993.
10. Any 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.