

## SCHEDULE 4

### OTHER INTERESTS

The nature and extent of other interests in relation to the Determination Area are the following as they exist as at the date of this Determination:

#### Part 1 – Other interests which validly affect the native title rights and interests

##### Pastoral leases

1. The following current pastoral leases and the rights and interests of the holders from time to time of those pastoral leases:

Pastoral Lease N049846 – Kinclaven	Portion of Pastoral Lease N049892 – Balgair	Portion of Pastoral Lease N050215 – Kybo
Pastoral Lease N050401 – Gunnadorah	Pastoral Lease N050421 – Kanandah	

##### Mining interests

2. The rights and interests of the holders from time to time of the following current mining interests under the *Mining Act 1978* (WA):

<i>Exploration Licences</i>	
1.	E2802188
2.	E2802189
3.	E2802190
4.	E2802191
5.	E2802266
6.	E2802300
7.	E2802366
8.	E2802367

9.	E2802374
10.	E2802378
11.	E2802462
12.	E2802596
13.	E2802621
14.	E2802622
15.	E2802675
16.	E2802677
17.	E2802715
18.	E2802857
19.	E2802870
20.	E2802903
21.	E2802934
22.	E3901653
23.	E3901731
24.	E3901733
25.	E6902379
26.	E6902707
27.	E6903371
28.	E6903372
29.	E6903428
30.	E6903436
31.	E6903441
32.	E6903531
33.	E6903570
34.	E6903595

35.	E6903599
36.	E6903603
37.	E6903623
38.	E6903624
39.	E6903625
40.	E6903626
41.	E6903627
42.	E6903628
43.	E6903629
44.	E6903630
45.	E6903631
46.	E6903632
47.	E6903636
48.	E6903637
49.	E6903640
50.	E6903648
51.	E6903649
52.	E6903700
53.	E69/3726
<i>Miscellaneous Licences</i>	
54.	L6900003
<i>Mining Leases</i>	
55.	M6900016

3. Subject to paragraph 4 below, any rights that may exist as at the date of this determination that are held by the holders from time to time of the tenements listed above, that permit the

holder of those tenements to use or use and maintain in reasonable repair (including by servants, agents and contractors) such portions of roads and tracks in the Determination Area:

- (a) as may be permitted in accordance with those rights and interests; and
  - (b) as are necessary to have access to the area the subject of the tenement for the purpose of exercising the right granted by that interest.
4. Nothing in paragraph 3 above allows any upgrade, extension, widening, realignment or other improvement to the road or track.

### **Other**

5. Rights and interests, including licences and permissions, held under valid or validated grants from the Crown in right of the State or of the Commonwealth pursuant to statute or otherwise in the exercise of its executive power of a kind not otherwise referred to in this Schedule 4.
6. Valid or validated rights or interests of a kind not otherwise referred to in this Schedule 4 held by reason of the force and operation of the laws of the State or of the Commonwealth including the force and operation of the *Rights in Water and Irrigation Act 1914* (WA).
7. The right to access the Determination Area by an employee, agent or instrumentality of:
  - (a) the State;
  - (b) the Commonwealth;
  - (c) any local government authority,as required in the performance of his or her statutory or common law duty where such access would be permitted to private land.
8. So far as confirmed pursuant to s 14 of the *Titles (Validation) and Native Title (Effect of Past Acts) Act 1995* (WA) as at the date of this Determination, any existing public access to and enjoyment of:
  - (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.