

SCHEDULE THREE – OTHER INTERESTS IN THE NATIVE TITLE AREA

The Other Interests are as follows:

1. Aboriginal Land Council Interests

- (a) The rights and interests of each of the Aboriginal Land Councils listed in the table below as the holder of a freehold title, which includes the rights of each Aboriginal Land Council to use, manage, control, hold or dispose of, or otherwise deal with, land vested in it in accordance with the *Aboriginal Land Rights Act 1983* (NSW):

Current Holder of Land	Land
Bogal Local Aboriginal Land Council	Lot 213 DP 755603 Lot 221 DP 1244077 Lot 223 DP 755631
Bogal Local Aboriginal Land Council, Jali Local Aboriginal Land Council and Ngulingah Local Aboriginal Land Council	Lot 529 DP 721119 Lot 543 DP 48550 Lot 544 DP 48550 Lot 545 DP 48550
New South Wales Aboriginal Land Council	Lot 7090 DP 1113519

- (b) The rights and interests of Yaegl Local Aboriginal Land Council as the holder of freehold title in relation to Lot 7310 DP 1163472.

2. Energy Interests

- (a) The rights and interests of an electricity supply authority within the meaning of the *Gas and Electricity (Consumer Safety) Act 2017* and the *Energy Services Corporations Act 1995* (NSW) in exercising functions, powers or rights in accordance with the laws of the State of New South Wales or of the

Commonwealth and as either or both owner and operator of facilities for the transmission of electricity and other forms of energy and associated infrastructure situated on the Native Title Area, including but not limited to rights under the *Gas and Electricity (Consumer Safety) Act 2017* (NSW) and the *Energy Services Corporations Act 1995* (NSW) to enter the Native Title Area in order to access, use, maintain, repair, replace, upgrade or otherwise deal with existing facilities and infrastructure.

(b) The rights and interests of:

- (i) a network operator within the meaning of the *Electricity Supply Act 1995* (NSW); or
- (ii) for the purposes of any privatisation transaction, any lessor or lessee of a transmission system or person who owns or is authorised to control or operate a transmission system within the meaning of the *Electricity Supply Act 1995* (NSW);

in exercising functions, powers or rights in accordance with the laws of the State of New South Wales or of the Commonwealth as the operator of facilities for the transmission of electricity and other forms of energy and associated infrastructure situated on the Native Title Area including but not limited to rights under the *Electricity Supply Act 1995* (NSW) to enter the Native Title Area in order to access, use, maintain, repair, replace, upgrade or otherwise deal with existing facilities and infrastructure.

3. Local Government Interests

The rights and interests of Richmond Valley Council and Clarence Valley Council as local councils under the *Local Government Act 1993* (NSW) and as entities exercising statutory powers in respect of the land or waters within their local government areas

4. Other interests generally

- (a) Any rights interests, including licences and permits, granted by the Crown in right of the State of New South Wales or of the Commonwealth pursuant to statute or under regulations made pursuant to such legislation.

- (b) Any rights and interests held or conferred by reason of the force and operation of the laws of the State of New South Wales or the Commonwealth.
- (c) Rights and interests of members of the public arising under the common law or statute.
- (d) So far as confirmed pursuant to ss 16 and 18 of the *Native Title (New South Wales) Act 1994* (NSW), any other existing public access to and enjoyment of:
 - (i) waterways;
 - (ii) the beds and banks or foreshores of waterways;
 - (iii) coastal waters and beaches;
 - (iv) stock routes; and
 - (v) areas that were public places at the end of 31 December 1993.
- (e) The rights of:
 - (i) an employee, agent or instrumentality of the State of New South Wales;
 - (ii) an employee, agent or instrumentality of the Commonwealth;
 - (iii) an employee, agent or instrumentality of any Local Government Authority;to access the Native Title Area and carry out actions as required in the performance of his, her or its statutory or common law duties.