



SCHEDULE FOUR – OTHER INTERESTS IN THE NATIVE TITLE AREA

The Other Interests in the Native Title Area, as they exist at the date of this Determination, are as follows:

1. Nambucca Heads Local Aboriginal Land Council Interests

The rights and interests of the Nambucca Heads Local Aboriginal Land Council in the land within the Native Title Area, as the holder of estates in fee simple pursuant to the *Aboriginal Land Rights Act 1983* (NSW) in relation to:

- (a) Lot 555 in DP 1072228;
- (b) Lot 557 in DP 1072228;
- (c) Lot 558 in DP 1072228; and
- (d) Lot 559 in DP 1072228.

2. Electricity and Energy Supply Interests

(a) The rights and interests of an electricity distributor within the meaning of the *Energy Services Corporations Act 1995* (NSW) to exercise functions, powers or rights in accordance with the laws of the State of New South Wales or of the Commonwealth and as 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 the right 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); and
- (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, to exercise functions, powers or rights in accordance with the laws of the State of New South Wales or of the Commonwealth as 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 the right



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 Nambucca Shire Council as a council constituted under the *Local Government Act 1993* (NSW).

4. Other interests generally

- (a) Rights and 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) Rights and interests held by reason of the force and operation of the laws of the State of New South Wales or of the Commonwealth.
- (c) Rights and interests of members of the public arising under common law or statute.
- (d) So far as is confirmed pursuant to section 18 of the *Native Title (New South Wales) Act 1994* (NSW) as at the date of the Determination, any existing public access to and enjoyment of:
 - (i) waterways;
 - (ii) the bed and banks or foreshores of waterways;
 - (iii) travelling stock reserves; and
 - (iv) 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 duty.