

SCHEDULE FOUR - OTHER INTERESTS IN THE PART B NATIVE TITLE AREA

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

1. Aboriginal Land Council interests

- (a) The rights and interests of Grafton Ngerrie Local Aboriginal Land Council pursuant to undetermined Aboriginal land claims made under section 36 of the *Aboriginal Land Rights Act 1983* (NSW) in respect of certain lands within the Part B Native Title Area, including the right to have each such claim determined according to law and, subject only to a determination that the land is claimable Crown land as defined in section 36(1) of that Act, the right to the transfer of an estate in fee simple pursuant to that Act.
- (b) The rights and interests of Grafton Ngerrie Local Aboriginal Land Council listed in the table below as the holder of a freehold title including the rights of Grafton Ngerrie Local 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) over the areas of land or waters in the Part B Native Title Area:

Local Aboriginal Land Council	Areas over which freehold title held Lot / DP (ID)
Grafton Ngerrie Local Aboriginal Land Council	(a) Lot 409 DP 48826 (ID 2965)
	(b) Lot 115 DP48510 (ID2572)
	(c) Lot 406 DP 46680 (ID2849)
	(d) Lot 407 DP 48710 (ID3502)
	(e) Lot 197 DP48433 (ID3865)
	(f) Lot 196 DP48499 (ID3984)

and

- (c) The rights of Grafton Ngerrie Local Aboriginal Land Council in relation to land that is granted subject to native title pursuant to section 36(9) of the *Aboriginal Land Rights Act 1983*.

2. Reserves

- (a) The rights of State, Local Government and other organisations or persons who have the care, control and management of any reserves within the Part B Native Title Area subject to the laws of the State of New South Wales and of the Commonwealth; and
- (b) The rights of persons entitled to access and use reserves within the Part B Native Title Area for the purposes for which they are reserved, subject to any statutory limitations upon those rights.

3. Mining and Petroleum Interests

- (a) The rights of the holders of any mining interests.
- (b) The rights of holders of any petroleum interests.

4. Water Interests

- (a) The rights of any holder as at the date of this Part B Determination of any licences or permissive occupancies granted under the *Water Act 1912* (NSW) and the *Water Management Act 2000* (NSW).

5. Fishing Interests

- (a) The rights of the holders from time to time of leases, licences and permits granted or issued under the *Fisheries Management Act 1994* (NSW) and Regulations made under that Act.
- (b) Other rights and interests under the care, management and control of the Department of Primary Industry – Fisheries subject to the laws of the State of New South Wales and of the Commonwealth.
- (c) The rights of the Department of Primary Industry - Fisheries, and employees or agents of the same under the *Fisheries Management Act 1994* (NSW) and Regulations made under that Act.

6. Crown Lands Interests

- (a) The rights of the holders from time to time of leases, licences and permits granted or issued under the *Crown Lands Act 1989* (NSW) and Regulations made under that Act.
- (b) Other rights and interests under the care, management and control of the New South Wales Department of Industry – Lands subject to the laws of the State of New South Wales and of the Commonwealth.



- (c) The rights of the New South Wales Department of Industry – Lands, and employees or agents of the same under the *Crown Lands Act 1989* (NSW) and Regulations made under that Act.

7. Local Government Interest

The rights and interests of Local Councils as councils constituted under the *Local Government Act 1993* (NSW).

8. 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 as at the date of this Part B 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 Part B Native Title Area and carry out actions as required in the performance of his/ her or its statutory or common law duty.

