

SECOND SCHEDULE

OTHER INTERESTS

The nature and extent of other interests in those parts of the Determination Area where native title exists, as at 1 June 2004, are as follows:

- (a) the interests of the public in the use of, and of the State and local government in the care control and management of, the road being lot 4688 on Deposited Plan 31421;
- (b) the interests of the holders of the following pastoral leases:

3114/ 464	3114/ 0716
3114/465	3114/ 1228
3114/ 490	3114/ 1173
3114/ 492	3114/1209
3114/ 558	398/ 824

- (c) the interests of persons in whom the following reserves are vested and of persons who have the care, control and management of the reserves, and interests of persons entitled to access and use those reserves for the respective purposes for which they are reserved, and interests of persons in leases of the reserves:

Reserve 341	Reserve 5932
Reserve 342	Reserve 6207
Reserve 343	Reserve 8304
Reserve 345	Reserve 9701
Reserve 348	Reserve 12790
Reserve 349	Reserve 12797
Reserve 350	Reserve 12799
Reserve 352	Reserve 14094
Reserve 356	Reserve 18267
Reserve 363	Reserve 18571
Reserve 611	Reserve 22681

Reserve 612	Reserve 24954
Reserve 613	Reserve 26246
Reserve 1388	Reserve 26581
Reserve 1392	Reserve 29484
Reserve 1539	Reserve 30432
Reserve 1540	Reserve 30433
Reserve 1726	Reserve 30659
Reserve 1730	Reserve 30717
Reserve 1733	Reserve 31113
Reserve 1795	Reserve 31115
Reserve 1874	Reserve 31409
Reserve 2377	Reserve 33775
Reserve 5069	Reserve 34253
Reserve 5510	Reserve 34256
Reserve 5511	Reserve 34869
Reserve 5515	Reserve 35802
Reserve 5698	Reserve 38901
Reserve 5922	Reserve 40201
Reserve 5924	Reserve 40617
Reserve 5925	Reserve 41013
Reserve 5926	Reserve 41146
Reserve 5927	Reserve 42726
Reserve 5928	Reserve 42727
Reserve 5929	Reserve 46200
Reserve 5930	Reserve 46888

- (d) the interests of the holders of the following mining and petroleum tenements including the interests of those holders in statutory rights of access to such tenements:

E 4700562	G 4700044	M 4700238	P 4701015
E 4700566	L 4700010	M 4700243	P 4701016
E 4700574	L 4700013	M 4700248	P 4701059
E 4700651	L 4700016	M 4700249	P 4701076

E 4700653	L 4700020	M 4700251	P 4701081
E 4700760	L 4700024	M 4700253	P 4701106
E 4700871	L 4700037	M 4700257	P 4701139
E 4700878	L 4700042	M 4700272	P 4701140
E 4700905	L 4700057	M 4700293	P 4701141
E 4700938	L 4700124	M 4700297	P 4701142
E 4700956	M 4700003	M 4700298	P 4701143
E 4700966	M 4700027	M 4700312	P 4701144
E 4700967	M 4700029	M 4700313	P 4701145
E 4701015	M 4700042	M 4700314	P 4701146
E 4701048	M 4700043	M 4700323	P 4701147
E 4701049	M 4700045	M 4700324	P 4701148
E 4701063	M 4700046	M 4700330	P 4701149
E 4701088	M 4700055	M 4700339	P 4701150
E 4701103	M 4700056	M 4700346	P 4701151
E 4701105	M 4700062	M 4700349	P 4701152
E 4701107	M 4700081	M 4700350	P 4701153
E 4701124	M 4700113	M 4700357	P 4701154
E 4701156	M 4700135	M 4700359	P 4701155
E 4701160	M 4700145	M 4700360	TR 7005461
E 4701168	M 4700161	M 4700363	TR 7005975
G 4700002	M 4700169	M 4700389	TR 7005976
G 4700022	M 4700223	M 4700464	
G 4700025	M 4700236		
G 4700043	M 4700237		

(e) the interests of the holders of the following easements:

EA259	EA293	EA307
EA260	EA294	EA308
EA261	EA295	EA309
EA270	EA297	EA310
EA271	EA303	EA311

EA287	EA306	3134B/225
EA292		

- (f) the interests of the DBNGP Land Access Minister in the land in the DBNGP Corridor, including State corridor rights, under the *Dampier to Bunbury Pipeline Act 1997* (WA), and the interests of any other person in land in the DBNGP Corridor under sections 34 and 36 of the *Dampier to Bunbury Pipeline Act 1997* (WA), the subject of the following taking orders (which land is depicted on ‘Map 1’):

Description	Tenure	Taking order
Portion of De Witt location 264 on Deposited Plan 220363 as shown on Deposited Plans 215501, 215502, 220810 and 220811	Pastoral lease 3114/464	I209652
De Witt Location 494 on Deposited Plan 220811	Unallocated Crown land	I209611
Portion of De Witt location 112 on Deposited Plan 214329 as shown on Deposited Plans 215501 and 220811	Reserve 356	I209634
Portion of De Witt location 28 on Deposited Plans 241372, 219363 and 192898 as shown on Deposited Plans 215501 and 220810	Unallocated Crown land	I209623
Portion of Lot 648 on Deposited Plan 29591 as shown on Deposited Plans 215501 and 220810	Reserve 9701	I209619

- (g) the interests of the holders of the following petroleum pipeline permits:

PL 8	PL 38
PL 22	PL 40

- (h) the interests of the Crown and the public in the following dedicated roads (which are depicted on ‘Map 1’ as ‘Second Schedule - Roads’):

Portion of Point Samson-Roebourne Road (shown on Deposited Plans 214781 and 214782)
Portion of Spinifex Road (shown on Deposited Plan 214782)

Portion of Carse Street (shown on Deposited Plans 216664)
Ghost Gum Street (shown on Deposited Plan 216664)
Mallee Way (shown on Deposited Plan 216664)
Kurrajong Road (shown on Deposited Plan 214781)
Walcott Drive (shown on Deposited Plan 214781)

- (i) the public right to fish in tidal waters;
- (j) the public right to navigate in tidal waters;
- (k) the interests of persons to whom valid and validated rights and interests have been granted by the Crown pursuant to statute or otherwise in the exercise of its executive power;
- (l) the right to access land by an employee or agent or instrumentality of the State, Commonwealth or any local government or other statutory authority as required in the performance of his or her statutory or common law duties;
- (m) so far as confirmed pursuant to section 14 of the *Titles (Validation) and Native Title (Effect of Past Acts) Act 1995* (WA) as at 5 May 1999, public access to and enjoyment of:
 - (i) waterways;
 - (ii) beds and banks or foreshores of waterways;
 - (iii) coastal waters;
 - (iv) beaches;
 - (v) areas that were public places at the end of 31 December 1993;
- (n) the interests of Telstra Corporation Limited, being:
 - (i) rights and interests as the owner or operator of telecommunications facilities within the Determination Area, including customer radio terminals and overhead and underground cabling;
 - (ii) rights and interests 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);
- (iii) rights of access by employees, agents or contractors of Telstra Corporation Limited to its facilities in and in the vicinity of the Determination Area in the performance of their duties;
 - (iv) the right to occupy the Mount Fraser Optical Fibre Regenerator site (Peawah location 63);
and
 - (v) interests as the holders of easements 3134B/622, 3134B/625 and 3134B/627;
- (o) any interests of the Crown in any capacity, or of any statutory authority, in any public works within the Determination Area which were constructed or commenced to be constructed or used after 23 December 1996;
- (p) the interests of holders of licenses issued under the:
- (i) *Land Act 1933* (WA) and the *Land Administration Act 1997* (WA);
 - (ii) *Fish Resources Management Act 1994* (WA);
 - (iii) *Mining Act 1978* (WA);
 - (iv) *Jetties Act 1926* (WA);
 - (v) *Wildlife Conservation Act 1950* (WA);
 - (vi) *Conservation and Land Management Act 1984* (WA);
 - (vii) *Rights in Water and Irrigation Act 1914* (WA);
 - (viii) *Transport Co-ordination Act 1966* (WA); and
 - (ix) *Water Services Coordination Act 1995* (WA);
- (q) the interests of holders of permits issued under the:
- (i) *Land Act 1933* (WA);
 - (ii) *Land Administration Act 1997* (WA); and
 - (iii) Country Areas Water Supply Act By-laws under the *Country Areas Water Supply Act 1947* (WA);
- (r) the interests of the Crown, Water Corporation and the local government in the enforcement of, and the exercise of rights and responsibilities under, the following by-

laws:

- (i) Country Areas Water Supply Act By-laws under the *Country Areas Water Supply Act 1947* (WA);
 - (ii) The Municipality of the Shire of Roebourne By-laws Relating to Parks, Public Reserves, Sports Grounds, Recreation Grounds or Open Space Areas vested in the Council under the *Local Government Act 1960* (WA);
- (s) rights or interests held by reason of the force and operation of the laws of the State or of the Commonwealth;
- (t) the agreement as amended and ratified by *the Iron Ore (Robe River) Agreement Act 1964* and rights and interests comprised in, conferred under or in accordance with or pursuant to that agreement;
- (u) the agreement as amended and ratified by the *Dampier Solar Salt Industry Agreement Act 1967* and rights and interests comprised in, conferred under or in accordance with or pursuant to that agreement; and
- (v) the agreement as amended and ratified by the *Iron Ore (Hamersley Range) Agreement Act 1963* and rights and interests comprised in, conferred under or in accordance with or pursuant to that agreement.