

Schedule Four

Other Rights and Interests in the Determination Area

1. Reserves

- (a) The rights of organisations or persons who have the care, control and management of the following reserves; and
- (b) The rights of persons entitled to access and use the following reserves within the Determination Area for the respective purposes for which they are reserved, subject to any statutory limitations upon those rights:

Reserve number	Reserve Purpose
56146	Reserve from sale or lease
1011268	For the public purpose of future public requirements
1011748	For public purpose of access and public requirement, rural services, tourism purposes and environmental and heritage conservation
1003009	Public recreation and coastal environmental protection
76879	From Sale for Future Public Requirements
44940	For Wharfage
90881	For Public Hall
83556	From sale or lease

2. Permissive Occupancies

The rights of the holders from time to time of the following Permissive Occupancies granted by the State of New South Wales:

Permissive Occupancy Licence Account Numbers
161391
167429
3216
483767
486883
3398
82924
11775
166654
3568
148010
14293
3214
166655

Permissive Occupancy Licence Account Numbers
3604
10.6200
1966.26
1965.50
MS.08.10362
3475
153800
165675
147642
162943
147446

3. Fishing interests

The rights of the holders from time to time of licences and permits granted under the *Fisheries Management Act 1994* (NSW).

4. Telstra Corporation Limited

The rights and interests of Telstra Corporation Limited (CAN 051 775 556):

- (a) as the owner or operator of telecommunications facilities within the Determination Area;
- (b) created pursuant to the *Post and Telegraph Act 1901* (Cth), the *Telecommunications Act 1975* (Cth), the *Australian Telecommunications Corporations Act 1989* (Cth), the *Telecommunications Act 1991* (Cth) and the *Telecommunications Act 1997* (Cth), including rights:
 - (i) to inspect land;
 - (ii) to install and operate telecommunications facilities; and
 - (iii) to alter, remove, replace, maintain, repair and ensure the proper functioning of its telecommunications facilities;
- (c) for its employees, agents or contractors to access its telecommunications facilities in and in the vicinity of the Determination Area in performance of their duties; and
- (d) under any lease, licence, access agreement or easement relating to its telecommunications facilities in the Determination Area.

5. Electricity supply interests

- (a) The rights and interests of an electricity supply authority within the meaning of the *Electricity (Consumer Safety) Act 2004* (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 electricity transmission facilities and associated infrastructure situated on the Determination Area including but not limited to the right to enter the Determination Area in order to access, use, maintain, repair, replace, upgrade or otherwise deal with facilities and infrastructure.

6. Other interests

- (a) Rights and interests, including leases, licences, permissive occupancies 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) Any existing public access to and enjoyment of:
 - (i) waterways;
 - (ii) the bed and banks or foreshores of waterways;
 - (iii) coastal waters;
 - (iv) beaches;
 - (v) stock routes; and
 - (vi) areas that were public places at the end of 31 December 1993; as at the date of the Determination, pursuant to section 18 of the *Native Title (New South Wales) Act 1994* (NSW); and
- (e) The right to access the Determination Area by:
 - (i) an employee, agent or instrumentality of the State of New South Wales;
 - (ii) an employee, agent or instrumentality of the Commonwealth; and
 - (iii) an employee, agent or instrumentality of an local government authority,as required in the performance of his, her or its statutory or common law duty.