

Schedule 2 – Other Interests in the Determination Area

The nature and extent of the Other Interests in relation to the Determination Area are the following as they exist as at the date of the determination:

1. The rights and interests of Ergon Energy Corporation ACN 087 646 062:
 - (a) as the owner and operator of any “Works” as that term is defined in the *Electricity Act 1994 (Qld)* within the Determination Area;
 - (b) as a distribution entity and the holder of a distribution authority under the *Electricity Act 1994 (Qld)*;
 - (c) created under the *Electricity Act 1994 (Qld)* and the *Government Owned Corporations Act 1993 (Qld)* including:
 - (i) rights in relation to any agreement relating to the Determination Area existing or entered into before the date on which these orders are made;
 - (ii) rights to enter the Determination Area by its employees, agents or contractors to exercise any of the rights and interests referred to in this paragraph; and
 - (iii) to inspect, maintain and manage any Works in the Determination Area.
2. The rights and interests of the Cassowary Coast Regional Council (the Council) as the local government for the Determination Area, including:
 - (a) the Council’s powers, functions, responsibilities and jurisdiction under a Local Government Act;
 - (b) the Council’s rights and interests in land or waters within the Determination Area including under any lease, license, access agreement, easement or reserve in the Determination Area;
 - (c) the Council’s rights to use, operate, maintain, replace, restore, remediate, repair and otherwise exercise all other rights as the owner and operator of infrastructure, structures, earthworks, access works, facilities and other improvements within the Determination Area;
 - (d) the rights under any agreements between the Council and third parties which relate to land or waters in the Determination Area; and

- (e) the rights of the Council's employees, agents and contractors to enter upon the Determination Area for the purpose of performing its powers and responsibilities under paragraphs (a) to (d).
- 3. The rights and interests granted by the Commonwealth of Australia pursuant to statute or otherwise in the exercise of its executive power and under any regulations made pursuant to such legislation and including, for the avoidance of any doubt, but not limited to, the "Defence Practice Area" otherwise declared and described as "Item and map number 8", referring to the "Tully Training Area" in the Schedule to the Declaration of Defence Practice Areas made by the Minister for Defence pursuant to regulation 49 of the Defence Force Regulations on 30 July 1987, and published in *Commonwealth of Australia Gazette* No. GN 14 on 5 August 1987.
- 4. The rights and interests of the State of Queensland or any other person existing by reason of the force and operation of the laws of the State of Queensland, including those existing by reason of the following legislation or any regulation, statutory instrument, declaration, plan, authority, permit, lease or licence made, granted, issued or entered into under that legislation:
 - (a) the *Fisheries Act 1994* (Qld); and
 - (b) the *Land Act 1994* (Qld).
- 5. Any other rights and interests:
 - (a) held by the State of Queensland or Commonwealth of Australia; or
 - (b) existing by reason of the force and operation of the Laws of the State and the Commonwealth.