

SCHEDULE 4 — OTHER INTERESTS IN THE DETERMINATION AREA

The nature and extent of 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 the parties under the following agreements:
 - (a) the Indigenous Land Use Agreement (“ILUA”) between Hazel Windsor and Colin Saltmere on behalf of the Indjalandji-Dhidhanu People, Indjalandji-Dhidhanu Aboriginal Corporation (ICN 7791) and the State of Queensland entitled the “Camooweal Caves National Park Protected Area Indigenous Land Use Agreement” dated 27 November 2012;
 - (b) an ILUA between Ruby Saltmere on behalf of the Indjalandji/Dithannoi People; James Watts Taylor (Waditja), Richard Percy, Sonny Condren, Ethel Page, Thelma Sullivan, Patricia Kyle and Connie Craigie on behalf of the Kalkadoon People and the State of Queensland entitled the “Kalkadoon and Indjalandji/Dithannoi Peoples Backlog Exploration Permit Project ILUA” registered on the Register of Indigenous Land Use Agreement on 29 April 2004;
 - (c) an ILUA between Hazel Windsor and Colin Saltmere on behalf of the Indjalandji-Dhidhanu People and Graeme William Evan Russell Acton authorised on 30 October 2012;
 - (d) an ILUA between Hazel Windsor and Colin Saltmere on behalf of the Indjalandji-Dhidhanu People and Bezuma Pastoral Co Pty Ltd (ACN 010 553 474) authorised on 30 October 2012;
 - (e) an ILUA between Hazel Windsor and Colin Saltmere on behalf of the Indjalandji-Dhidhanu People and Gambamora Industries Pty Ltd (ACN 001 941 173) authorised on 30 October 2012;
 - (f) an ILUA between Hazel Windsor and Colin Saltmere on behalf of the Indjalandji-Dhidhanu People and Alfred Arthur Lanskey authorised on 30 October 2012;
 - (g) an ILUA between Hazel Windsor and Colin Saltmere on behalf of the Indjalandji-Dhidhanu People and James Lyne and Marjorie Annette Lord authorised on 30 October 2012;
 - (h) an ILUA between Hazel Windsor and Colin Saltmere on behalf of the Indjalandji-Dhidhanu People and Lindsay Wray Miller authorised on 30 October 2012;
 - (i) an ILUA between Hazel Windsor and Colin Saltmere on behalf of the Indjalandji-Dhidhanu People and Mabel Josephine Spreadborough and David Joseph Spreadborough authorised on 30 October 2012;
 - (j) an ILUA between Hazel Windsor and Colin Saltmere on behalf of the Indjalandji-Dhidhanu People and Venlock Pty Ltd (ACN 010 198 893) authorised on 30 October 2012;
 - (k) an ILUA between Hazel Windsor and Colin Saltmere on behalf of the Indjalandji-Dhidhanu People and Waxahachie Pty Ltd (ACN 009 606 811) authorised on 30 October 2012;
 - (l) the ILUA between Hazel Windsor and Colin Saltmere on behalf of the Indjalandji-Dhidhanu People and Indjalandji-Dhidhanu Aboriginal Corporation (ICN 7791) and Mount Isa City Council dated 9 November 2012;
 - (m) the ILUA between Hazel Windsor and Colin Saltmere on behalf of the Indjalandji-Dhidhanu People and Indjalandji-Dhidhanu Aboriginal

- Corporation (ICN 7791) and Ergon Energy Corporation Limited dated 26 November 2012; and
- (n) an ILUA between Dugalunji Aboriginal Corporation (ICN 3057, ABN 28 441 600 811) and Colin Saltmere and Hazel Windsor on behalf of the Indjalandji-Dhidhanu People entitled "Dugalunji Camp ILUA" registered on the Register of Indigenous Land Use Agreements on 8 August 2011.
2. The rights and interests of Graeme William Evan Russell Acton under:
 - (a) Pastoral Development Holding 8/42 comprising Lot 42 on CP847157 and known as Barkly Downs; and
 - (b) Pastoral Holding 13/5501 comprising Lot 2 on WO28.
 3. The rights and interests of Bezuma Pastoral Co Pty Ltd (ACN 010 553 474) under Pastoral Holding 8/2516 comprising Lot 1 on UN7 and known as Thorntona.
 4. The rights and interests of Gambamora Industries Pty Ltd (ACN 001 941 173) under:
 - (a) Pastoral Holding 8/145 comprising Lot 12 on SP177392 and Lot 1 on WO31 and known as Rocklands;
 - (b) Pastoral Holding 8/122 comprising Lot 122 on SP162831 and known as Morstone;
 - (c) Special Lease 8/52237 for grazing purposes comprising Lot 3 on WO29 (Gravel Reserve R46);
 - (d) Special Lease 8/52236 for grazing purposes comprising Lot A on WO31 (also known as Lot 39 on NPW198 (Camooweal Caves National Park)); and
 - (e) Term Lease 235061 for grazing purposes comprising Lot 8 on WO21 (Police Paddock Reserve R7).
 5. The rights and interests of Alfred Arthur Lanskey under Pastoral Holding 8/5553 comprising Lot 4 on UN803944 and known as Barr Creek.
 6. The rights and interests of James Lyne and Marjorie Annette Lord under Pastoral Holding 13/2324 comprising Lot 2324 on SP162422 and known as Meltham (aka May Downs).
 7. The rights and interests of Lindsay Wray Miller under:
 - (a) Pastoral Holding 8/136 comprising Lot 1 on UN8 and known as Promised Land (aka Undilla);
 - (b) Pastoral Holding 8/5303 comprising Lot 5303 on PH1640 and known as Harris Creek (aka Undilla); and
 - (c) Pastoral Holding 8/2562 comprising Lot 2562 on PH2051 and known as Seymour Junction (aka Undilla).
 8. The rights and interests of Mabel Josephine Spreadborough and David Joseph Spreadborough under Pastoral Holding 8/5552 comprising Lot 3 on UN803945 and known as Koolamara.
 9. The rights and interests of Venlock Pty Ltd (ACN 010 198 893) under Pastoral Holding 212277 comprising Lot 3 on SP117500 and known as Ardmere.
 10. The rights and interests of Waxahachie Pty Ltd (ACN 009 606 811) under Pastoral Holding 13/2799 comprising Lot 2799 on PH2075 and known as Bluebush.
 11. The rights and interests of Coolreagh Pastoral Co Pty Ltd (ACN 098 207 071) as Trustee for the Coolreagh Trust under Term Lease 233093 for pastoral purposes comprising Lot 6 on SP243934.
 12. The rights and interests of Michael William Seymour and Anne Lenia Seymour under:
 - (a) Pastoral Holding 8/2656 comprising Lot 2656 on PH1611; and

- (b) Pastoral Holding 8/4673 comprising Lot 4673 on PH1612.
- 13. The rights and interests of the lessee under term lease 234944 for pastoral purposes comprising Lot 5 on CP862287.
- 14. The rights and interests of the lessee under term lease 230432 for grazing purposes comprising Lot 28 on WO27.
- 15. The rights and interests of Telstra Corporation Limited ACN 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 Corporation 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 telecommunication facilities;
 - (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 the performance of their duties; and
 - (d) under any lease, licence, access agreement or easement relating to its telecommunications facilities in the Determination Area.
- 16. 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.
- 17. The rights and interests of the State of Queensland and the Mount Isa City Council to access, use, operate, maintain and control the dedicated roads in the Determination Area and the rights and interests of the public to use and access the roads; including
 - (a) the road delineated by stations 3-3c-2-1-3b-3, 4-k-5-4, 8-7-6-5-8, 15-14-13-12-11-10-9-z-e-17-d-c-b-a-15 on Survey Plan 135293; and
 - (b) the road delineated by stations z-y-x-w-8-5-k-j-h-g-f-e-z on Survey Plan 135293.
- 18. The rights and interests of the State of Queensland to access, use, operate, maintain and control the dedicated roads in the Determination Area and the rights and interests of the public to use and access the roads, including the road as delineated on Lot 2 on Survey Plan 177392.
- 19. The rights and interests of the holder of the Term Lease 235434 for Communication over Lot 8 on SP243934.
- 20. The rights and interests of Mount Isa City Council:

- (a) under its local government jurisdiction and functions under the *Local Government Act 2009* (Qld), under the *Land Protection (Pest and Stock Route Management) Act 2002* (Qld) and under any other legislation, for that part of the Determination Area within the area declared to be Mount Isa City Council's local government area;
 - (b) as the:
 - (i) lessor under any leases which were validly entered into before the date on which these orders are made and whether separately particularised in these orders or not;
 - (ii) grantor of any licences or other rights and interests which were validly granted before the date on which these orders were made and whether separately particularised in these orders or not;
 - (iii) holder of any estate or interest in land, as trustee of any reserves, that exist in the Determination Area on or before the date on which these orders are made;
 - (c) as the owner and operator of infrastructure, and those facilities and other improvements located in the Determination Area validly constructed or established on or before the date on which these orders are made, including but not limited to:
 - (i) dedicated roads operated by Mount Isa City Council;
 - (ii) gravel pits operated by Mount Isa City Council;
 - (iii) undedicated but constructed roads except for those not operated by Mount Isa City Council;
 - (iv) water pipelines and water supply infrastructure;
 - (v) drainage facilities;
 - (vi) cemetery and cemetery-related facilities;
 - (vii) camping and holiday park facilities within the Determination Area; and
 - (viii) telecommunication infrastructure;
 - (d) to enter the land for the purposes described in paragraphs (a), (b) and (c) above by its employees, agents or contractors to:-
 - (i) exercise any of the rights and interests referred to in paragraph 20 above;
 - (ii) inspect, maintain and repair the infrastructure, facilities and other improvements referred to in paragraph (c) above;
 - (iii) undertake operational activities in its capacity as a local government such as feral animal control, weed control, erosion control, waste management and fire management.
21. The rights and interests of the State of Queensland in the Camooweal Caves National Park (Lot 39 on NPW198), it being a protected area pursuant to the *Nature Conservation Act 1992* (Qld) and relevant regulations and conservation plans made under that Act; and the rights and interests of the persons in whom they are vested and interests of the persons entitled to access and use the protected area for the respective purposes for which it is dedicated.
22. 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 *Land Act 1994* (Qld);

- (b) the *Nature Conservation Act 1992* (Qld);
 - (c) the *Forestry Act 1959* (Qld);
 - (d) the *Water Act 2000* (Qld);
 - (e) the *Petroleum Act 1923* (Qld) or *Petroleum and Gas Act 2004* (Qld);
 - (f) the *Mineral Resources Act 1989* (Qld);
 - (g) the *Integrated Planning Act 1997* (Qld) or *Sustainable Planning Act 2009* (Qld);
 - (h) the *Transport Infrastructure Act 1994* (Qld); and
 - (i) the *Fire and Rescue Service Act 1990* (Qld) or *Ambulance Service Act 1991* (Qld).
23. The rights and interests of the State of Queensland and any other person existing under or by reason of the force and operation of:
- (a) any subsisting public right to fish; and
 - (b) the public right to navigate.
24. So far as confirmed pursuant to section 212(2) of the *Native Title Act 1993* (Cth) and section 18 of the *Native Title Act (Queensland) Act 1993* (Qld) as at the date of this Determination, any existing public access to, and enjoyment of, the following places in the Determination Area:
- (a) waterways;
 - (b) beds and banks or foreshores of waterways;
 - (c) stock routes; and
 - (d) areas that were public places at the end of 31 December 1993.
25. The rights and interests of the Commonwealth represented by the Bureau of Meteorology including:
- (a) as the owner and operator of meteorological facilities within the Determination Area at Lot A on Lot 27 on W030 (automatic weather station); and
 - (b) for its employees, agents and contractors to access its facilities referred to in paragraph (a) above in the exercise of powers and functions under the *Meteorology Act 1955* (Cth).
26. Any other rights and interests:
- (a) held by the State or Commonwealth; or
 - (b) existing by reason of the force and operation of the Laws of the State or the Commonwealth.