

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 the Livingstone Shire Council for that part of the Determination Area within its Local Government Area, including:
 - (a) as the owner and operator of infrastructure, facilities and other improvements which are in the Determination Area as at the date of this determination;
 - (b) the right to enter the Determination Area and exercise its powers and responsibilities under Local Government Acts; and
 - (c) under any lease, licence, access agreement, easement, reserve or other interest in the Determination Area.
2. The rights and interests of Sojourn Properties Pty Ltd (ACN 104 443 503) as the holder of the following permits issued pursuant to the *Great Barrier Reef Marine Park Regulations 1983* (Cth) and the *Marine Parks Regulation 2017* (Qld):
 - (a) G19/41873.1 for Operation of Primary Mooring GM0782;
 - (b) G19/42850.1 for Conduct of:
 - (i) a Tourist Program - Vessel Program;
 - (ii) a Charter Operation - Vessel Charter Program;
 - (iii) Conduct of a Tourist Program and Any Other Purpose - Hire Program;
 - (iv) Operation of Three (3) Mooring Facilities - Primary Moorings:
 - (A) GM2760 at Pumpkin Island Reef (23-005);
 - (B) GM2761 at Pumpkin Island Reef (23-005);
 - (C) GM2762 at Pumpkin Island Reef (23-005); and
 - (c) G18/41737.1 for Conduct of:
 - (i) a Tourist Program;
 - (ii) a Charter Operation.
3. The rights and interests of the Australian Institute of Marine Science, pursuant to its powers and functions under the *Australian Institute of Marine Science Act 1972* (Cth) as the owner, manager or operator of the automatic weather station (AWS) located at Square Rocks, the Keppels at coordinates -23.09842 decimal degrees south, 150.88553 decimal degrees east.

4. The rights and interests of the Australian Fisheries Management Authority in relation to plans of management made under the *Fisheries Management Act 1991* (Cth), including for the Eastern Tuna and Billfish Fishery, the Eastern Skipjack Fishery and the Southern Bluefin Tuna Fishery.
5. The rights and interests of the Great Barrier Reef Marine Park Authority and any other person existing by reason of the force of operation of:
 - (a) the *Great Barrier Reef Marine Park Act 1975* (Cth);
 - (b) the *Great Barrier Reef Marine Park Regulations 2019* (Cth);
 - (c) the *Great Barrier Reef (Declaration of Amalgamated Marine Park Area) Proclamation 2004* (Cth); and
 - (d) the *Great Barrier Reef Marine Park Zoning Plan 2003* (Cth).
6. The rights and interests of the parties under the Woppaburra Traditional Use of Marine Resources Agreement (TUMRA) – TUMRA Accreditation No: GTGT14/36384.1.
7. The rights and interests of the Australian Maritime Safety Authority as the owner, manager or operator of aids to navigation pursuant to s 190 of the *Navigation Act 2012* (Cth), and in performing the functions of the Authority under s 6(1) of the *Australian Maritime Safety Authority Act 1990* (Cth) including to be a national marine safety regulator, to combat pollution in the marine environment and to provide a search and rescue service.
8. The rights and interests of the State of Queensland and the Livingstone Shire 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.
9. The rights and interests of the State of Queensland in Reserves, the rights and interests of the trustees of those Reserves and the rights and interests of the persons entitled to access and use those Reserves for the respective purpose for which they are reserved, including the rights and interests of the holders of permits issued by the trustees of the Reserves.
10. 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);
 - (b) the *Land Act 1994* (Qld);

- (c) the *Nature Conservation Act 1992* (Qld);
 - (d) the *Forestry Act 1959* (Qld);
 - (e) the *Water Act 2000* (Qld);
 - (f) the *Petroleum Act 1923* (Qld) or *Petroleum and Gas (Production and Safety) Act 2004* (Qld);
 - (g) the *Mineral Resources Act 1989* (Qld);
 - (h) the *Planning Act 2016* (Qld);
 - (i) the *Transport Infrastructure Act 1994* (Qld);
 - (j) the *Fire and Emergency Services Act 1990* (Qld) or *Ambulance Service Act 1991* (Qld);
 - (k) the *Marine Parks Act 2004* (Qld);
 - (l) the *Coastal Protection and Management Act 1995* (Qld);
 - (m) the *Transport Operations (Marine Safety) Act 1994* (Qld); and
 - (n) the *Transport Operations (Marine Pollution) Act 1995* (Qld).
11. The rights and interests of members of the public arising under the common law, including but not limited to the following:
- (a) any subsisting public right to fish; and
 - (b) the public right to navigate.
12. So far as confirmed pursuant to s 212(2) of the NTA and s 18 of the *Native Title (Queensland) Act 1993* (Qld) as at the date of this determination, any existing rights of the public to access, and enjoy, the following places in the Determination Area:
- (a) waterways;
 - (b) beds and banks or foreshores of waterways;
 - (c) coastal waters;
 - (d) beaches; and
 - (e) areas that were public places at the end of 31 December 1993.
13. 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.