

## Extract from the National Native Title Register

---

### Determination Information:

**Determination Reference:** Federal Court Number(s): QUD6162/1998  
NNTT Number: QCD2016/005

**Determination Name:** Doyle on behalf of the Iman People #2 v State of Queensland

**Date(s) of Effect:** 11/11/2016

**Determination Outcome:** Native title exists in the entire determination area

---

### Register Extract (pursuant to s. 193 of the *Native Title Act 1993*)

**Determination Date:** 23/06/2016

**Determining Body:** Federal Court of Australia

### ADDITIONAL INFORMATION:

On 23 June 2016, the Federal Court of Australia made a determination that native title exists in all of the determination area - see [Doyle on behalf of the Iman People #2 v State of Queensland \[2016\] FCA 743](#).

Please note that the native title determination made on 23 June 2016 was amended by Court order on 24 August 2016 by amending Schedule 1 to:

- (a) Include in Part 3 the words 'and that is also within the External Boundary Description described in Part 5' after the words 'described in Part 6';
- (b) Delete in Part 7 the reference to 'south-eastern corner of Lot 163 of FT999'; and
- (c) Insert in Part 7 the words 'south-western corner of Lot 163 of FT999'.

These amendments have been made to the entry on the National Native Title Register.

It is also noted that the applicant never intended to claim Part Lot 25 on F4037 (Reserve), Part Lot 27 on FT627 (Reserve) and Part Lot 30 on NPW493 (National Park).

Order 2 of the determination provides that the determination is to take effect upon the agreements referred to in paragraph 1 of Schedule 4 being registered on the Register of Indigenous Land Use Agreements. All of the agreements were on the Register of Indigenous Land Use Agreements as at 11 November 2016. The conditions attached to the determination have therefore now been met and the determination came into effect on 11 November 2016.

### REGISTERED NATIVE TITLE BODY CORPORATE:

**COMMON LAW HOLDER(S) OF NATIVE TITLE:**

7. The native title is held by the Iman People described in Schedule 3 (“the native title holders”).

The native title holders are the Iman People. The Iman People are the descendants of one or more of the following people:

- (a) Mary Arwa;
- (b) Jim Waterton;
- (c) Ada Robinson;
- (d) Maggie Palmtree;
- (e) Lizzie Palmtree;
- (f) Eliza Shields;
- (g) Mary Ann (mother of Maggie Dunn);
- (h) Fanny Waddy/Sandy;
- (i) Dick Bundi/Bundai and Alice Dutton; or
- (j) the mother of John Serico (known as Aggie).

**MATTERS DETERMINED:**

**BY CONSENT THE COURT ORDERS THAT:**

1. There be a determination of native title in the terms set out below (“the determination”).
2. The determination will take effect upon the agreements referred to in paragraph 1 of Schedule 4 being registered on the Register of Indigenous Land Use Agreements.
3. In the event that the agreements referred to in paragraph 2 above are not registered on the Register of Indigenous Land Use Agreements within six (6) months of the date of this order or such later time as this Court may order, the matter is to be listed for further directions.

**BY CONSENT THE COURT DETERMINES THAT:**

5. The Determination Area is the land and waters described in Schedule 1, and depicted in the map attached to Schedule 1. To the extent of any inconsistency between the written description in Schedule 1 and the map, the written description prevails.
6. Native title exists in relation to the Determination Area described in Parts 1, 2, 3 and 4 of Schedule 1.
7. The native title is held by the Iman People described in Schedule 3 (“the native title holders”).
8. Subject to paragraphs 12, 13 and 14 below the nature and extent of the native title rights and interests in relation to the land and waters described in Part 1 of Schedule 1 are:
  - (a) other than in relation to Water, the right to possession, occupation, use and enjoyment of the area to the exclusion of all others; and
  - (b) in relation to Water, the non-exclusive rights to:
    - (i) hunt, fish and gather from the Water of the area;

(ii) take and use the Natural Resources of the Water in the area; and

(iii) take and use the Water of the area,

for personal, domestic and non-commercial communal purposes.

9. Subject to paragraphs 12, 13 and 14 below the nature and extent of the native title rights and interests in relation to the land and waters described in Part 2 of Schedule 1 are the non-exclusive rights to:

(a) access, be present on, move about on and travel over the area;

(b) camp, and live temporarily on the area as part of camping, and for that purpose build temporary shelters;

(c) hunt, fish and gather on the land and waters of the area for personal, domestic and non-commercial communal purposes;

(d) take, use, share and exchange Natural Resources from the land and waters of the area for personal, domestic and non-commercial communal purposes;

(e) take and use the Water of the area for personal, domestic and non-commercial communal purposes;

(f) conduct ceremonies on the area;

(g) be buried and bury native title holders within the area;

(h) maintain places of importance and areas of significance to the native title holders under their traditional laws and customs and protect those places and areas from physical harm;

(i) teach on the area the physical and spiritual attributes of the area;

(j) light fires on the area for domestic purposes including cooking, but not for the purpose of hunting or clearing vegetation; and

(k) be accompanied on the area by those persons who, though not native title holders, are:

(i) spouses of native title holders;

(ii) persons required or permitted under the traditional laws acknowledged and traditional customs observed by the native title holders for the performance of, assistance with or participation in rituals or ceremonies.

10. Subject to paragraphs 12, 13 and 14 below the nature and extent of the native title rights and interests in relation to the land and waters described in Part 3 of Schedule 1 are the non-exclusive rights to:

(a) access, be present on, move about on and travel over the area;

(b) fish and gather on the land and waters of the area for personal, domestic and non-commercial communal purposes;

(c) perform dances, conduct smoking ceremonies and ceremonies associated with the reinterment of remains on the area;

(d) maintain places of importance and areas of significance to the native title holders under their traditional laws and customs and protect those places and areas from physical harm;

(e) teach on the area the physical and spiritual attributes of the area;

(f) be accompanied on the area by those persons who, though not native title holders, are:

(i) spouses of native title holders;

(ii) persons required or permitted under the traditional laws acknowledged and traditional customs observed by the native title holders for the performance of, assistance with or participation in rituals or ceremonies; and

(g) be buried and bury native title holders within the area.

11. Subject to paragraphs 12, 13 and 14 below the nature and extent of the native title rights and interests in

relation to the land and waters described in Part 4 of Schedule 1 are the non-exclusive rights to:

- (a) access, be present on, move about on and travel over the area;
- (b) fish and gather on the land and waters of the area for personal, domestic and non-commercial communal purposes;
- (c) hunt on the land and waters of the area for personal, domestic and non-commercial communal purposes, but not to do so using weapons as defined in the *Weapons Act 1990* (Qld);
- (d) take, use, share and exchange Natural Resources from the land and waters for personal, domestic and non-commercial communal purposes;
- (e) perform dances, conduct smoking ceremonies and ceremonies associated with the reinterment of remains on the area;
- (f) maintain places of importance and areas of significance to the native title holders under their traditional laws and customs and protect those places and areas from physical harm;
- (g) teach on the area the physical and spiritual attributes of the area;
- (h) be accompanied on the area by those persons who, though not native title holders, are:
  - (i) spouses of native title holders;
  - (ii) persons required or permitted under the traditional laws acknowledged and traditional customs observed by the native title holders for the performance of, assistance with or participation in rituals or ceremonies; and
  - (i) be buried and bury native title holders within the area.

12. The native title rights and interests are subject to and exercisable in accordance with:

- (a) the Laws of the State and the Commonwealth;
- (b) the traditional laws acknowledged and traditional customs observed by the native title holders; and
- (c) the terms and conditions of the agreements referred to in paragraph 1 of Schedule 4.

13. The native title rights and interests referred to in paragraphs 8(b), 9, 10 and 11 above do not confer possession, occupation, use or enjoyment to the exclusion of all others.

14. There are no native title rights in or in relation to minerals as defined by the *Mineral Resources Act 1989* (Qld) and petroleum as defined by the *Petroleum Act 1923* (Qld) and the *Petroleum and Gas (Production and Safety) Act 2004* (Qld).

15. The nature and extent of any other interests in relation to the Determination Area (or respective parts thereof) are set out in Schedule 4.

16. The relationship between the native title rights and interests described in paragraphs 8, 9, 10 and 11 above and the other interests described in Schedule 4 (the "other interests") is that:

- (a) the other interests continue to have effect, and the rights conferred by or held under the other interests may be exercised notwithstanding the existence of the native title rights and interests;
- (b) to the extent the other interests are inconsistent with the continued existence, enjoyment or exercise of the native title rights and interests in relation to the land and waters of the Determination Area, the native title continues to exist in its entirety but the native title rights and interests have no effect in relation to the other interests to the extent of the inconsistency for so long as the other interests exist;
- (c) the other interests and any activity that is required or permitted by or under, and done in accordance with, the other interests, or any activity that is associated with or incidental to such an activity, prevail over the native title rights and interests and any exercise of the native title rights and interests;
- (d) without limiting the operation of paragraphs 16(a) to (c) above, where the native title right to hunt (referred to in paragraphs 9(c) and 11(c) above) is exercised in a Protected Area, the native title holders must:

- (i) exercise the right in a manner consistent with the management principles applicable to the class of Protected Area under Part 4 of the *Nature Conservation Act 1992* (Qld);
- (ii) unless pursuant to an Aboriginal traditional use authority under the *Nature Conservation (Wildlife Management) Regulation 2006* (Qld), not take, use, keep or interfere with wildlife prescribed under the *Nature Conservation Act 1992* (Qld) from time to time as endangered wildlife, vulnerable wildlife, extinct in the wild, near threatened wildlife, least concern wildlife, or prohibited wildlife, or established under the *Environmental Protection and Biodiversity Conservation Act 1999* (Cth) from time to time as listed threatened species; and
- (iii) obtain and comply with an approval under s 137 of the *Nature Conservation (Protected Areas Management) Regulation 2006* (Qld) for the possession or use of any Appliance;
- (e) without limiting the operation of paragraphs 16(a) to (c) above, where the native title right to camp (referred to in paragraph 9(b) above) is exercised in a Protected Area, the native title holders must:
  - (i) exercise the right only under a camping permit granted under the *Nature Conservation (Protected Areas Management) Regulation 2006* (Qld) or if otherwise authorised under s 82 of the *Nature Conservation (Protected Areas Management) Regulation 2006* (Qld);
  - (ii) comply with the conditions of the permit or other authorisation provisions of the *Nature Conservation Act 1992* (Qld) and regulations made under that legislation in relation to the permit or other authorisation; and
  - (iii) comply with any regulatory notice under s 82(4) or any direction of a conservation officer under ss 86 or 87 of the *Nature Conservation (Protected Areas Management) Regulation 2006* (Qld); and
- (f) without limiting the operation of paragraphs 16(a) to (c) above, before the native title rights and interests (referred to in paragraph 9 above) are exercised on state forest land over which a term lease for grazing purposes has been granted, the native title holders must contact the lessee of the grazing lease, provided their contact details have been provided to the Wardingarri Aboriginal Corporation, and discuss any safety issues associated with the proposed exercise of native title rights and interests and make reasonable efforts to agree on the route of access.

## DEFINITIONS AND INTERPRETATION

17. In this determination, unless the contrary intention appears:

“Appliance” has the meaning given by the *Nature Conservation Act 1992* (Qld);

“land” and “waters”, respectively, have the same meanings as in the *Native Title Act 1993* (Cth);

“Laws of the State and the Commonwealth” means the common law and the laws of the State of Queensland and the Commonwealth of Australia, and includes legislation, regulations, statutory instruments, local planning instruments and local laws;

“Natural Resources” means:

- (a) any animal, plant, fish and bird life found on or in the lands and waters of the Determination Area; and
- (b) any clays, soil, sand, gravel or rock found on or below the surface of the Determination Area,

that have traditionally been taken and used by the native title holders, but does not include:

- (a) animals that are the private personal property of another;
- (b) crops that are the private personal property of another; and
- (c) minerals as defined in the *Mineral Resources Act 1989* (Qld) or petroleum as defined in the *Petroleum Act 1923* (Qld) and the *Petroleum and Gas (Production and Safety) Act 2004* (Qld);

“Protected Area” has the meaning given by the *Nature Conservation Act 1992* (Qld);

“Water” means:

- (a) water which flows, whether permanently or intermittently, within a river, creek or stream; and
- (b) any natural collection of water, whether permanent or intermittent.

Any references in this determination to acts, regulations or statutory instruments includes those acts, regulations or statutory instruments as amended from time to time.

Other words and expressions used in this determination have the same meanings as they have in Part 15 of the *Native Title Act 1993* (Cth).

### THE COURT DETERMINES THAT:

18. Upon the determination taking effect:

(a) The native title is held in trust;

(b) The Wardingarri Aboriginal Corporation (ICN: 8305), incorporated under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (Cth), is to:

(i) be the prescribed body corporate for the purpose of ss 56(2)(b) and 56(3) of the *Native Title Act 1993* (Cth); and

(ii) perform the functions mentioned in s 57(1) of the *Native Title Act 1993* (Cth) after becoming a registered native title body corporate.

### SCHEDULE 1 – DETERMINATION AREA

#### A. Description of Determination Area

The Determination Area comprises all of the land and waters described in Parts 1, 2, 3 and 4 below, and depicted on the determination map, but does not include the areas described in Schedule 2.

#### Part 1 – Exclusive Areas:

All of the land and waters described in the following table and depicted in dark blue on the determination map:

Area Description (at date of determination)	Determination map reference
Lot 9 on Plan LE58	Sheet 6
Lot 10 on Plan LE58	Sheet 7
Lot 4 on Plan TR2	Sheet 6

#### Part 2 – Non-Exclusive Areas:

All of the land and waters described in the following table and depicted in light blue on the determination map:

Area Description (at date of determination)	Determination map reference
That part of Lot 16 on Plan SP228375 that is within the external boundary described in Part 5	Sheet 1
That part of Lot 10 on Plan WT285 that is within the external boundary described in Part 5	Sheet 26
That part of Lot 11 on Plan FT983 that is within the external boundary described in Part 5	Sheet 25
That part of Lot 12 on Plan FT983 that is within the external boundary described in Part 5	Sheet 25
That part of Lot 164 on Plan FT136 that is within the external boundary described in Part 5	Sheets 17 and 19
That part of Lot 27 on Plan NPW826 that is within the external boundary described in Part 5	Keymap and Sheets 6, 11 and 12
That part of Lot 29 on Plan FT668 that is within the external boundary described in Part 5	Sheet 25
That part of Lot 302 on FTY1964 that is within the external boundary described in Part 5	Sheet 35
That part of Lot 3047 on Plan SP273877 that is within the external boundary described in Part 5	Keymap and Sheet 26

That part of Lot 3123 on Plan PH617 that is within the external boundary described in Part 5	Sheet 11
That part of Lot 4051 on Plan SP275225 that is within the external boundary described in Part 5	Sheet 10
That part of Lot 42 on Plan FTY1767 that is within the external boundary described in Part 5	Sheet 10
That part of Lot 44 on Plan FTY1714 which does not include the area formerly described as Lot 6 on LE304 that is within the external boundary described in Part 5	Keymap and Sheets 2, 3, 4, 5, 9 and 10
That part of Lot 47 on Plan FTY985 that is within the external boundary described in Part 5	Sheet 10
That part of Lot 4736 on Plan SP271705 that is within the external boundary described in Part 5	Sheet 1
That part of Lot 50 on Plan FTY1872 that is within the external boundary described in Part 5 and 8	Sheets 1, 6, 7 and 8
That part of Lot 55 on Plan FT919 that is within the external boundary described in Part 5	Sheet 39
That part of Lot 55 on Plan FTY1153 which does not include an area formerly described as Lot 5 on Plan AB248 that is within the external boundary described in Part 5	Sheet 26
That part of Lot 64 on Plan NPW417 that is within the external boundary described in Part 5 and 3	Sheets 1, 2 and 3
That part of Lot 7 on Plan BH297 that is within the external boundary described in Part 5	Sheet 1
That part of Lot 745 on Plan PH619 that is within the external boundary described in Part 5 and 4	Sheets 3 and 4
That part of Lot 221 on Plan T5012 that is within the external boundary described in Part 5 and 23	Sheets 17 and 23
Lot 1 on Plan LE267	Sheet 4
Lot 1 on Plan SP140746	Sheet 13
That part of Lot 10 on Plan AB239 excluding an area of constructed road 15 metres each side of the centreline A-B, as depicted on the map of the determination area	Sheet 27
Lot 102 on Plan FT328	Sheet 34
Lot 103 on Plan FT897	Sheet 34
Lot 11 on Plan AB152	Sheet 28
Lot 11 on Plan AB5	Sheet 27
That part of Lot 11 on Plan AB68 excluding an area of constructed road 15 metres each side of the centreline A-B, as depicted on the map of the determination area	Sheet 27
Lot 12 on Plan CP858822	Sheet 16
Lot 12 on Plan LE295	Sheet 14
Lot 12 on Plan LE54	Sheet 15
Lot 13 on Plan AB183	Sheet 16
Lot 13 on Plan LE287	Sheet 7
Lot 133 on Plan FT617	Sheet 33
Lot 14 on Plan LE51	Sheet 13
Lot 140 on Plan FT981	Sheet 38
Lot 147 on Plan FT978	Sheet 23

Lot 15 on Plan LE276	Sheet 5
Lot 15 on Plan LE51	Sheet 13
Lot 153 on Plan FTY829	Sheet 36
Lot 157 on Plan FT953	Sheet 39
Lot 159 on Plan FTY793	Sheet 36
Lot 16 on Plan LE276	Sheet 5
Lot 160 on Plan FTY794	Sheet 36
Lot 164 on Plan FT890	Sheet 38
Lot 168 on Plan CP909136	Sheet 38
Lot 175 on Plan FTY1250	Sheet 35
Lot 188 on Plan FTY1362	Sheet 35
Lot 19 on Plan LE242	Sheet 14
Lot 2 on Plan FT976	Sheet 24
Lot 2 on Plan SP104634	Sheet 38
Lot 2 on Plan SP140746	Sheets 7 and 13
Lot 200 on Plan SP150039	Sheet 38
That part of Lot 201 on Plan SP204666 which does not include an area identified as Road to be Closed between stations 2-3-8-9-12-13-2 on plan SP204666	Sheet 38
Lot 218 on Plan FT998	Sheet 17
Lot 219 on Plan LHDT40325	Sheet 20
Lot 220 on Plan L42331	Sheet 19
That part of Lot 25 on Plan LE28 excluding an area of constructed road 30 metres each side of the centreline A-B, as depicted on the map of the determination area	Sheet 10
Lot 26 on Plan FTY1165	Sheet 9
That part of Lot 28 on Plan FT313 excluding areas of constructed roads 15 metres each side of the centrelines A-B and C-D as depicted on the map of the determination area	Sheet 34
Lot 3 on Plan FT778	Sheet 28
Lot 3 on Plan SP104634	Sheet 38
Lot 32 on Plan AB108	Sheet 30
Lot 33 on Plan FT111	Sheet 35
Lot 35 on Plan FT923	Sheet 28
That part of Lot 36 on Plan FT339 excluding an area of constructed road 15 metres each side of the centreline A-B, as depicted on the map of the determination area	Sheet 29
Lot 37 on Plan LE195	Sheet 14
Lot 39 on Plan FTY604	Sheets 8 and 9
Lot 4 on Plan FT902	Sheet 29



Lot 40 on Plan CP899702	Sheet 37	
Lot 42 on Plan FT1021	Sheet 35	
Lot 43 on Plan AB222	Sheet 31	
Lot 44 on Plan FT855	Sheet 29	
Lot 46 on Plan FT94	Sheet 39	
That part of Lot 46 on FTY1813 which does not include Lot 1 on CP903548 and 13		Keymap and Sheets 6, 7, 12
Lot 46 on Plan USL45197	Sheet 18	
That part of Lot 5 on Plan FT312 excluding areas of constructed road 30 metres each side of the centrelines A-B and C-D as depicted on the map of the determination area		Sheet 29
Lot 5 on Plan FT971	Sheet 24	
Lot 5 on Plan LE34	Sheet 9	
Lot 5 on Plan TR839674	Sheet 12	
Lot 50 on AP19198	Sheets 1, 2, 6, 7 and 8	
Lot 50 on Plan FT991	Sheet 33	
Lot 51 on Plan FT491	Sheet 32	
Lot 56 on Plan FT919	Sheet 39	
Lot 57 on Plan FT901	Sheet 37	
Lot 58 on Plan FT1013	Sheet 37	
Lot 69 on Plan FT715	Sheet 32	
Lot 7 on Plan AB68	Sheet 27	
Lot 71 on Plan FT503	Sheet 31	
Lot 71 on Plan FT952	Sheet 38	
Lot 72 on Plan FT508	Sheet 32	
Lot 73 on Plan FT907	Sheet 31	
Lot 76 on Plan FT973	Sheet 38	
Lot 8 on Plan LE317	Sheets 3, 7, 8 and 9	
Lot 8 on Plan LE55	Sheet 13	
Lot 80 on Plan FT616	Sheet 32	
That part of Lot 807 on Plan PH1979 that is within the external boundary described in Part 5		Sheets 11 and 12
Lot 86 on Plan FT616	Sheet 32	
Lot 9 on Plan AB76	Sheet 16	
Lot 90 on Plan FT832	Sheet 32	
That part of Lot 91 on Plan FT320, excluding an area of constructed road 15 metres each side of the centreline		

A-B, C-D and E-F as depicted on the map of the determination area Sheet 32

Lot 5272 on Plan SP274283 Sheets 3, 4, 5, 8 and 9

Lot 780 on Plan SP272793 Sheets 7, 8 and 13

Lot 9 on Plan SP262435 Keymap and Sheet 26

Save for any waters forming part of a lot on plan, and save for any waters that fall within the Taroom Town Boundary Description or the Wandoan Town Boundary Description, all waterways natural lakes, creeks and rivers within the External Boundary Description described in Part 5.

**Part 3 – Non-Exclusive Town Areas - Taroom:**

All of the land and waters described in the following table and depicted in yellow on the determination map:

<b>Area Description (at date of determination)</b>	<b>Determination map reference</b>
That part of Lot 53 on Plan FT699 that is within the external boundary described in Part 5	Sheets 17 and 19
That part of Lot 221 on Plan T5012 that is within the external boundary described in Part 5	Sheets 17 and 19
Lot 10 on Plan T5020	Sheet 19
Lot 1 on Plan C8276	Sheet 20
Lot 11 on Plan CP853429	Sheet 19
Lot 126 on Plan FT882	Sheets 20 and 21
Lot 127 on Plan FT895	Sheets 20, 21 and 22
Lot 130 on Plan FT618	Sheet 21
Lot 144 on Plan SP173872	Sheets 17 and 19
Lot 3 on Plan T5018	Sheet 21
Lot 3 on Plan T5025	Sheet 19
Lot 36 on Plan FT807810	Sheet 19
Lot 54 on Plan FT570	Sheets 17 and 19
Lot 140 on Plan FT846	Sheets 17 and 19

Save for any waters forming part of a lot on plan, all waterways natural lakes, creeks and rivers within the Taroom Town Boundary Description described in Part 6 and that is also within the External Boundary Description described in Part 5.

**Part 4 – Non-Exclusive Town Areas - Wandoan:**

All of the land and waters described in the following table and depicted in pink on the determination map:

<b>Area Description (at date of determination)</b>	<b>Determination map reference</b>
Lot 1 on Plan SP130877	Sheet 38
Lot 10 on Plan W64125	Sheet 38
Lot 103 on Plan FT383	Sheet 38
Lot 12 on Plan W64139	Sheet 38
Lot 148 on Plan FT789	Sheet 38

Lot 153 on Plan FT843	Sheet 38
Lot 162 on Plan FT999	Sheet 38
Lot 163 on Plan FT999	Sheet 38
Lot 165 on Plan FT807	Sheet 38
Lot 26 on Plan FT662	Sheet 38
Lot 46 on Plan SP127543	Sheet 38
Lot 49 on Plan SP209359	Sheet 38
Lot 9 on Plan W64127	Sheet 38

Save for any waters forming part of a lot on plan, all waterways natural lakes, creeks and rivers within the Wandoan Town Boundary Description described in Part 7.

**Part 5 – External Boundary Description:**

[See NNTR attachment 1: “SCHEDULE 1 - DETERMINATION AREA - Part 5 – External Boundary Description:]

**Part 6 – Taroom Town Boundary Description:**

The Taroom Town Boundary Description means the land and waters bounded by the following description:

Commencing at the northernmost corner of Lot 23 on RP805169 then south-easterly along the south-western boundary of Tai Shue Street to its intersection with Taroom Street; then by a line to the westernmost corner of Lot 127 on FT895; then along the north-western, north-eastern and south-eastern boundaries of that lot, then along the south-eastern boundary of Lot 130 on FT618 and the south-eastern and south-western boundary of Lot 128 FT457 and then north-westerly along the south-western boundary of Lot 133 on FT895 to the intersection with the prolongation of northern boundary of Latimer Street; then by a line across Cromwell Street to the easternmost corner of Lot 44 on T5018; then south-westerly along the northern boundary of Latimer Street to the southernmost corner of Lot 3 on T5018; then south-easterly and south-westerly by the north-eastern and south-eastern boundaries of Lot 2 on T5037 to its southernmost corner, then by a line across Roma Taroom Road to the easternmost corner of Lot 217 on F403; then generally north-westerly along the western boundary of Roma Taroom Road to the northernmost corner of Lot 9 on T506; then by a line across Bonner Street to the southernmost corner of Lot 710 on T502; then north-westerly along the north-eastern boundary of Dawson Street to the southernmost corner of Lot 510 on T502; then south-westerly by a line across Dawson Street to a south-eastern corner of Lot 207 on T502; then south-westerly along the south-easterly boundaries of that lot and Lot 221 on T5012 to its southernmost corner; then westerly by a line across the Dawson River to a point on the western bank of that River at Longitude 149.791880° East, Latitude 25.643255° South being a point on the eastern boundary of the Leichhardt Highway; then generally north-westerly by the eastern boundary of the Leichhardt Highway to a point at Longitude 149.786301° East and Latitude 25.635887° South, then by a line in a north-easterly direction to the western boundary of Dawson River at Longitude 149.788531° East and Latitude 25.635132° South and then by a line in a north-easterly direction to the eastern boundary of Dawson River at Longitude 149.788788° East and Latitude 25.635065° South; then north-easterly, south-easterly and north-easterly direction along the northern boundaries of Lot 77 on FT136 to the westernmost boundary of Lot 140 on FT846 being a point on the south-eastern boundary of Rose Road; then by the south-eastern boundary of that road back to the point of commencement.

**Part 7 – Wandoan Town Boundary Description:**

The Wandoan Town Boundary Description means the land and waters bounded by the following description:

Commencing at the northern-most corner of Lot 94 on FT1017; then in a easterly, south-easterly and southerly direction along the northern and eastern boundary of that lot to its south-eastern corner; then by a line across Hamlyn Street to the easternmost corner of Lot 1 on W64115 and along a south-eastern boundary of that lot to the northernmost corner of Lot 165 on FT807; then south-easterly and southerly along the eastern boundaries of that lot and Lot 102 on SP235462 to the southernmost corner of Lot 102 on SP235462; then by a line across Lower North Street to the easternmost corner of Lot 101 on FT658 and generally southerly to the south-eastern corner of that lot; then generally westerly along the northern boundary of Royd Street to the westernmost corner of Lot 2608 on W64140; then by a line across Royd Street to the easternmost corner of Lot 2 on RP204587; then south-westerly and westerly along the south-eastern and southern boundaries of that lot to its south-western

corner; then by a line to the southernmost corner of Lot 137 on FT793; then by a line across Zupp Road to the northernmost corner of Lot 2 on RP170166; then generally south-easterly and south-westerly to the southernmost corner of that lot; then generally north-westerly direction along the north-eastern side of the Leichhardt Highway to the south-western corner of Lot 163 of FT999; then by a line across the Leichhardt Highway to the easternmost corner of Lot 46 on SP127543; then westerly and north-easterly by the southern and north-westerly boundaries to its northernmost corner; then by a line across Leichhardt Highway to the westernmost corner of Lot 108 on FT968 and along the north-western boundary of that lot to its northern-most corner; then by a line across Henderson Road to the westernmost corner of Lot 134 on FT649 and along the north-western and north-eastern boundaries of that lot; then continuing along a southern boundary of Lot 200 on SP150039 to the most northernmost corner of Lot 201 on SP204666; then generally south-westerly by the south-eastern boundary of Lane Street to its intersection with Henderson Road; then south-easterly by north-eastern boundary of that road to its intersection with West Street; then generally in a north-easterly direction along the north-western boundary of that street to the eastern most corner of Lot 5 on SP130877; then westerly by the northern boundary of that lot to its intersection with the south-eastern boundary of West Street; then northerly by the western boundary of Lot 1 on SP130877 to its north-western corner; then easterly by the northern boundaries of that lot and Lot 93 on W6415 to its intersection with a point on the western boundary of Lot 94 on FT1017; then northerly and easterly by the western and northern boundaries of that lot to its commencement point.

## **B. Map of Determination Area**

[See NNTR attachment 2: "Schedule 1B - Map of Determination Area"]

## **SCHEDULE 2 - AREAS NOT FORMING PART OF THE DETERMINATION AREA**

[See NNTR attachment 3: "SCHEDULE 2 - AREAS NOT FORMING PART OF THE DETERMINATION AREA"]

## **SCHEDULE 3 - NATIVE TITLE HOLDERS**

The native title holders are the Iman People. The Iman People are the descendants of one or more of the following people:

- (a) Mary Arwa;
- (b) Jim Waterton;
- (c) Ada Robinson;
- (d) Maggie Palmtree;
- (e) Lizzie Palmtree;
- (f) Eliza Shields;
- (g) Mary Ann (mother of Maggie Dunn);
- (h) Fanny Waddy/Sandy;
- (i) Dick Bundi/Bundai and Alice Dutton; or
- (j) the mother of John Serico (known as Aggie).

## **SCHEDULE 4 - 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 parties under the following agreements:
  - (a) the agreement entitled Santos, Petronas and Iman People #2 GLNG ILUA (QI2010/10) registered on the Register of Indigenous Land Use Agreements on 18 October 2010;
  - (b) the agreement entitled Australia Pacific LNG and Iman People ILUA (QI2011/025) registered on the Register of Indigenous Land Use Agreements on 11 November 2011;
  - (c) the agreement entitled APLNG and Iman People Fairview and Eurombah Creek Projects ILUA (QI2013/032) registered on the Register of Indigenous Land Use Agreements on 9 December 2013;

- (d) the agreement entitled ATP701P CSG ILUA (QI2002/044) registered on the Register of Indigenous Land Use Agreements on 8 August 2003;
- (e) the agreement between Richard Doyle, Patrick Silvester, Kenny Waterton, Eve Fesl, Eddie Waddy, Graham Anderson, Arwa Waterton, Cynthia Kemp, Bradley Curtis, Dena Marie Dodd-Ugle, Heidi Anne-Marie Lawson, Bevan Tull, Stuart White and Jason Jarro on their own behalf and on behalf of the Iman People and the Banana Shire Council, Central Highlands Regional Council, Maranoa Regional Council and Western Downs Regional Council as parties to the Iman People and Local Government ILUA (QI2015/012) registered on the Register of Indigenous Land Use Agreements on 14 September 2015;
- (f) the agreement between Richard Doyle, Patrick Silvester, Ken Waterton, Eve Fesl, Edward Waddy, Graham Anderson, Arwa Waterton, Cynthia Kemp, Bradley Curtis, Dena Marie Dodd-Ugle, Heidi Anne-Marie Lawson, Stuart White, Bevan Tull and Jason Jarro on their own behalf and on behalf of the Iman People #2 and Consolidated Pastoral Company Pty Limited as parties to the Iman People #2 Comely and Mapala ILUA dated 9 May 2016;
- (g) the agreement between Richard Doyle, Patrick Silvester, Ken Waterton, Eve Fesl, Edward Waddy, Graham Anderson, Arwa Waterton, Cynthia Kemp, Bradley Curtis, Dena Marie Dodd-Ugle, Heidi Anne-Marie Lawson, Stuart White, Bevan Tull and Jason Jarro on their own behalf and on behalf of the Iman People #2 and Eion Evan Atkins as parties to the Iman People #2 Coorada ILUA dated 11 May 2016;
- (h) the agreement between Richard Doyle, Patrick Silvester, Ken Waterton, Eve Fesl, Edward Waddy, Graham Anderson, Arwa Waterton, Cynthia Kemp, Bradley Curtis, Dena Marie Dodd-Ugle, Heidi Anne-Marie Lawson, Stuart White, Bevan Tull and Jason Jarro on their own behalf and on behalf of the Iman People #2 and Patrick Robert Scott, Joan Marjorie Cogill, William Robert Cogill and Kathleen Ann Harrison as parties to the Iman People #2 Glenleigh ILUA dated 16 June 2016;
- (i) the agreement between Richard Doyle, Patrick Silvester, Ken Waterton, Eve Fesl, Edward Waddy, Graham Anderson, Arwa Waterton, Cynthia Kemp, Bradley Curtis, Dena Marie Dodd-Ugle, Heidi Anne-Marie Lawson, Stuart White, Bevan Tull and Jason Jarro on their own behalf and on behalf of the Iman People #2 and Owen Arthur Price, Brigid Ann Price and Gail Lorraine Price as parties to the Iman People #2 Korcha ILUA dated 3 May 2016;
- (j) the agreement between Richard Doyle, Patrick Silvester, Ken Waterton, Eve Fesl, Edward Waddy, Graham Anderson, Arwa Waterton, Cynthia Kemp, Bradley Curtis, Dena Marie Dodd-Ugle, Heidi Anne-Marie Lawson, Stuart White, Bevan Tull and Jason Jarro on their own behalf and on behalf of the Iman People #2 and Andrew Douglas Simmons and Tracey Robin Simmons as parties to the Iman People #2 Woodine ILUA dated 26 April 2016;
- (k) the agreement between Richard Doyle, Patrick Silvester, Kenny Waterton, Eve Fesl, Eddie Waddy, Graham Anderson, Arwa Waterton, Cynthia Kemp, Bradley Curtis, Dena Marie Dodd-Ugle and Heidi Anne-Marie Lawson on their own behalf and on behalf of the Iman People #2; Elliot Anderson, Elizabeth Blucher, Robert Bond, Brian Clancy, Robert Clancy, Desmond Dodd, Annette Fuller, Elizabeth Law, Drew Millar, Marjorie Reid, Neil Saltner, Ivan Saltner, Celeste Williams, Jeffrey Williams and Jill Wilson on their own behalf and on behalf of the Wulli Wulli People, SunWater Limited (ACN 131 034 985) and the State of Queensland as parties to the Nathan Dam, Glebe Weir Raising and Pipelines Project ILUA dated 14 January 2013;
- (l) the agreement between Richard Doyle, Patrick Silvester, Kenny Waterton, Eve Fesl, Eddie Waddy, Graham Anderson, Arwa Waterton, Cynthia Kemp, Bradley Curtis, Dena Marie Dodd-Ugle, Heidi Anne-Marie Lawson, Stuart White, Jason Jarro and Bevan Tull on their own behalf and on behalf of the Iman People #2, the Minister for Economic Development Queensland and the State of Queensland as parties to the Wandoan and Taroom ILUA dated 3 December 2015; and
- (m) the agreement between Patrick Silvester, Kenny Waterton, Eve Fesl, Richard Doyle, Eddie Waddy, Graham Anderson, Cynthia Kemp, Arwa Waterton, Bradley Curtis, Dena Marie Dodd-Ugle, Heidi Anne-Marie Lawson, Stuart White, Bevan Tull and Jason Jarro on their own behalf and on behalf of the Iman People #2 QUD 6162/1998 and Ergon Energy Corporation Limited ACN 087 646 062 dated 15 December 2015.

2. The rights and interests of Santos TOG Corp, PAPL (Upstream) Pty Limited, Total E&P Australia, Total E&P Australia II, Santos TOGA Pty Ltd, KGLNG E&P Pty Ltd, Santos TPY CSG Corp, Santos QNT Pty Ltd, Santos TPY Corp and Santos Queensland Corp as holders of:

- (a) petroleum leases numbered 90, 91, 92, 99, 100, 232, 234, 235 and 236 granted under the *Petroleum Act 1923* (Qld);

- (b) an authority to prospect number 526 granted under the *Petroleum Act 1923* (Qld); and
- (c) petroleum pipeline licence number 76 granted under the *Petroleum Act 1923* (Qld) and administered under the *Petroleum and Gas (Production and Safety) Act 2004* (Qld).
3. The rights and interests of Santos GLNG Pty Ltd, PAPL (Downstream) Pty Limited and Total GLNG Australia as holders of petroleum pipeline licence number 166 granted under the *Petroleum and Gas (Production and Safety) Act 2004* (Qld).
4. The rights and interests of Santos TOGA Pty Ltd, PAPL (Upstream) Pty Limited, Total E&P Australia, Total E&P Australia II and KGLNG E&P Pty Ltd as holders of petroleum pipeline licence number 92 granted under the *Petroleum Act 1923* (Qld) and administered under the *Petroleum and Gas (Production and Safety) Act 2004* (Qld).
5. The rights and interests of Santos GLNG Pty Ltd, PAPL (Downstream) Pty Limited, Total GLNG Australia and KGLNG Liquefaction Pty Ltd as holders of petroleum pipeline licences numbered 118, 147, 164 and 193 granted under the *Petroleum and Gas (Production and Safety) Act 2004* (Qld).
6. The rights and interests of Total E&P Australia III, Bronco Energy Pty Limited, PAPL (Upstream II) Pty Limited and KGLNG E&P II Pty Ltd as holders of authority to prospect number 803 granted under the *Petroleum and Gas (Production and Safety) Act 2004* (Qld).
7. The rights and interests of Vamgas Pty Ltd, PAPL (Upstream II) Pty Limited, KGLNG E&P Pty Ltd, Total E&P Australia and Total E&P Australia II as holders of authority to prospect number 868 granted under the *Petroleum and Gas (Production and Safety) Act 2004* (Qld).
8. The rights and interests of PAPL (Upstream II) Pty Limited, Santos QNT Pty Ltd, Total E&P Australia, Total E&P Australia II, Vamgas Pty Ltd and KGLNG E&P Pty Ltd as holders of petroleum lease number 176 granted under the *Petroleum Act 1923* (Qld).
9. The right and interests of:
- (a) the holders under the following petroleum tenures and other petroleum authorities:
- (i) Australia Pacific LNG Pty Limited as the holder of petroleum leases numbered 408, 415, 416 and 417 administered under the *Petroleum and Gas (Production and Safety) Act 2004* (Qld);
- (ii) Australia Pacific LNG Pty Limited as the holder of authorities to prospect numbered 592, 606 and 692 and petroleum leases numbered 195, 209 and 220 granted under the *Petroleum Act 1923* (Qld) and administered under the *Petroleum and Gas (Production and Safety) Act 2004* (Qld);
- (iii) Australia Pacific LNG Pty Limited as the holder of petroleum lease number 203 granted and administered under the *Petroleum Act 1923* (Qld);
- (iv) Australia Pacific LNG CSG Marketing Pty Limited and Australia Pacific LNG Pty Limited as the holders of petroleum lease number 204 granted and administered under the *Petroleum Act 1923* (Qld);
- (v) Australia Pacific LNG Pty Limited and Australia Pacific LNG (Moura) Pty Limited as the holders of petroleum lease number 101 granted and administered under the *Petroleum Act 1923* (Qld);
- (vi) Australia Pacific LNG Gladstone Pipeline Pty Limited as the holder of pipeline licence number 163 granted and administered under the *Petroleum and Gas (Production and Safety) Act 2004* (Qld);
- (vii) Australia Pacific LNG CSG Transmissions Pty Limited as the holder of pipeline licences numbered 143 and 180 granted and administered under the *Petroleum and Gas (Production and Safety) Act 2004* (Qld); and
- (viii) Oil Company of Australia (Moura) Transmissions Pty Limited as the holder of pipeline licence number 90 granted under the *Petroleum Act 1923* (Qld) and administered under the *Petroleum and Gas (Production and Safety) Act 2004* (Qld);
- (b) Australia Pacific LNG Pty Limited arising under:
- (i) the Right to Negotiate Deed of Agreement dated 21 September 2010 regarding the proposed grant of Petroleum Lease Number 268 (in replacement of Petroleum Lease Number 203) under s 31(1)(b) of the *Native Title Act 1993* (Cth) between the State of Queensland, Patrick Silvester, Russell Tatow, Troy Noble, Cynthia Kemp, Eve Fesl, Fred Tull, Fergus Waterton, Richard Doyle and Madonna Barnes acting on their own behalf and

on behalf of the Iman People #2, Leslie Weribone, Alexandra Combarngo, David Combarngo, Phyllis Hopkins, Lorraine Tomlinson, Miranda Mailman, Sylvia McCarthy, Violet Costa, Sarah Trindall and Leigh Himstedt, acting on their own behalf and on behalf of the Mandandanji People and Australia Pacific LNG Pty Limited;

(ii) the Right to Negotiate Deed of Agreement dated 17 September 2010 regarding the addition of Excluded Land into Authority to Prospect 592 and any subsequent Petroleum Lease(s) under s 31(1)(b) of the *Native Title Act 1993* (Cth) between the State of Queensland, Patrick Silvester, Russell Tatow, Troy Noble, Cynthia Kemp, Eve Fesl, Fred Tull, Fergus Waterton, Richard Doyle and Madonna Barnes acting on their own behalf and on behalf of the Iman People #2, Leslie Weribone, Alexandra Combarngo, David Combarngo, Phyllis Hopkins, Lorraine Tomlinson, Miranda Mailman, Sylvia McCarthy, Violet Costa, Sarah Trindall and Leigh Himstedt, acting on their own behalf and on behalf of the Mandandanji People and Australia Pacific LNG Pty Limited;

(iii) the Agreement dated 1 July 2010 that is ancillary to the Deeds in paragraphs 9(b)(i) and 9(b)(ii) above between Australia Pacific LNG Pty Limited and Russell Tatow, Patrick Silvester, Cynthia Kemp, Eve Fesl, Troy Noble, Fred Tull, Fergus Waterton, Richard Doyle and Madonna Barnes, acting on their own behalf and on behalf of the Iman People #2;

(iv) the Right to Negotiate Deed of Agreement dated 10 December 2014 regarding the addition of further Excluded Land into Authority to Prospect 592 and any subsequent Petroleum Lease under s 31(1)(b) of the *Native Title Act 1993* (Cth) between the State of Queensland, Australia Pacific LNG Pty Limited, Richard Doyle, Patrick Silvester, Kenny Waterton, Eve Fesl, Eddie Waddy, Graham Anderson, Arwa Waterton, Cynthia Kemp, Bradley Curtis, Dena Marie Dodd-Ugle, Heidi Anne-Marie Lawson, Stuart White, Jason Jarro and Bevan Tull, acting on their own behalf and on behalf of the Iman People #2, Brendan Wyman, Patricia Fraser, Helen Coulahan, Sheryl Lawton, Keelen Mailman, Robert Raymond Robinson, Floyd Robinson, Randall Johnson and Robert Ernest Mailman acting on their own behalf and on behalf of the Bidjara People, Leslie Weribone, Wayne Weribone, Vincent Anderson, Tracy Landers, Theresa Manns, Rodney Landers, Neville Munn, Leigh Himstedt, Alexandra Combarngo, Jude Saldanha, Max MacDonald and Alex Costa acting on their own behalf and on behalf of the Mandandanji People; and

(v) the Agreement dated 2 December 2014 that is ancillary to the Deed in paragraph 9(b)(iv) above between Australia Pacific LNG Pty Limited, Richard Doyle, Patrick Silvester, Kenny Waterton, Eve Fesl, Eddie Waddy, Graham Anderson, Arwa Waterton, Cynthia Kemp, Bradley Curtis, Dena Marie Dodd-Ugle, Heidi Anne-Marie Lawson, Stuart White, Jason Jarro and Bevan Tull, being the Iman Applicant; and

(c) Origin Energy Resources Limited and Australia Pacific LNG Pty Limited arising under the Cultural Heritage Management Plan dated 11 June 2010 between Origin Energy Resources Limited and Russell Tatow, Patrick Silvester, Cynthia Kemp, Eve Fesl, Troy Noble, Fred Tull, Fergus Waterton, Richard Doyle and Madonna Barnes, the Endorsed Aboriginal Parties for and on behalf of the Iman People 2 Native Title Claim Group.

10. The rights and interests of Glencore Coal Queensland Pty Limited ACN 098 156 702:

(a) as the holder of exploration permits EPC 787, EPC 790, EPC 792, EPC 838, EPC 859, EPC 1143, EPC 1559, EPC 1615, EPC 1699 and EPC 2032 granted under the *Mineral Resources Act 1989* (Qld);

(b) as the holder of mineral development licences MDL 221, MDL 222, MDL 223, MDL 411, MDL 412, MDL 413, MDL 414 and MDL 449 granted under the *Mineral Resources Act 1989* (Qld);

(c) arising under the Cultural Heritage Management Plan Agreement - Wandoan Project between Glencore Coal Queensland Pty Ltd, ICRA Wandoan Pty Ltd, Sumisho Coal Australia Pty Limited and the applicant at the time for the Iman People, and under the decision of the Land Court of Queensland in the matter of *Xstrata Coal Queensland & Ors v Russell Tatow & Ors* [2008] QLC 0226;

(d) arising under the decision of the National Native Title Tribunal in the matter of *Russell Tatow & Ors (Iman People #2)/Xstrata Coal Queensland Pty Ltd, ICRA Wandoan Pty Ltd, Sumisho Coal Australia Pty Ltd/Queensland* [2010] NNTTA 54 (19 April 2010), and under the Mining Lease Consent Agreement for ML 50229 and ML 50231 between Russell Tatow, Patrick Silvester Cynthia Kemp, Eve Fesl, Troy Noble, Fred Tull, Fergus Waterton, Richard Doyle and Madonna Barnes acting on their own behalf and on behalf of the Iman People #2 native title claim group, Xstrata Coal Queensland Pty Ltd, ICRA Wandoan Pty Ltd and Sumisho Coal Australia Pty Limited; and

(e) arising under the Deed regarding the renewal of exploration permit(s) pursuant to s 31 of the *Native Title Act 1993* (Cth) for EPC 790 between Glencore Coal Queensland Pty Ltd (formerly Xstrata Coal Queensland Pty Ltd), ICRA Wandoan Pty Ltd (formerly ICRA RPW Pty Ltd) and Sumisho Coal Australia Pty Limited, the applicant at the time for the Iman People and the State of Queensland dated 8 May 2008 and the associated Exploration Permit Consent Agreement between Glencore Coal Queensland Pty Ltd (formerly Xstrata Coal Queensland Pty

Ltd), ICRA Wandoan Pty Ltd (formerly ICRA RPW Pty Ltd), Sumisho Coal Australia Pty Limited and the Iman People #2 native title claim group dated 7 December 2007.

11. The rights and interests of Jemena Queensland Gas Pipeline (1) Pty Ltd and Jemena Queensland Gas Pipeline (2) Pty Ltd as the holders of pipeline licence 30 granted under the *Petroleum Act 1923* (Qld).

12. The rights and interests of Telstra Corporation Limited ACN 051 775 556:

(a) as the owner or operator of telecommunications facilities installed 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 telecommunication facilities in and in the vicinity of the Determination Area in performance of their duties; and

(d) under any licence, lease, access agreement or easement relating to its telecommunications facilities in the Determination Area.

13. The rights and interests of Ergon Energy Corporation Limited 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); and

(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.

14. The rights and interests of Queensland Electricity Transmission Corporation Limited trading as Powerlink Queensland ACN 078 849 233 as an electricity entity exercising statutory functions, powers or rights and as the owner and operator of electricity transmission facilities and associated infrastructure situated upon the Determination Area, including but not limited to the right to enter upon the Determination Area.

15. The rights and interests of the State of Queensland, Banana Shire Council, Central Highlands Regional Council, Western Downs Regional Council and Maranoa Regional 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.

16. The rights and interests of Banana Shire Council, Central Highlands Regional Council, Western Downs Regional Council and Maranoa Regional Council:

(a) under their local government jurisdiction and functions under the *Local Government Act 2009* (Qld), the *Lands Protection (Pests 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 their respective local government area under the *Local Government Regulations 2012* (Qld);

(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, including as trustee of any reserves, that exist in the Determination Area;

(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) undedicated but constructed roads except for those not operated by Council;

(ii) water bores, water point facilities, water pipelines and other infrastructure for the supply of water;

(iii) drainage facilities; and

(iv) gravel pits;

(d) to enter the land for the purposes described in paragraphs (a), (b) and (c) above by their employees, agents or contractors to:

(i) exercise any of the rights and interests referred to in paragraph 16 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.

17. The rights and interests of SunWater Limited ACN 131 034 985 as the grantee of the following easements located within the Determination Area:

(a) Easement 716558819;

(b) Easement 716558797; and

(c) Easement 716558808.

18. 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 (Production and Safety) 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);

(i) the *Fire and Rescue Service Act 1990* (Qld) or *Ambulance Service Act 1991* (Qld); and

(j) the *Fisheries Act 1994* (Qld).

19. The rights and interests of members of the public arising from the common law, including but not limited to the following:

- (a) any subsisting public right to fish; and
- (b) the public right to navigate.

20. So far as confirmed pursuant to s 212(2) of the *Native Title Act 1993* (Cth) and s 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.

21. 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.

**REGISTER ATTACHMENTS:**

1. SCHEDULE 1 - DETERMINATION AREA - Part 5 - External Boundary Description - re-issued, 49 pages - A4, 24/08/2016
2. QCD2016\_005 Schedule 1B - Map of Determination Area - re-issued, 40 pages - A4, 24/08/2016
3. QCD2016\_005 SCHEDULE 2 - AREAS NOT FORMING PART OF THE DETERMINATION AREA - re-issued, 17 pages - A4, 24/08/2016

*Note: The National Native Title Register may, in accordance with s. 195 of the Native Title Act 1993, contain confidential information that will not appear on the Extract.*