



SCHEDULE THREE – OTHER INTERESTS IN THE NATIVE TITLE AREA

The Other Interests, as they exist at the date this Determination takes effect, are as follows:

1. Aboriginal Land Council Interests

- (a) The rights and interests of Coffs Harbour and District Local Aboriginal Land Council, including its right to the transfer of an estate in fee simple of Lot 1 in DP 620967, pursuant to the Aboriginal Land Agreement referred to in paragraph 2 of Schedule Two.
- (b) The rights and interests of Coffs Harbour and District Local Aboriginal Land Council as the holder of an estate in fee simple in Lot 1 in DP 1238642.
- (c) The rights and interests of Coffs Harbour and District Local Aboriginal Land Council pursuant to the Indigenous Land Use Agreement described in paragraph 3 of Schedule Two.

2. Fishing Interests

- (a) The rights of the holders from time to time of leases, licences and permits granted or issued under the *Fisheries Management Act 1994* (NSW) and regulations made under that Act.
- (b) Other rights and interests under the care, management and control of the New South Wales Department of Planning, Industry and Environment—Fisheries subject to the laws of the State of New South Wales and of the Commonwealth.
- (c) The rights of the New South Wales Department of Planning, Industry and Environment—Fisheries, and employees or agents of the same under the *Fisheries Management Act 1994* (NSW) and Regulations made under that Act.

3. Crown Lands Interests

- (a) The rights of the holders from time to time of leases, licences and permits granted or issued under the *Crown Land Management Act 2016* (NSW) and Regulations made under that Act.
- (b) Other rights and interests under the care, management and control of the New South Wales Department of Planning, Industry and Environment subject to the laws of the State of New South Wales and of the Commonwealth.

4. Local Government Interests



The rights and interests of the Bellingen Shire Council as a council under its local government jurisdiction and as an entity exercising statutory powers in respect of the land and waters within its local government area.

5. Other interests generally

- (a) Rights and interests, including licences and permits, granted by the Crown in right of the State of New South Wales or of the Commonwealth pursuant to statute or otherwise in the exercise of its executive power 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 the common law including but not limited to the public right to fish.
- (d) Rights and interests of members of the public arising under the Public Access Easement across Lot 1 in DP1238642.
- (e) So far as confirmed pursuant to sections 16 and 18 of the *Native Title (New South Wales) Act 1994* (NSW), any other existing public access to and enjoyment of:
 - (i) waterways;
 - (ii) the beds 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.
- (f) The rights of:
 - (i) an employee, agent or instrumentality of the State of New South Wales;
 - (ii) an employee, agent or instrumentality of the Commonwealth;
 - (iii) an employee, agent or instrumentality of any Local Government Authority,



to access the Native Title Area and carry out actions as required in the performance of his/her or its statutory or common law duty.