

Based on the reasoning of GAGELER CJ, GORDON, STEWARD AND GLEESON JJ, I will reconstruct their chain of arguments into a formal modus ponens structure:

1. If "right to mine" refers to all mining tenements issued under State and Territory laws, then it includes ancillary activities not confined to extraction. (Para 65-67)

"Right to mine" refers to all mining tenements issued under State and Territory laws. (Para 65-67)

Therefore, "right to mine" includes ancillary activities not confined to extraction.

2. If "right to mine" includes ancillary activities not confined to extraction, then ML 29881 constitutes a "right to mine". (Para 83)

"Right to mine" includes ancillary activities not confined to extraction.

Therefore, ML 29881 constitutes a "right to mine".

3. If ML 29881 constitutes a "right to mine", and its sole purpose is to construct the DSEA, then s24MD(6B)(b) of the Native Title Act applies. (Para 83)

ML 29881 constitutes a "right to mine" and its sole purpose is to construct the DSEA. (Para 83)

Therefore, s24MD(6B)(b) of the Native Title Act applies.

4. If s24MD(6B)(b) applies, and "infrastructure facility" bears its ordinary meaning, then the DSEA qualifies as an infrastructure facility. (Para 75-82)

S24MD(6B)(b) applies and "infrastructure facility" bears its ordinary meaning. (Para 75-82)

Therefore, the DSEA qualifies as an infrastructure facility.

5. If the DSEA qualifies as an infrastructure facility, then the appellants are entitled to the rights under s24MD(6B) of the Native Title Act. (Para 83-84)

The DSEA qualifies as an infrastructure facility.

Therefore, the appellants are entitled to the rights under s24MD(6B) of the Native Title Act.

6. If the appellants are entitled to the rights under s24MD(6B), then the appeal should be allowed. (Para 84)

The appellants are entitled to the rights under s24MD(6B).

Therefore, the appeal should be allowed.

Final Conclusion: The appeal is allowed, and the grant of ML 29881 is declared to be a future act that is the creation of a right to mine for the sole purpose of the construction of an infrastructure facility associated with mining within s24MD(6B)(b) of the Native Title Act. (Para 84)

This chain of arguments follows the reasoning presented in the judgment, with each conclusion becoming a premise for the subsequent argument, leading to the final disposition of the case.