

SCHEDULE 1 Land Description

1. Lesueur Island Nature Reserve

The **Lesueur Island Nature Reserve** comprises Lot 14 (Reserve 44678) on Landgate Deposited Plan 92402.

2. North Kimberley Intertidal (Balangarra Part) Area

The **North Kimberley Intertidal (Balangarra Part) Area** comprises all that portion of North Kimberley Marine Park (Balangarra Part) that is:

- a) seaward of the high water mark and landward of the lowest astronomical tide;
and
- b) includes all other onshore places.

3. North Kimberley Marine Park (Balangarra Part)

The **North Kimberley Marine Park (Balangarra Part)** comprises Western Australian waters, the airspace above those waters, the seabed below those waters, and the subsoil to a depth of two hundred metres below that seabed that are -

- a) contained within and bounded by a line:
 - i) commencing north of the Anjo Peninsula at the intersection of the northernmost north-eastern boundary of the Wanjina-Wungurr Uunguu Part A Native Title Determination Area and the seaward limit of the coastal waters of the State, and from that point;
 - ii) extending generally north-easterly and generally south-easterly along that limit, past Cape Londonderry and Lesueur Island, into Joseph Bonaparte Gulf and past King Shoals, to the point at the intersection of that limit and the prolongation north of the easternmost boundary of the Balangarra Combined Determination Area;
 - iii) thence southerly along that prolongation and along that boundary, and continuing south-westerly along that boundary to the point between Cape Domett and Lacrosse Island located at the intersection of that boundary and the northern-eastern boundary of the Wyndham Port Area at the mouth of Cambridge Gulf;
 - iv) thence north-westerly along the boundary of that port to the point at the intersection of that boundary and the lowest astronomical tide on Lacrosse Island;

- v) thence generally easterly, generally north-westerly and generally south-easterly along that tide line to the point at the intersection of that tide line and the boundary of the Wyndham Port Area on the south-western side of that island;
- vi) thence westerly along that boundary to the point at the intersection of that boundary and the high water mark at the southern extremity of Cape Dussejour;
- vii) thence generally north-easterly along that water mark around Cape Dussejour, and continuing along that water mark generally north-westerly, generally westerly, and again generally north-westerly, and along the high water mark of all attached bays, inlets, estuaries, rivers and creeks, past Buckle Head, Reveley Island, Elsie Island, Bertram Cove, Koolama Bay and Glycosmis Bay to Cape Londonderry;
- viii) thence generally south-westerly continuing along that water mark, and along the high water mark of all attached bays, inlets, estuaries, rivers and creeks, to Cape Talbot;
- ix) thence generally south-easterly continuing along that water mark, and along the high water mark of all attached bays, inlets, estuaries, rivers and creeks, to Curran Point;
- x) thence generally south-easterly continuing along that water mark up the north-eastern bank of the Drysdale River, and along that water mark up and down the banks of the north-eastern arm of that river to the mouth of the south-western arm of that river;
- xi) thence generally south-easterly, generally north-westerly and generally westerly along that water mark up the bank of that south-western arm to the point at the intersection of that water mark and longitude 126°55'48" east that is nearest latitude 14°01'31.80" south;
- xii) thence north along that longitude to the point at the intersection of that longitude and the high water mark on the northern bank of that arm of that river;
- xiii) thence generally easterly, generally south-easterly and generally north-westerly along that water mark down the bank of that river's south-western arm back to the mouth of that arm;

- xiv) thence generally westerly along the high water mark of the southern bank of the Drysdale River, and along the high water mark of all attached bays, inlets, estuaries and creeks, to Beauty Point;
- xv) thence generally westerly and generally south-westerly along that water mark, past Galley Point, Mission Bay and Bluff Point, and along the high water mark of all attached bays, inlets, estuaries, rivers and creeks, to the point at the intersection of that water mark and the boundary of the Balangarra Combined Determination Area in Monger Creek;
- xvi) thence generally northerly, westerly and northerly along that boundary to the northernmost western point of that boundary;
- xvii) thence north-westerly along the northernmost north-eastern boundary of the Wanjina-Wunggurr Uunguu Part A Native Title Determination Area to the point of commencement; and

b) within that line:

- i) excludes Lot 21 (part Reserve 21675) on Landgate Deposited Plan 241779;
- ii) excludes Lot 41 (part Reserve 21675) on Landgate Deposited Plan 193297;
- iii) excludes Lot 42 (part Reserve 21675) on Landgate Deposited Plan 193298;
- iv) excludes Lot 1549 (Carson River Station) on Landgate Deposited Plan 68249;
- v) excludes Lot 11(Reserve 13873) on Landgate Deposited Plan 241772;
- vi) excludes Lot 13 and Lot 14 (Lesueur Island) on Landgate Deposited Plan 92402;
- vii) seaward of the high water mark of all other islands.

4. North Kimberley Marine Park (Offshore) Area

The **North Kimberley Marine Park (Offshore Area)** comprises all that portion of North Kimberley Marine Park (Balangarra Part) that is:

- a) seaward of the lowest astronomical tide and landward of the limit of the coastal waters of the State; and
- b) excludes all onshore places.

5. Sir Graham Moore Islands National Park Area

The Sir Graham Moore Islands National Park Area comprises all islands landward of high water mark within the area bounded by the following co-ordinates:

| LATITUDE (SOUTH) | LONGITUDE (EAST) |
|---------------------|---------------------|
| 13°51'00" | 126°30'00" |
| 13°51'00" | 126°38'30" |
| 13°55'00" | 126°38'30" |
| 13°55'00" | 126°30'00" |

NOTES:

- 1) All geographic coordinates are expressed in terms of the Geocentric Datum of Australia 1994 (GDA94).
- 2) All referenced Deposited Plans are held by the Western Australia Land Information Authority, trading as Landgate.
- 3) **Balangarra Combined Determination Area** means the area the subject of the determination of native title made by the Federal Court of Australia in *Cheinmora v State of Western Australia (No 2)* [2013] FCA 768.
- 4) Boundary positions as described are subject to survey.
- 5) **coastal waters of the State** has the meaning given to that term in the *Coastal Waters (State Powers) Act 1980* (Commonwealth) section 3(1).
- 6) **high water mark** means the ordinary (mean of) high water mark at spring tides as defined in the *Land Administration Act 1997* section 3(1).
- 7) **lowest astronomical tide** means the lowest tide level which can be predicted to occur under average meteorological conditions and under any combination of astronomical conditions.
- 8) **onshore place** has the meaning given to that term in the *Native Title Act 1993* (Commonwealth) section 253.
- 9) **Wanjina-Wunggurr Uunguu Part A Native Title Determination Area** means the area the subject of the determination of native title made by the Federal Court of Australia in *Goonack v State of Western Australia* [2011] FCA 516.
- 10) **Western Australian waters** means all waters -
 - a) that are within the limits of the State; or
 - b) that are *coastal waters of the State*.

- 11) **Wyndham Port Area** has the meaning given to that term in the *Marine and Harbours (Port of Wyndham) Proclamation 2015*, Government Gazette of Western Australia, 17 July 2015, pp 2882-2883.