

Schedule 2

AREAS NOT FORMING PART OF THE DETERMINATION AREA

The following areas of land and waters are excluded from the Determination Area.

Part 1 — Excluded as PEPAs

1. Those land and waters within the External Boundary described in Part 3 of Schedule 1A, which at the time the native title determination application was made:
 - (a) were the subject of one or more Previous Exclusive Possession Acts, within the meaning of s 23B of the *Native Title Act 1993* (Cth); and
 - (b) to which none of ss 47, 47A or 47B of the *Native Title Act 1993* (Cth) applied at the time of the native title determination application;are excluded from the Determination Area as they could not be claimed in accordance with s 61A of the *Native Title Act 1993* (Cth).

2. The determination area does not include land and waters on which any public work, as defined in s 253 of the *Native Title Act 1993* (Cth), is constructed, established, or situated, and to which ss 23B(7) and 23C(2) of the *Native Title Act 1993* (Cth) and/or s 21 of the *Native Title (Queensland) Act 1993* (Qld) applies, together with any adjacent land or waters in accordance with s 251D of the *Native Title Act 1993* (Cth).

Part 2 – Excluded by ILUA

1. Lot 23 on SP126363, being an area where native title is extinguished pursuant to Abraham Muriata on his own behalf and on behalf of the Girramay People, Girramay People Aboriginal Corporation, Cassowary Coast Regional Council and State of Queensland ILUA, National Native Title Tribunal reference number Q12009/067, registered on 25 May 2010.