

SCHEDULE THREE

Areas Where Native Title Does Not Exist

Native title does not exist in relation to land and waters the subject of the following interests within the Determination Area which, with the exception of public works, are generally shown as shaded green on the maps at Schedule Two:

1. Freehold

Grants of estates in fee simple within the Determination Area including the following:

CT 167/171	CT 210/102	CT 226/35	CT 226/36	CT 230/48
CT 240/136	CT 280/199	CT 298/120	CT 330/10	CT 392/20
CT 417/178	CT 808/116	CT 812/100	CT 1138/459	CT 1350/131
CT 1353/437	CT 1353/438	CT 1353/439	CT 1355/83	CT 1356/492
CT 1359/240	CT 1359/241	CT 1552/215	CT 1559/184	CT 1609/67
CT 1775/905	CT 1775/906	CT 1775/907	CT 1778/133	CT 1827/357
CT 1863/245	CT 1863/246	CT 1894/969	CT 1933/474	CT 1948/690
CT 1972/626	CT 1996/39	CT 2032/533	CT 2034/467	CT 2034/468
CT 2034/469	CT 2034/470	CT 2057/200	CT 2080/776	CT 2135/846
CT 2135/847	CT 2135/848	CT 2140/521	CT 2169/202	CT 2210/57
CT 2521/507	CT 2786/97	CT 2803/668	CT 2821/213	CT 2835/54
CT 2848/937	CT 2048/670 (now Reserve 49452)	CT 2048/671 (now Reserve 49451)		

2. Reserves

- a. The following reserves vested pursuant to s 42 of the *Land Act 1898* (WA) (repealed) or s 33 of the *Land Act 1933* (WA) (repealed):

Reserve No.	Current/Last Purpose
2648	Resting Place for Travellers and Stock
27632	Primitive Area for Preservation and Study of Flora, Fauna, Geological and Anthropological Features
35226	Maintenance Depot Main Roads Department
35979	Police
35980	Use and requirements of the Government Employees Housing Authority
36205	National Park and Preservation of Historic Sites [Eucla National Park]
37493	Depot Site
40660	Maintenance Depot (M.R.D.)
42892	Rubbish Disposal Site
43166	Regenerator Site
44119	Regenerator Site

44430	Fire Station Site
51783	Government Employee Housing (previously portion of Reserve 35979)

- b. The following reserves created following taking of all interests in accordance with ss 177 and 178 of the *Land Administration Act 1997*:

Reserve No.	Current / Last Purpose
51726	Future School Site

- c. The following reserves created following taking of all interests in accordance with ss 177 and 178 of the *Land Administration Act 1997*:

Reserve No.	Current / Last Purpose
45651	Quarrying and Stockpiling (Taking Order YA H124964)
46077	Recreation and Community Purposes (Taking Order YA I412111)
46482	Automatic Weather Station Site (Taking Order YA H613881)

3. Leases

- a. The following Special Leases granted pursuant to s 116 or s 117 of the of the *Land Act 1933 (WA)* (repealed):

Lease No.	Current/Last Purpose
3116/2143	Wayside Inn (now portion of PL 50310)
3116/2540	Motel and Service Station (now portion of UCL 4)
3116/9883	Residence and Grazing (now portion of Reserve 51727)
3116/10817	Hotel, Motel, Service Station Site (now CT 2169/202)

- b. The following lease granted pursuant to s 32 of the *Land Act 1933(WA)* (repealed):

Lease No.	Current/Last Purpose
332/531	Reserve 9256 for Water (Bore Site No. 3)

- c. The following lease granted pursuant to s 10 of the *Land Act Amendment Act 1905 (WA)* (repealed):

Lease No.	Current/Last Purpose
276/41A	Portion of Reserve 8831 (now portion of UCL 9)

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- d. The following lease granted pursuant to section 79 of the *Land Administration Act 1997 (WA)*:

Lease No.	Current/Last Purpose
GE L394131	Uses associated with Roadhouse/Motel

4. Roads

Dedicated roads, roads set aside, taken or resumed or roads which are to be considered public works (as that expression is defined in the *Native Title Act* and the *Titles (Validation) and Native Title (Effect of Past Acts) Act 1995 (WA)*), including the following:

MapInfo ID	Public Road Number/Name (where known)	Townsite	Shown in
Roads 1 - 12	Eyre Highway (Road 15925)		DPs 10176 - 10187
Road 14	Eyre Highway (Road 15925)		DP 181150 and DP 171951
Road 15	Eucla-Reid Road	Eucla	DP 191284
Road 16	Yurkla Way extension and Baxter Road	Eucla	DP 191462
Road 17	Eyre Highway (Road 15925)		DP 194101
Road 18	Eyre Highway (Road 15925)		DP 214328
Road 19	Wylie Place, Stewart Crescent, Yurkla Way, Gurney Way and Starling Drive	Eucla	DP 216081
Road 20	Eyre Highway (Road 15925)		DP 182122
Road 21	Eyre Highway (Road 15925)		DP 182768
Road 22	Roads in Old Eucla Townsite	Old Eucla	CPP 504233
Road 23	Road No. 7059 south-west from Forrest Station on the Great Western Railway to Mundrabilla Homestead		CPPs 502902 and 502852

5. Former Roads

MapInfo ID	Description	Shown in
Historical Road 1	Old Eucla townsite roads	DP 222414
Historical Road 2	Eyre Highway	DP 10186
Historical Road 5	Portion of The Esplanade, Old Eucla Townsite (now UCL 176)	DP 181159
Historical Road 6	Eyre Highway (portion traversing Pastoral Lease N050310)	DP 10178
Historical Road 7	Eyre Highway (portion traversing Pastoral Lease N050310)	DP 10180
Historical Road 8	Eyre Highway	CPP 502853
Historical Road 9	Eyre Highway	CPP 502847
Historical Road 10	Portion of The Esplanade, Old Eucla Townsite (now UCL 15)	CPP 600108

6. Public Works

Any other public works as that expression is defined in the *Native Title Act* and the *Titles (Validation) and Native Title (Effect of Past Acts) Act 1995 (WA)* (including the land and waters on which a public work is constructed, established or situated as described in section 251D of the *Native Title Act*) and to which section 12J of the *Titles (Validation) and Native Title (Effect of Past Acts) Act 1995 (WA)* or section 23C(2) of the *Native Title Act* applies.

7. Unallocated Crown Land

Mapinfo No.	Area/s subject to current or historical interest/s that extinguished native title and over which s47B NTA does not apply
Portion of UCL 4	Special Lease 3116/2540 and Historical Road 9
Portion of UCL 9	Lease 276/41A and Historical Road 9
UCL 15	Historical Road 10
UCL 26	CT 328/31
UCL 46	CT 306/15
UCL 47	CT 319/42
UCL 73	CT 321/164
UCL 165	Surrender of native title rights and interests pursuant to Mirning ILUA – see 8 below
UCLs 167 – 174 inclusive	CT 1088/545 (cancelled 14 January 2003)
UCL 176	Historical Road 5
UCL 182	Surrender of native title rights and interests pursuant to Mirning ILUA – see 8 below

8. ILUA Areas

Areas where native title rights and interests have been surrendered pursuant to clauses 3.2 and 3.10 of the Mirning People Indigenous Land Use Agreement registered 19 February 2014.

Lot No.	Proposed Use
Lot 225 on Deposited Plan 220083 (portion of Reserve 37570)	Residential Site Land
Lot 224 on Deposited Plan 220083 (UCL 165)	Residential Site Land
Lot 372 on Deposited Plan 66257 (UCL 182)	Industrial Site Land