

SCHEDULE 1. Land Description

Land Description

The **Eighty Mile Beach Marine Park (Ngarla Part)** comprises Western Australian waters, the airspace above those waters, the seabed below those waters, and the subsoil to a depth of 200 metres below that seabed that are –

a) contained within and bounded by a line:

- commencing at the intersection of the seaward limit of the coastal waters of the State and the easternmost boundary of the Ngarla Determination Area A, that boundary being the geodesic joining the point at latitude 19°27'19.062" south longitude 120°02'26.7756" east and the point at latitude 20°01'47.19" south longitude 120°03'10.8576" east; and
- extending southerly along that boundary to the point at the intersection of that boundary and the high water mark;
- thence generally south-westerly along the high water mark, and along the high water mark of the intertidal creeks, to the point at the intersection of that water mark and the easternmost south-eastern boundary of Reserve 39135 as shown on Landgate Deposited Plan 216173;
- thence north-easterly along that boundary to the low water mark boundary of that reserve, and continuing generally north-westerly, generally westerly, and generally south-westerly along that low water mark boundary, and along the low water mark boundary of Road Number 4274 and Reserve 12297 (Vermin Proof Fence), to the westernmost south-western boundary of Reserve 39135, and further continuing south-easterly and again north-easterly along the boundary of that reserve to the point at the intersection of that boundary and the high water mark in Blaze Bay (unofficial name);
- thence generally easterly along the high water mark to the point at the intersection of that water mark and the geodesic joining the point at latitude 20°01'06" south longitude 119°45'24" east and the point at latitude 20°01'18" south longitude 119°45'54" east;
- thence south-easterly along that geodesic to the point at latitude 20°01'18" south longitude 119°45'54" east;

- thence south along that longitude to the point at the intersection of that longitude and latitude 20°01'24" south;
- thence south-westerly along the geodesic to the point at latitude 20°02'24" south longitude 119°45'00" east;
- thence south along that longitude to the point at the intersection of that longitude and the high water mark;
- thence generally south-westerly along the high water mark, and excluding the intertidal portion of the unnamed road reserve that connects Noba Well to Pardoo Homestead, and excluding the intertidal portion of Lot 116 (part Reserve 9697 – Stock Route) as shown on Landgate Deposited Plan 240321, to the point at the intersection of that water mark and longitude 119°40'18" east;
- thence north along that longitude, excluding the intertidal portion of that unnamed road reserve, and along the high water mark where that water mark intersects and extends east of that longitude, to the intersection of that longitude and the high water mark at the point nearest latitude 20°02'48" south;
- thence generally north-easterly (past Banningarra Spring), generally north-westerly, generally south-westerly (past Red Point) and generally easterly along the high water mark to the point at the intersection of that water mark and the geodesic joining the point at latitude 20°04'01.2" south longitude 119°37'52.2" east and the point at latitude 20°04'09" south longitude 119°37'43.8" east;
- thence south-westerly along that geodesic to the point at the intersection of that geodesic and the high water mark;
- thence generally north-westerly, generally south westerly, generally westerly and again generally north-westerly along the high water mark, and along the high water mark of the intertidal creeks including Pardoo Creek and Mulla Mulla Down Creek, and continuing generally north-easterly and generally north-westerly along the high water mark to the point at the intersection of that water mark and longitude 119°28'18" east;
- thence north along that longitude to the point at the intersection of that longitude and the seaward limit of the coastal waters of the State;
- thence generally north-easterly, generally south-easterly and again generally north-easterly along that limit to the point of commencement; and

b) within that line, seaward of the high water mark of all land.

The **Eighty Mile Beach Marine Park Intertidal Area** comprises Western Australian waters, the airspace above those waters, the seabed below those waters, and the subsoil to a depth of 200 metres below that seabed that are seaward of the high water mark and landward of the lowest astronomical tide of all land contained within the Eighty Mile Beach Marine Park (Ngarla Part).

NOTES:

- 1) All geographic coordinates are expressed in terms of the Geocentric Datum of Australia 1994 (GDA94).
- 2) "Western Australian waters" means all waters -
 - a) that are within the limits of the State; or
 - b) that are "coastal waters of the State".
- 3) "coastal waters of the State" has the meaning given to that term in the *Coastal Waters (State Powers) Act 1980* (Commonwealth) section 3(1).
- 4) "Ngarla Determination Area A" has the meaning given to the term "Determination Area A" in the Federal Court of Australia *Brown (on behalf of the Ngarla People) v State of Western Australia* [2007] FCA 1025 page 16.
- 5) "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).
- 6) "lowest astronomical tide" means the lowest level to which the sea level can be predicted to fall under normal meteorological conditions.

The **Jarrkurnpang Nature Reserve Area** comprises all those lands and waters commencing at the intersection of the high water mark with the eastern boundary of Native Title Determination WAD6185/1998 Ngarla and Ngarla 2 (Area A) (WC1999/026) and extending southerly along the eastern boundary of that native title determination to the intersection with a southern boundary of Lot 855 as shown on Deposited Plan 70855 being a portion of Pastoral Lease 3114/446 (Pardoo); Then generally southwesterly along boundaries of that lot to an eastern boundary of Reserve 39135; Then northeasterly along the boundary of that reserve to the intersection with the high water mark and then generally northeasterly along that high water mark, and along the high water mark of all intertidal creeks, back to the commencement point.

Note:

- 1) Geographic Coordinates provided in Decimal Degrees.
- 2) All referenced Deposited Plans and Diagrams are held by the Western Australian Land Information Authority, trading as Landgate
- 3) Cadastral boundaries sourced from Landgate's Spatial Cadastral Database dated 01/05/2014.

Use of Coordinates:

Where coordinates are used within the description to represent cadastral or topographical boundaries or the intersection with such, they are intended as a guide only. As an outcome to the custodians of cadastral and topographic data continuously recalculating the geographic position of their data based on improved survey and data maintenance procedures, it is not possible to accurately define such a position other than by detailed ground survey.