

**SCHEDULE THREE**

**AREAS WHERE NATIVE TITLE RIGHTS AND INTERESTS DO NOT EXIST**

As at 26 February 2015 native title rights and interests do not exist in relation to the land and waters the subject of the following interests within the Determination Area which, with the exception of public works (as described in clause 5 of this Schedule), are generally shown as shaded pink on the maps in Schedule Two.<sup>Note</sup>

**1. Freehold**

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

Freehold No.	Freehold No.	Freehold No.	Freehold No.
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CT0051700113A	CT0062200103A	CT0062200131A	CT0062200173A

Note: For the avoidance of doubt, the interests set out in this Schedule merely describe the areas where native title does not exist. These interests may not necessarily have extinguished native title themselves but may describe areas where native title has been extinguished by the grant of a prior historical interest or, in the case of interests within the townsite of Dampier, areas where native does not exist as a result of the findings of Nicholson J in *Daniel v Western Australia* [2003] FCA 666 in respect of the Burnup (findings upheld by the Full Court of the Federal Court in *Moses v Western Australia* (2007) 160 FCR 148).

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S027420	S033138	S035738	S040709
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S042209	S048521	S058278	S062435
S042665	S048539	S058294	S063188
S045025	S048542	S059280	S063192
S045026	S050847	S059771	
S045535	S052217	S059923	

## 2. Leases

Lease No.	Current / Last Purpose
<b>General Leases</b>	
GE H120116	Light Industry
GE H148884	Light Industry
GE I150585	Depot and Workshop
GE I389922	Light Industry
GE J598104	Storage of Landscaping Materials and Parking
GE J757356	Light Industry
GE J805409	Light Industry
GE K066360	Light Industry
GE K200126	Transient Workforce Accomodation
GE K395501	Transient Workforce Accomodation
GE K652865	Laydown and Storage
GE L190426	Light Industry
<b>Special Leases</b>	
3116/03468	The laying out, development, operation and use of a townsite

Lease No.	Current / Last Purpose
3116/03907	The extension of the port townsite and all works, facilities and services ancillary to the said port townsite
3116/04629	The carrying on of mining operations including the layout, development, operation and use of a township and other works, facilities and services
3116/09418	Service Trades
3116/10044	Car Park

### 3. Reserves

Reserve No.	Current / Last Purpose
23663 (part) <sup>1</sup>	Caravan Park and Camping
24193	Camping
23664	Recreation
26415	Government Requirements
27673 (part) <sup>2</sup>	Harbour Purposes
30105	Depot Site
30161	Water Supply
30602	School Education Act 1999
30707 (part) <sup>3</sup>	Police
30979	Depot Site
31274	Caravan Park
31704	Sewerage Pumping Station
31807	Sewerage Pumping Station
31808	Reservoir Public Works Department
31834	Remote Control Radio Station Site
32144	Nursery
32197	Effluent Storage and Disposal
32320	Recreation and Playing Fields
32335	Parklands, Recreation, Drainage and Public Infrastructure

<sup>1</sup> To the extent extinguishment has not been disregarded pursuant to section 47B of the *Native Title Act 1993*: see clause 8 and Schedule Four.

<sup>2</sup> To the extent extinguishment has not been disregarded pursuant to section 47B of the *Native Title Act 1993*: see clause 8 and Schedule Four.

<sup>3</sup> That portion of Reserve 30707 vested pursuant to section 33 of the *Land Act 1933 (WA)* on 4 May 1990.

<b>Reserve No.</b>	<b>Current / Last Purpose</b>
33024	Hall Site Boy Scouts and Girl Guides
33165	Ambulance Sub Centre
33357	Monument and Recreation
33358	Pedestrian Access Way
33518	Club and Club Premises Site
33666	Drainage
33875	Public Buildings
34105	Purpose of the Vocational Education and Training Act 1996
34248	Requirements of the School Education Act 1999
34398	Ambulance Depot
34402	Pedestrian Access Way
34404	Drain and Pedestrian Access Way
34405	Drain and Parkland
34407	Parkland and Drainage
34409	Drain
34417	Pedestrian Access Way
34835	Drain and Pedestrian Access Way
34836	Drain and Pedestrian Access Way
35049	Housing Medical Department
35097	Tree Nursery
35098	Sewage Treatment Works and Access Thereto
35139	Emergency Services Centre
35210	Pedestrian Access Way and Drainage
35219	Depot Site
35269	Drainage and Parking
35422	Drainage Sump Site
35502	Recreation
35670	Recreation
35838	Recreation
35972	Recreation Golf Course
35973	Pipeline
35999	Church Site

<b>Reserve No.</b>	<b>Current / Last Purpose</b>
36001	Church Purposes
36362	Arts and Crafts Centre
36386	Government Requirements State Energy Commission
36458	Parks and Recreation
36525	Sewage Pumping Station
36565	Drain
36592	Park
36689 (part) <sup>4</sup>	State Energy Commission Sub Station Site
36777	Primary School Site
36952	Recreation
37084	Hospital and Allied Purposes
37085	Purposes of the Vocational Education and Training Act 1996
37089	Depot Site
37173	Pumping Station Site
37370	Club and Club Premises
37491	Pumping Station
37571	Housing Medical Department
37659	Park
37749	Sewerage Pumping Station Site
38153	Parklands and Drainage
38154	Parklands and Drainage
38256	Parklands and Drainage
38424	Residential Purposes Department of Community Welfare
38918	Day Care Centre
38919	Recreation
38920	Recreation
38921	Child Health Centre
39027	Harbour Purposes
39116	Parkland and Drainage
39224	Launching Ramp and Parking
39869	Housing (Health Department)

<sup>4</sup> That portion of Reserve 36689 consisting of Lot 2593 on Plan 183369.



<b>Reserve No.</b>	<b>Current / Last Purpose</b>
40041	Parkland, Drainage and Public Infrastructure
40080	Parkland and Drainage
40081	Parkland and Drainage
40185	Club and Club Premises
40196	Park, Drainage and Parking
40313	Park and Drainage
40314	Park and Drainage
40378	Purpose of the School Education Act 1999
40638	Community Purposes
40705	Padmount Site
40706	Padmount Site
40707	Padmount Site
40708	Padmount Site
40876	Recreation
40987	Padmount Site
40988	Padmount Site
40989	Padmount Site
40990	Padmount Site
41119	Drainage
41120	Sewage Pumping Station
41121	Padmount Site
41148	Recreation
41251	Church Purposes
41453	Pedestrian Access Way
41832	Padmount Site
41833	Padmount Site
41834	Padmount Site
41835	Drainage
41836	Drainage
41837	Pedestrian Access Way
41838	Recreation
42159	Drainage

<b>Reserve No.</b>	<b>Current / Last Purpose</b>
42175	Hall Site
42336	Padmount Site
43292	Boat Ramp
43293	Car Park
43294	Drainage
43295	Recreation
43425	Public Recreation
43715	Aged Persons Accomodation
43992	Community Centre
44015	Sewage Pumping Station
44467	Recreation and Aquatic Centre
45053	Boat Shed and Storage
45196	Depot Site
45491	Access
45496	Parking and Outdoor Display Area
46678	Recreation
46828	Drainage
46901	Recreation and Drainage
46938	For the Purposes of the School Education Act 1999
47019	Recreation
48585	Drainage
48594	Drainage
48595	Drainage
48596	Drainage
48597	Drainage
48598	Drainage
48599	Drainage
48600	Drainage
48792	Recreation
48793	Recreation and Drainage
48798	Recreation
48799	Drainage

Reserve No.	Current / Last Purpose
48949	Drainage
48950	Public Recreation
48951	Drainage
48952	Drainage and Public Recreation
48953	Drainage
48995	Public Recreation
48996	Drainage
49551	Drainage
50112	Community Purposes
50903	Recreation and Aquatic Centre
51041	Community Centre

#### 4. Dedicated Roads and roads set aside, taken or resumed

MapInfo ID	Description	Townsite	Shown in
CLRD 1	Portion of Stove Court	Karratha	DP 214775 GG 08/04/1988
CLRD 2		Point Samson	GG 30/03/1962 CPP 505018
CLRD 3	Millars Road (Road No. 15445)	Karratha	GG 04/09/1981 DP 213104 DP 214698 DP 215011
CLRD 4		Karratha	GG 13/01/1989 DP 216943
ROAD 001	Portion of Samson Road	Point Samson	IDP 168129
ROAD 002	Portion of Owen Road	Karratha	DP 175319
ROAD 003	Portions of Wickham Road and Mulga Way	Wickham	DP 175534
ROAD 004	Portions of McCourt Way and Pringle Way	Wickham	DP 180419
ROAD 005	Portions of Cliff St, Mears Drive, Fisher Street and McCourt Street	Point Samson	DP 18934
ROAD 006	Several roads in Karratha Townsite	Karratha	DP 211473
ROAD 007	Several roads in Karratha Townsite	Karratha	DP 211474
ROAD 008	Several roads in Karratha Townsite	Karratha	IDP 211475

<b>MapInfo ID</b>	<b>Description</b>	<b>Townsite</b>	<b>Shown in</b>
ROAD 009	Several roads in Karratha Townsite	Karratha	DP 211476
ROAD 010	Several roads in Karratha Townsite	Karratha	DP 211477
ROAD 011	Several roads in Karratha Townsite	Karratha	DP 211478
ROAD 012	Several roads in Karratha Townsite	Karratha	DP 211479
ROAD 013	Several roads in Karratha Townsite	Karratha	DP 211480
ROAD 014	Several roads in Karratha Townsite	Karratha	DP 211504
ROAD 015	Portion of Karratha Road and various other roads in Karratha Townsite	Karratha	DP 211740
ROAD 016	Several roads in Karratha Townsite	Karratha	DP 211741
ROAD 017	Portion of Coolawanyah Road	Karratha	DP 211742
ROAD 018	Several roads in Karratha Townsite	Karratha	DP 211743
ROAD 019	Several roads in Karratha Townsite	Karratha	DP 211744
ROAD 020	Several roads in Wickham Townsite	Wickham	DP 211961
ROAD 021	Several roads in Wickham Townsite	Wickham	DP 211962
ROAD 022	Lambden Road	Karratha	DP 212040
ROAD 026	Portion of Scaripple Road and Mystery Road	Karratha	DP 040585
ROAD 027	Portion of Trevally Court and Kallama Parade	Karratha	DP 058977
ROAD 028	Portion of Hillview Road	Karratha	DP 061449
ROAD 029	Portion of Everett Link	Karratha	DP 062476
ROAD 030	Portion of Sharpe Avenue and Jewel Lane	Karratha	DP 067222
ROAD 031	Portion of Frizell Road	Wickham	DP 193051
ROAD 032	Portion of Basset Road	Karratha	DP 193080
ROAD 033	Portion of Rosemary Road	Karratha	DP 193953
ROAD 034	Portion of Miller Close	Point Samson	DP 218678
ROAD 035	Several roads in Dampier Townsite	Dampier	DP 014279
ROAD 036	Several roads in Dampier Townsite	Dampier	DP 014280
ROAD 037	Several roads in Dampier Townsite	Dampier	DP 014281
ROAD 038	Several roads in Dampier Townsite	Dampier	DP 014282
ROAD 039	Nielsen Place	Dampier	DP 015796
ROAD 040	East Avenue and Flynn Crescent	Dampier	DP 016692
ROAD 041	Several roads in Dampier Townsite	Dampier	DP 017807

<b>MapInfo ID</b>	<b>Description</b>	<b>Townsite</b>	<b>Shown in</b>
ROAD 042	Several roads in Dampier Townsite	Dampier	DP 017808
ROAD 043	Lockyer and Forrest Crescents	Dampier	DP 017809
ROAD 044	Gregory, Roe and Fremantle Crescents	Dampier	DP 017810
ROAD 045	Several roads in Dampier Townsite	Dampier	DP 017812
ROAD 046	Several roads in Dampier Townsite	Dampier	DP 017814
ROAD 047	Several roads in Dampier Townsite	Dampier	DP 017815
ROAD 048	Several roads in Dampier Townsite	Dampier	DP 017816
ROAD 049	Several roads in Dampier Townsite	Dampier	DP 017817
ROAD 050	Several roads in Dampier Townsite	Dampier	DP 017819
ROAD 051	Several roads in Dampier Townsite	Dampier	DP 017820
ROAD 052	Portions of Talbot Court and Harriet Way	Karratha	DP 029429
ROAD 053	Several roads in Karratha Townsite	Karratha	DP 029457
ROAD 054	Several roads in Karratha Townsite	Karratha	DP 031430
ROAD 055	Several roads in Karratha Townsite	Karratha	DP 032330
ROAD 056	Portion of Kallama Parade	Karratha	DP 036856
ROAD 057	Norrie Court and Ettie Close	Karratha	DP 044810
ROAD 058	Walkington Circle	Karratha	DP 044811
ROAD 059	Several roads in Karratha Townsite	Karratha	DP 048174
ROAD 060	Cowrie Court	Karratha	DP 060298
ROAD 061	Jennifer Court	Karratha	DP 092340
ROAD 062	Portion of DeGrey Place	Karratha	DP 094140
ROAD 063	Portion of Searipple Road	Karratha	DP 175525
ROAD 064	Portion of Balmoral Road	Karratha	DP 180105
ROAD 065	Portion of Owen Road	Karratha	DP 181926
ROAD 066	Portion of Finnerty Street	Karratha	DP 182048
ROAD 067	Portion of Hillview Road	Karratha	DP 183206
ROAD 068	Portion of Grant Street	Karratha	DP 183571
ROAD 069	Portion of Miller Close	Point Samson	DP 184637
ROAD 070	Portion of Bond Place	Karratha	DP 186026
ROAD 071	Portion of Coolawanyah Road	Karratha	DP 186239
ROAD 072	Portion of Hedland Place	Karratha	DP 186491
ROAD 073	Portion of Warambie Road	Karratha	DP 188892

MapInfo ID	Description	Townsite	Shown in
ROAD 074	Portion of Point Samson-Roebourne Road	Point Samson	DP 190765
ROAD 076	Several roads in Karratha Townsite	Karratha	DP 213104
ROAD 077	Several roads in Karratha Townsite	Karratha	DP 213104
ROAD 078	Several roads in Karratha Townsite	Karratha	DP 213417
ROAD 079	Several roads in Karratha Townsite	Karratha	DP 213670
ROAD 080	Several roads in Karratha Townsite	Karratha	DP 213671
ROAD 081	O'Keefe Road	Karratha	DP 213672
ROAD 082	Portions of Herbert Way and Frizzell Road	Wickham	DP 213890
ROAD 083	Several roads in Karratha Townsite	Karratha	DP 213923
ROAD 084	Portion of Pyramid Road	Karratha	DP 213940
ROAD 085	Several roads in Karratha Townsite	Karratha	DP 214039
ROAD 086	Portion of Millstream Road	Karratha	DP 214062
ROAD 087	Portion of Keating Road	Karratha	DP 214092
ROAD 088	Portions of Warambie Road and Balmoral Road and Morse Court	Karratha	DP 214104
ROAD 089	Several roads in Karratha Townsite	Karratha	DP 214195
ROAD 090	Several roads in Karratha Townsite	Karratha	DP 214196
ROAD 091	Portions of Walcott Drive and Nelley Way	Wickham	DP 214419
ROAD 092	Several roads in Karratha Townsite	Karratha	DP 214663
ROAD 093	Several roads in Karratha Townsite	Karratha	DP 214664
ROAD 094	Portion of Rosemary Road	Karratha	DP 214683
ROAD 095	Several roads in Karratha Townsite	Karratha	DP 214696
ROAD 096	Several roads in Karratha Townsite	Karratha	DP 214697
ROAD 097	Several roads in Karratha Townsite	Karratha	DP 214698
ROAD 098	Several roads in Karratha Townsite	Karratha	DP 214775
ROAD 099	Portion of Honeymoon Road	Point Samson	DP 214826
ROAD 100	Portion of Rosemary Road	Karratha	DP 215006
ROAD 101	Balmoral Road and Bathgate Road	Karratha	DP 215011
ROAD 102	Several roads in Karratha Townsite	Karratha	DP 215022
ROAD 103	Several roads in Karratha Townsite	Karratha	DP 215023
ROAD 104	Several roads in Karratha Townsite	Karratha	DP 215024
ROAD 105	Several roads in Karratha Townsite	Karratha	DP 215195
ROAD 106	Several roads in Karratha Townsite	Karratha	DP 215196

MapInfo ID	Description	Townsite	Shown in
ROAD 107	Several roads in Karratha Townsite	Karratha	DP 215197
ROAD 108	Several roads in Karratha Townsite	Karratha	DP 215199
ROAD 109	Several roads in Karratha Townsite	Karratha	DP 215323
ROAD 110	Several roads in Karratha Townsite	Karratha	DP 215324
ROAD 111	Several roads in Karratha Townsite	Karratha	DP 216031
ROAD 112	Several roads in Karratha Townsite	Karratha	DP 216032
ROAD 113	Portion of Honeymoon Road	Point Samson	DP 216215
ROAD 114	Portion of Honeymoon Road	Point Samson	DP 216378
ROAD 115	Portion of Welcome Road	Karratha	DP 216465
ROAD 116	Several roads in Karratha Townsite	Karratha	DP 216876
ROAD 117	Several roads in Karratha Townsite	Karratha	DP 216877
ROAD 118	Several roads in Karratha Townsite	Karratha	DP 216878
ROAD 119	Several roads in Karratha Townsite	Karratha	DP 216879
ROAD 120	Unnamed road in Dampier Townsite	Dampier	DP 217466
ROAD 121	Several roads in Karratha Townsite	Karratha	DP 217474
ROAD 122	Portion of Vitenberg Drive	Point Samson	DP 217484
ROAD 123	Several roads in Point Samson Townsite	Point Samson	DP 217485
ROAD 124	Portion of Shallow Well Road	Karratha	DP 218510
ROAD 125	Tilbrook Close	Karratha	DP 219757
ROAD 126	Several roads in Karratha Townsite	Karratha	DP 051763
ROAD 127	Several roads in Karratha Townsite	Karratha	DP 052610
ROAD 128	Portion of Coolawanyah Road	Karratha	DP 054146
ROAD 129	Portion of Seabrook Crescent	Karratha	DP 062497
ROAD 130	Portion of Padbury Way	Karratha	DP 065222
ROAD 131	Several roads in Point Samson Townsite	Point Samson	DP 205846
Historical ROAD 016	Harwood Way, Crane Court and Cochrane Street	Karratha	GG 16/10/1987 OP 15374
Historical ROAD 019 (part) <sup>5</sup>	McLeod Street	Point Samson	GG 24/12/1980 DP 211340

<sup>5</sup> To the extent extinguishment has not been disregarded pursuant to section 47B of the *Native Title Act 1993*: see clause 8 and Schedule Four.

MapInfo ID	Description	Townsite	Shown in
Historical ROAD 031 (part) <sup>6</sup>	Hall, Porter, Watson and Hick Streets and Aubrey Terrace	Point Samson	GG 17/09/1965 DP 20068
Historical ROAD 035 (part) <sup>7</sup>	Honeymoon Road	Point Samson	GG 24/12/1980 CPP 505018

## 5. Public Works

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Any other public work 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.

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<sup>6</sup> To the extent extinguishment has not been disregarded pursuant to section 47B of the *Native Title Act 1993*: see clause 8 and Schedule Four.

<sup>7</sup> To the extent extinguishment has not been disregarded pursuant to section 47B of the *Native Title Act 1993*: see clause 8 and Schedule Four.