

SCHEDULE 2

AREAS NOT FORMING PART OF THE DETERMINATION AREA

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

1. Those land and waters within the External Boundary, 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. Specifically, and to avoid any doubt, the land and waters described in (1) above includes, the tenure based exclusions under ss 23B(2) and 23B(3) of the *Native Title Act 1993* (Cth) to which s 20 of the *Native Title (Queensland) Act 1993* (Qld) applies, and includes, but is not limited to, the whole of the land and waters described as:

Area description (as at date of determination)	Determination map sheet number
Lot 1 on Plan CI809662	Sheet 25
Lot 1 on Plan HLN808873	Sheet 4
That part of Lot 1 on Plan SP143244 that is subject to the area formerly described as Lot 102 on Plan MB2891	Sheet 22
Lot 12 on Plan RP898369	Sheet 8
Lot 12 on Plan SP103112	Sheet 6
Lot 26 on Plan WHS489	Sheet 34
That part of Lot 3 on Plan SP143244 that subject to the area formerly described as Lot 309 on Plan MB2891	Sheet 22
Lot 610 on Plan N1101	Sheet 37
Lot 74 on Plan HLN189	Sheet 13
Lot 74 on Plan WHS436	Sheet 36
Lot 8 on Plan SP179909	Sheet 8
That part of Lot 108 on Plan CI2434 that is within the external boundary described in Part 3 of Schedule 1	Sheets 31 and 32
Lot 94 on Plan HLN151	Sheet 8
That part of Lot 1 on Plan AP14639 formerly described as Lot 18 on Plan WHS324	Sheet 27
That part of Lot 103 on Plan NPW566 formerly described as Lots 18 and 19 on Plan WHS324	Sheets 21 and 27
Lot 1 on Plan WHS429	Sheet 40
Lot 1 on Plan RP617630	Sheet 39
Lot 100 on Plan SP239828	Sheets 2 and 9

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Area description (as at date of determination)	Determination map sheet number
Lot 13 on Plan WHS337	Sheet 31
That part of Lot 13 on Plan WHS466 that is within the external boundary described in Part 3 of Schedule 1	Sheets 18, 19 and 21
Lot 14 on Plan WHS352	Sheets 26 and 31
That part of Lot 16 on Plan CP866443 that is within the external boundary described in Part 3 of Schedule 1	Sheets 2, 18 and 19
Lot 16 on Plan WHS309	Sheet 34
Lot 16 on Plan SP236270	Sheet 20
Lot 17 on Plan SP236270	Sheets 18, 19, 20, 21, 27 and 33
Lot 2 on Plan RP617629	Sheet 39
Lot 2 on Plan SP162553	Sheet 20
Lot 204 on Plan N1101	Sheet 37
Lot 207 on Plan N1101	Sheet 37
Lot 24 on Plan WHS499	Sheet 31
Lot 25 on Plan WHS513	Sheets 30 and 31
That part of Lot 3 on Plan WHS25 that is within the external boundary described in Part 3 of Schedule 1	Sheet 38
Lot 3 on Plan SP162553	Sheet 20
That part of Lot 4 on Plan WHS25 that is within the external boundary described in Part 3 of Schedule 1	Sheet 38
That part of Lot 4 on Plan WHS33 that is within the external boundary described in Part 3 of Schedule 1	Sheets 36 and 38
Lot 5 on Plan WHS47	Sheets 36 and 38
Lot 6 on Plan CI429	Sheet 24
That part of Lot 6 on Plan W4015 that is within the external boundary described in Part 3 of Schedule 1	Sheet 35
Lot 70 on Plan CI83	Sheet 31
Lot 73 on Plan HLN193	Sheet 12
Lot 78 on Plan HLN193	Sheet 12
Lot 100 on Plan FTY1691	Sheets 30 and 38
Lot 99 on Plan FTY1666	Sheets 23, 24, 28 and 30
Lot 14 on Plan HLN223	Sheet 19
Lot 20 on Plan WHS432	Sheet 33
Lot 17 on Plan WHS325	Sheet 33
Lot 7 on Plan W4035	Sheets 33 and 34
Lot 9 on Plan W4022	Sheets 33, 34, 35 and 36
That part of Lot 1 on Plan SP162553 that is within the external boundary described in Part 3 of Schedule 1	Sheets 18, 20 and 33
Lot 2 on Plan WHS373	Sheets 27, 33 and 35
Lot 17 on Plan WHS324	Sheet 27
Lot 16 on Plan WHS432	Sheets 27 and 33
Lot 27 on Plan WHS226	Sheet 33
Lot 4 on Plan WHS313	Sheet 33
Lot 5 on Plan WHS314	Sheets 33 and 34
That part of Lot 3 on Plan W4013 that is within the external boundary described in Part 3 of Schedule 1	Sheets 33 and 35
Lot 1 on Plan WHS11	Sheet 35
Lot 4 on Plan HLN225	Sheets 2, 19 and 21

Area description (as at date of determination)	Determination map sheet number
Lot 3 on Plan HLN29	Sheets 2, 15, 19 and 21
That part of Lot 7 on Plan WHS139 that is within the external boundary described in Part 3 of Schedule 1	Sheet 35
Lot 7 on Plan W4016	Sheets 35 and 36
Lot 8 on Plan W4016	Sheets 35 and 36
Lot 10 on Plan W4031	Sheet 36
Lot 92 on Plan W404	Sheet 36
Lot 9 on Plan W406	Sheet 36
Lot 8 on Plan WHS335	Sheets 34 and 36
Lot 1 on Plan W4030	Sheet 34
Lot 93 on Plan W405	Sheet 36
That part of Lot 11 on Plan WHS1 that is within the external boundary described in Part 3 of Schedule 1	Sheet 36
Lot 90 on Plan W403	Sheet 36
Lot 13 on Plan WHS102	Sheet 34
Lot 14 on Plan WHS102	Sheet 34
Lot 91 on Plan W403	Sheet 36
Lot 46 on Plan N1101	Sheet 37
Lot 904 on Plan N1101	Sheet 37
That part of Lot 3 on Plan SP134472 that is within the external boundary described in Part 3 of Schedule 1	Sheets 38 and 39

3. The land or waters on which any public work, as defined in s 253 of the *Native Title Act 1993* (Cth), is or was constructed, established or situated, and to which ss 23B(7) and 23C(2) of the *Native Title Act 1993* (Cth) and to which 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), and includes, but is not limited to, the whole of the land and waters described as:

Area description (as at date of determination)	Determination map sheet number
Lot 1 on Plan RA3574	Sheet 37
Lot 4 on Plan SP235546	Sheet 11
Lot 5 on Plan SP235546	Sheet 11
Lot 6 on Plan SP235546	Sheet 11
Lot 7 on Plan N11015	Sheet 37
Lot 9 on Plan CP891281	Sheet 9
Lot 100 on Plan SP162554	Sheet 20
That part of Lot 101 on Plan SP162555 that is within the external boundary described in Part 3 of Schedule 1	Sheet 20
That part of Suttor Development Road that is within the external boundary of MDL 353 (a mineral development licence granted under the <i>Mineral Resources Act 1989</i> (Qld)) as at the date of this determination	Sheet 33
That part of Collinsville Elphinstone Road that is	Sheet 18

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Area description (as at date of determination)	Determination map sheet number
within that part of the area of ML 4738 (a mining lease administered under the <i>Mineral Resources Act 1989</i> (Qld)) as at the date of this determination that is within the external boundary described in Part 3 of Schedule 1	
That part of Hail Creek Road that is within that part of the area of ML 4738 (a mining lease administered under the <i>Mineral Resources Act 1989</i> (Qld)) as at the date of this determination that is within the external boundary described in Part 3 of Schedule 1	Sheets 20 and 27
That part of Suttor Development Road that is within that part of the area of ML 4738 (a mining lease administered under the <i>Mineral Resources Act 1989</i> (Qld)) as at the date of this determination that is within the external boundary described in Part 3 of Schedule 1	Sheet 33
That part of an unnamed road that is within that part of the area of ML 4738 (a mining lease administered under the <i>Mineral Resources Act 1989</i> (Qld)) as at the date of this determination that is within the external boundary described in Part 3 of Schedule 1	Sheet 18
That part of Suttor Development Road that is within the area of EPC 658 (an exploration permit for coal granted under the <i>Mineral Resources Act 1989</i> (Qld)) as at the date of this determination	Sheet 33
That part of the unnamed roads that are within the area of EPC 658 (an exploration permit for coal granted under the <i>Mineral Resources Act 1989</i> (Qld)) as at the date of this determination	Sheets 33 and 35
That part of Turrawulla Road that is within that part of the area of MDL 442 (a mineral development licence granted under the <i>Mineral Resources Act 1989</i> (Qld)) as at the date of this determination that is within the external boundary described in Part 3 of Schedule 1	Sheets 2, 15 and 19
That part of Suttor Development Road that is within that part of the area of MDL 442 (a mineral development licence granted under the <i>Mineral Resources Act 1989</i> (Qld)) as at the date of this determination that is within the external boundary described in Part 3 of Schedule 1	Sheet 20
That part of Hail Creek Road that is within that part of the area of MDL 442 (a mineral development licence granted under the <i>Mineral Resources Act 1989</i> (Qld)) as at the date of this determination that is within the external boundary described in Part 3 of Schedule 1	Sheet 20
That part of an unnamed road that is within that part of the area of MDL 442 (a mineral development licence granted under the <i>Mineral Resources Act 1989</i> (Qld)) as at the date of this determination that is within the external boundary described in Part 3 of	Sheet 19

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Area description (as at date of determination)	Determination map sheet number
Schedule 1	
That part of Turrawulla Road that is within that part of the area of EPC 752 (an exploration permit for coal granted under the <i>Mineral Resources Act 1989</i> (Qld)) as at the date of this determination that is within the external boundary described in Part 3 of Schedule 1	Sheets 2, 15 and 19
That part of Turrawulla Road that dissects Lot 2 on SP104779 and which is subject to Lot A on Plan AP3682 as at the date of this determination	Sheet 2
That part of an unnamed road that is within that part of the area of EPC 752 (an exploration permit for coal granted under the <i>Mineral Resources Act 1989</i> (Qld)) as at the date of this determination that is within the external boundary described in Part 3 of Schedule 1	Sheet 19
That part of Lot 109 on Plan HLN198 described by the following coordinates:	Sheet 9

AREA A

EASTING (m)	NORTHING (m)	EASTING (m)	NORTHING (m)
644126.728	7662119.635	644427.080	7662115.153
644228.201	7662372.793	644422.694	7662090.430
644382.117	7662326.433	644419.751	7662103.805
644386.228	7662315.332	644415.200	7662116.327
644391.162	7662303.820	644402.396	7662126.003
644400.619	7662297.242	644381.227	7662134.113
644413.775	7662292.719	644336.271	7662148.342
644426.521	7662288.196	644286.763	7662161.149
644435.566	7662284.085	644239.815	7662170.825
644442.556	7662277.095	644217.673	7662172.993
644446.667	7662267.639	644208.062	7662170.943
644445.434	7662253.660	644199.988	7662166.969
644441.734	7662223.235	644193.965	7662161.329
644442.145	7662209.667	644189.480	7662156.972
644444.200	7662193.221	644185.075	7662157.009
644446.667	7662183.353	644183.945	7662157.810
644451.190	7662168.963	644181.150	7662159.791
644454.068	7662152.928	644145.260	7662109.152
644451.230	7662130.333	644126.728	7662119.635
644441.329	7662132.089		

AREA B

EASTING (m)	NORTHING (m)	EASTING (m)	NORTHING (m)
642949.836	7661187.116	643322.336	7661081.444
642956.697	7661157.723	643337.193	7661066.584
642981.050	7661141.386	643349.986	7661055.439
643012.403	7661135.104	643364.018	7661041.817
643033.038	7661130.564	643375.160	7661024.481

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EASTING (m)	NORTHING (m)
643054.498	7661125.610
643065.641	7661126.849
643075.958	7661133.453
643087.926	7661147.900
643097.005	7661153.266
643104.021	7661153.679
643123.005	7661149.138
643139.513	7661149.551
643151.893	7661153.266
643164.687	7661148.313
643179.544	7661136.755
643191.099	7661126.849
643200.591	7661123.546
643205.543	7661131.802
643205.131	7661142.534
643205.956	7661149.138
643217.099	7661153.679
643229.067	7661150.377
643267.447	7661128.500
643280.241	7661114.053
643294.685	7661101.257
643313.669	7661091.350

EASTING (m)	NORTHING (m)
643380.113	7661009.208
643380.855	7660994.761
643375.078	7660975.774
643367.237	7660951.833
643356.094	7660940.275
643337.523	7660932.020
643321.428	7660928.305
643305.333	7660928.718
643292.952	7660934.909
643280.984	7660933.671
643268.190	7660924.590
643253.333	7660913.445
643239.302	7660899.823
643224.032	7660894.870
643211.651	7660897.347
643207.524	7660894.457
643151.884	7660932.977
643167.126	7660987.391
642988.059	7661111.361
642963.562	7661128.321
642941.563	7661143.551
642949.836	7661187.116