

## **SCHEDULE 1.            Technical descriptions**

### **Item 1 – Dambimangari Country (Buccaneer Archipelago) Marine Park Subtidal Area**

All that portion of the area within Dambimangari Country as described below that:

- a) is seaward of the low water mark; and
- b) excludes all onshore places.

### **Item 2 – Dambimangari Country (Buccaneer Archipelago) Marine Park Intertidal Area**

All that portion of the area within Dambimangari Country as described below that:

- a) is seaward of the high water mark and landward of the low water mark; and
- b) includes all other onshore places

### **Item 3 – Lalang-garram / Camden Sound Marine Park**

Marine Reserve number 15

### **Item 4 – North Lalang-garram Marine Park**

Marine Reserve number 19

### **Item 5 – Lalang-garram /Horizontal Falls Marine Park**

Marine Reserve number 18

### **Dambimangari Country:**

For the purposes of the technical descriptions in this Schedule 1, the area within Dambimangari Country means the area comprising Western Australian waters, the airspace above those waters, the seabed below those waters, and the subsoil to a depth of two hundred metres below that seabed that are -

- a) contained within and bounded by a line:

- i) commencing offshore in the Indian Ocean generally west-north-west of Macleay Island at the intersection of the Dambimangari (WCD2011/002) Determination Area and the westernmost southern boundary of Lalang-garram / Camden Sound Marine Park (Marine Reserve 15), and from that point;
- ii) extending east, south, and again east along the boundary of that marine park, to the point located at the intersection of that boundary and a western boundary of Lalang-garram / Horizontal Falls Marine Park (Marine Reserve 18), that point being located on a north-western corner of Lalang-garram / Horizontal Falls Marine Park;
- iii) thence south along the boundary of that marine park, and excluding islands that are intersected by that boundary for that part of those islands that is landward of the high water mark, to the point located at the intersection of that boundary and the high water mark on an un-named island near the seaward entrance to Talbot Bay, that intersection point being the one nearest latitude 16°11'16.20" South;
- iv) thence generally westerly along that water mark to the point located at the intersection of that water mark and the eastern boundary of Yampi Sound Port Area vested pursuant to section 9 of the *Marine and Harbours Act 1981*;
- v) thence northerly along the eastern boundary of that port area, and excluding islands that are intersected by that port area boundary for that part of those islands that is landward of the high water mark, to the northern boundary of that port area;
- vi) thence westerly along the northern boundary of that port area to the point located at the intersection of that boundary and a western boundary of the Dambimangari (WCD2011/002) Determination Area;
- vii) thence northerly along that Dambimangari (WCD2011/002) Determination Area boundary to the point of commencement;
- b) and contained within and bounded by a line;
  - i) commencing offshore in King Sound at a north-western seaward point of the Dambimangari (WCD2011/002) Determination Area, that point being the one located at Latitude 16.794801° South, Longitude 123.50128° East that is coincident with the southernmost boundary of the Mayala People (WCD2018/009) Determination Area;
  - ii) thence easterly along the boundary of the Dambimangari (WCD2011/002) Determination Area, contiguous with the boundary of the Mayala People (WCD2018/009) Determination Area, and continuing generally north-westerly and generally northerly along that contiguous boundary, past Cascade Bay, Cone Bay, Strickland Bay and through Whirlpool Pass, to the point located at the intersection of that contiguous boundary and the westernmost southern boundary of Yampi Sound Port Area vested pursuant to section 9 of the *Marine and Harbours Act 1981*, that point being generally south of Arbidej Island;
  - iii) thence generally easterly along that port area boundary to the point located at the intersection of that boundary and the high water mark of the mainland;

- iv) thence generally southerly and generally south-easterly along the high water mark of the mainland, and along the boundary of the Dambimangari (WCD2011/002) Determination Area where that water mark intersects that determination area boundary and extends into the Mayala People (WCD2018/009) Determination Area, and continuing along the high water mark of the mainland past Strickland Bay, Cone Bay and Cascade Bay, to the point located at the intersection of that water mark and a southern boundary of the Dambimangari (WCD2011/002) Determination Area, adjacent to Stokes Bay on the eastern side of King Sound;
- v) thence westerly along that southern boundary of the Dambimangari (WCD2011/002) Determination Area to the westernmost point of that southern boundary, that point being located offshore in King Sound;
- vi) thence north along the boundary of that determination area to the point of commencement;
- c) and within those lines;
  - i) excludes that portion of Lot 25 on Deposited Plan 243147 (Reserve 30674) that extends seaward of the high water mark in Cone Bay;
  - ii) excludes Lot 15 on Deposited Plan 242219 (Commonwealth land);
  - iii) excludes Derby Port Area vested pursuant to section 9 of the *Marine and Harbours Act 1981*;
  - iv) excludes all islands for that part of those islands that is landward of the high water mark.

#### NOTES:

- a) All referenced Deposited Plan and Diagrams are held by the Western Australian Land Information Authority, trading as Landgate.
- b) Cadastral boundaries sourced from Landgate Spatial Cadastral Database (SCDB) dated 02 October 2020.
- c) **Datum:** Geocentric Datum of Australia 1994 (GDA94)
- d) **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.
- e) **coastal waters of the State** has the meaning given to that term in the *Coastal Waters (State Powers) Act 1980* (Commonwealth) section 3(1).
- f) **Dambimangari (WCD2011/002) Determination Area** means for the purposes of this Schedule 1 (Technical Descriptions), the area the subject of the determination of native title made by the Federal Court of Australia in *Barunga v State of Western Australia [2011] FCA 518*, National Native Title Tribunal file number WCD2011/002.
- g) **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).
- h) **low water mark** means the ordinary (mean of) low water mark at spring tides.
- i) **onshore place** has the meaning given to that term in the *Native Title Act 1993* (Commonwealth) section 253.

**j) Mayala People (WCD2018/009) Determination Area** means the area the subject of the determination of native title made by the Federal Court of Australia in *Wiggan on behalf of the Mayala People v State of Western Australia [2018] FCA 1485*, National Native Title Tribunal file number WCD2018/009.

**k) Western Australian waters** means all waters that are within the limits of the State; or that are coastal waters of the State.

Prepared By: Graphic Services (Landgate) and Department of Biodiversity, Conservation and Attractions, 28 January 2021.