





















SCHEDULE 2 – AREAS NOT FORMING PART OF THE DETERMINATION AREA

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

Part A

On the basis that native title has been extinguished and is not claimed, the parties have agreed that the excluded areas include any land or waters on which any permanent improvement consisting of:

- (a) a homestead, house, shed or other building;
- (b) an airstrip;
- (c) a constructed dam or any other constructed stock watering point, bore, turkey nest, squatters' tank or other water storage facility; or
- (d) stock yards and trap yards,

has, at the date of the determination, been constructed (including any adjacent land the exclusive use of which is reasonably necessary for the enjoyment of the improvement) in accordance with the rights of the lessee under, and within the boundaries of the following pastoral leases:

- (i) Pastoral Holding 23/2627 comprising Lot 15 on Plan GA2 and commonly known as Agantra;
- (ii) Pastoral Holding 34/2393 comprising Lot 2393 on Plan PH2040 and commonly known as Arduno;
- (iii) Pastoral Holding 34/4894 comprising Lot 4894 on Plan PH1876 and commonly known as Beach;
- (iv) Pastoral Holding 34/3665 comprising Lot 8 (Pt) on Plan SY21 and commonly known as Belmore;
- (v) Pastoral Holding 34/5415 comprising Lot 2 (Pt) on Plan NM108 and commonly known as Broadwater;
- (vi) Pastoral Holding 18/5514 comprising Lot 38 on Plan ET813287 and commonly known as Chadshunt;
- (vii) Pastoral Holding 34/2423 comprising Lot 1 on Plan LA5 and commonly known as Claraville;
- (viii) Pastoral Holding 34/2853 comprising Lot 2853 on Plan PH1902 and commonly known as Clotilda;
- (ix) Pastoral Holding 34/5253 comprising Lot 5253 on Plan PH1349 and commonly known as Ella Vale;
- (x) Pastoral Holding 34/4148 comprising Lot 4148 on Plan PH1704 and commonly known as Entrona;
- (xi) Pastoral Holding 34/75 comprising Lot 75 on Plan PH1698 and commonly known as Esmeralda;
- (xii) Pastoral Holding 34/5123 comprising Lot 5123 on Plan PH1669 and commonly known as Florence;



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- (xiii) Pastoral Holding 23/4655 comprising Lot 4655 (Pt) on Plan PH235 and commonly known as Fog Creek;
 - (xiv) Pastoral Holding 34/5423 comprising Lot 2 on Plan NM104 and commonly known as Glenore;
 - (xv) Pastoral Holding 34/3840 comprising Lot 1 on Plan LA4 and commonly known as Guildford;
 - (xvi) Pastoral Holding 34/5435 comprising Lot 2 on Plan LA3 and commonly known as Gum Creek;
 - (xvii) Pastoral Holding 34/5458 comprising Lot 1 on Plan OK4 and commonly known as Haydon;
 - (xviii) Pastoral Holding 34/2062 comprising Lot 2062 on Plan PH1405 and commonly known as Karron;
 - (xix) Pastoral Holding 18/4231 comprising Lot 423 on SP146511 and commonly known as Linley;
 - (xx) Pastoral Holding 23/2254 comprising Lot 2254 (Pt) on Plan PH1527 and commonly known as Lucksome;
 - (xxi) Pastoral Holding 18/5143 comprising Lot 143 on SP134201 and commonly known as Malacura;
 - (xxii) Pastoral Holding 34/2410 comprising Lot 5 on Plan OK7 and commonly known as May Vale;
 - (xxiii) Pastoral Holding 34/2676 comprising Lot 2676 on Plan PH2056 and commonly known as Mittagong;
 - (xxiv) Pastoral Holding 34/2677 comprising Lot 2677 on Plan PH2066 and commonly known as Mittagong;
 - (xxv) Pastoral Holding 34/2635 comprising Lot 2635 on Plan PH1702 and commonly known as Mittagong;
 - (xxvi) Pastoral Holding 34/2429 comprising Lot 2429 on Plan PH1699 and commonly known as Mittagong;
 - (xxvii) Pastoral Holding 34/2447 comprising Lot 2 on Plan LA5 and commonly known as Mittagong;
 - (xxviii) Pastoral Holding 34/2437 comprising Lot 2437 on Plan PH866 and commonly known as Mittagong;
 - (xxix) Pastoral Holding 34/4850 comprising Lot 4850 on Plan PH1875 and commonly known as Momba;
 - (xxx) Pastoral Holding 34/4715 comprising Lot 2 on Plan SP117603 and commonly known as Mooremount;
 - (xxxi) Pastoral Holding 18/2503 comprising Lot 2503 on Plan PH2105 and commonly known as Mount Little;
 - (xxxii) Pastoral Holding 13/2255 comprising Lot 2255 (Pt) on Plan PH2033 and commonly known as Mundjuro;



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- (xxxiii) Pastoral Holding 23/3226 comprising Lot 1 (Pt) on Plan WLR10 and commonly known as New Water;
 - (xxxiv) Pastoral Holding 18/2573 comprising Lot 2573 (Pt) on Plan PH2065 and commonly known as Northhead;
 - (xxxv) Pastoral Holding 34/2397 comprising Lot 2397 on Plan PH1081 and commonly known as Oakland Park;
 - (xxxvi) Pastoral Holding 34/2636 comprising Lot 2636 on Plan PH1703 and commonly known as Papatra;
 - (xxxvii) Pastoral Holding 34/3881 comprising Lot 3881 on Plan PH1911 and commonly known as Prospect;
 - (xxxviii) Pastoral Holding 34/2641 comprising Lot 2641 on Plan PH1909 and commonly known as Prospect;
 - (xxxix) Pastoral Holding 34/2707 comprising Lot 2 on Plan SY26 and commonly known as Reigate;
 - (xl) Pastoral Holding 18/5527 comprising Lot 3 on Plan LG17 and Lot 4 on Plan LG18 and commonly known as Rockyview;
 - (xli) Pastoral Holding 23/4628 comprising Lot 4628 on Plan PH2257 and commonly known as Roderick;
 - (xlii) Pastoral Holding 34/5446 comprising Lot 1 on Plan SY17 and commonly known as Tabletop;
 - (xliii) Pastoral Holding 34/4295 comprising Lot 4295 on Plan PH1158 and commonly known as The Lakes;
 - (xliv) Pastoral Holding 34/2398 comprising Lot 2398 on Plan PH1412 and commonly known as Timora;
 - (xlv) Pastoral Development Holding comprising Lot 271 (Pt) on Plan CP847171 and commonly known as Vena Park;
 - (xlvi) Pastoral Development Holding 13/2132 comprising Lot 2132 (Pt) on Plan PH654 and commonly known as Micolon;
 - (xlvii) Preferential Pastoral Holding 18/5428 comprising Lot 14 on Plan GB813293 commonly known as Blancourt;
 - (xlviii) Preferential Pastoral Holding 34/5262 comprising Lot 5262 (Pt) on PH1850 and commonly known as Yappar River;
 - (xlix) Preferential Pastoral Holding 18/5236 comprising Lot 236 on Plan SP140908 and commonly known as Carnes;
 - (l) Preferential Pastoral Holding 18/5427 comprising Lot 3 (Pt) on Plan ET42 and commonly known as Forest Home;
 - (li) Preferential Pastoral Holding 18/5257 comprising Lot 5257 on Plan PH1432 and commonly known as Green Hills;
 - (lii) Preferential Pastoral Holding 18/5235 comprising Lot 5 on Plan SP140908 and commonly known as Heliman Creek;



- (liii) Preferential Pastoral Holding 18/5237 comprising Lot 5237 on Plan PH1367 and commonly known as Paddy's Station (aka Candlow);
- (liv) Term Lease 0/232856 comprising Lot 2299 on Plan and PH2032 commonly known as Dumas;
- (lv) Term Lease 0/234794 comprising Lot 4856 on Plan SP235291 and commonly known as Golden Gate;
- (lvi) Term Lease 0/221967 comprising Lot 259 (Pt) on Plan SP170278 and commonly known as Trenton;
- (lvii) Occupation Licence 34/719 comprising Lot 719 on Plan AP12368 and commonly known as Alehvale;
- (lviii) Occupation Licence 34/524 comprising Lot 524 on Plan SLD524 and commonly known as Golden Gate;
- (lix) Occupation Licence 34/711 comprising Lot 711 on Plan OL294 and commonly known as Golden Gate;
- (lx) Occupation Licence 34/712 comprising Lot 712 on Plan OL295 and commonly known as Golden Gate;
- (lxi) Occupation Licence 34/755 comprising Lot 755 on Plan OL299 and commonly known as Golden Gate;
- (lxii) Occupation Licence 34/785 comprising Lot 785 on Plan AP12367 and commonly known as Golden Gate; and
- (lxiii) Trustee Permit 714571004 comprising Lot 3 on Plan CP859354 and commonly known as Littleton.

Part B

The areas in this Part are excluded from the Determination Area on the grounds that at the time at which the native title determination application was made:

- (i) these areas were the subject of one or more previous exclusive possession acts, as defined in s 23B of the Native Title Act 1993 (Cth), despite the fact that the areas, or parts of them, may have been subject to earlier acts that extinguished native title; and
- (ii) in relation to the areas in paragraph 1 of this Part, none of ss 47, 47A or 47B of the Native Title Act 1993 (Cth) applied; and
- (iii) therefore, in accordance with s 61A of the Native Title Act 1993 (Cth), these areas could not be claimed.

Tenure Based Exclusions (ss 23B(2) and 23B(3) Native Title Act 1993 (Cth)):

1. Lot 3 on OK810526; and
2. That part of Lot 951 on Plan SP161394 which was covered by:
 - (a) historical Gold Fields Homestead Lease No. 1138 described as Allotments 12 and 13 of Section 21 Town of Croydon; and



- (b) historical Gold Fields Homestead Lease No. 1345 described as Allotments 19 and 20 of Section 21 Town of Croydon.

Public Works Based Exclusions:

- A. 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/or s 23B(7) of the *Native Title Act 1993* (Cth) and 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).
- B. Land or waters described in paragraph A immediately above includes, for the avoidance of doubt:
1. the whole of the land and waters shown on the map included in this Schedule and described as:
 - i. Lot 15 on Plan C8271;
 - ii. Lot 943 on Plan SY28;
 - iii. Lot 12 on Plan C3597;
 - iv. Lot 14 on Plan C3598;
 - v. Lot 1 on Plan C35911;
 - vi. Lot 2 on Plan C35911;
 - vii. Lot 19 on Plan C35912;
 - viii. Lot 5 on Plan C35913;
 - ix. Lot 13 on Plan C3597;
 - x. Lot 23 on Plan C8189;
 - xi. Lot 32 on Plan C8186;
 - xii. Lot 12 on Plan C3598;
 - xiii. Lot 13 on Plan C3598;
 - xiv. Lot 15 on Plan C3598;
 - xv. Lot 481 on Plan SY28;
 - xvi. Lot 482 on Plan SY28;
 - xvii. Lot 18 on Plan C3593;
 2. that part of the land and waters shown on the map included in this Schedule and described as:
 - i. Lot 5 on Plan SY12, the part being more particularly described as all the land within the areas bounded by the following co-ordinates

Iguana Consul Mining Museum (Excluding Lot 10 on Plan MPH15912 and unnamed street)	
Latitude	Longitude
-18.192710	142.245505
-18.193600	142.246003
-18.194512	142.245216
-18.194287	142.244911
-18.194030	142.244967
-18.193923	142.244427



- ii. Lot 949 on Plan C3591, the part being more particularly described as all the land north west of the south eastern boundary of the track within Lot 949 on Plan C3591 bounded by the following co-ordinates

Lake Belmore Access and Gravel Area	
Latitude	Longitude
-18.190184	142.239534
-18.189709	142.240338
-18.189941	142.240487
-18.190691	142.239861

- iii. Lot 17 on Plan B144300, the part being more particularly described as all the land within the distance nominated from the centreline of the following co-ordinates

Sandstone Quarry Area Track – 15m from the centreline	
Latitude	Longitude
-18.207940	142.236523
-18.207760	142.235867
-18.207705	142.235601
-18.207678	142.236603
-18.207495	142.235921
-18.207437	142.235635

- iv. Lot 951 on Plan SP161394 which was not covered by
- historical Gold Fields Homestead Lease No. 1138 described as Allotments 12 and 13 of Section 21 Town of Croydon; and
 - historical Gold Fields Homestead Lease No. 1345 described as Allotments 19 and 20 of Section 21 Town of Croydon.



Note: to the extent of any inconsistency between the written description in this Schedule and the map, the written description prevails.

