

SCHEDULE C

Areas where native title does not exist

Native title rights and interests have been wholly extinguished in the following areas of land and waters.

Public works

- (1) Those parts of the Determination Area covered by public works as defined in s 253 of the Act that were constructed or established before 23 December 1996 or commenced to be constructed or established on or before that date (including land and waters within the meaning of s 251D of the Act), including:
 - (a) public roads, namely, rural public roads (50 metres either side of the centreline), rural arterial roads and national highways and associated road infrastructure;
 - (b) community, pastoral access and other roads (including access roads and tracks to public works referred to in this clause) which are not otherwise public roads;
 - (c) gravel and fill pits established to maintain the roads referred to in (a) and (b) above;
 - (d) government bores and associated works;
 - (e) river and rain gauges;
 - (f) transmission water pipes (adjacent area five metres either side of the centreline);
 - (g) distribution water pipes measuring 150 mm diameter or less (adjacent area of 1.5 metres either side of the centreline) and greater than 150mm diameter (adjacent area five metres either side of the centreline);
 - (h) sewer pipes measuring 150 mm diameter or less (adjacent area 1.5 metres either side of the centreline) and greater than 150 mm diameter (adjacent area five metres either side of the centreline); and
 - (i) bores, sewer pump stations and overhead power lines.
- (2) In addition to the areas referred to in [1] above native title has been wholly extinguished in that part of NT Portion 1075 covered by the Overland Telegraph Line (including land and waters within the meaning of s 251D of the Act).

Note: Entry of orders is dealt with in Rule 39.32 of the *Federal Court Rules 2011*.