

AREAS NOT FORMING PART OF THE CLAIM AREA

The following areas of land and waters are excluded from the Claim 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) Preferential Pastoral Holding No. 18/5247 comprising Lot 23 on Plan CD37 and commonly known as Baroota
- (ii) Pastoral Holding No. 18/249 comprising Lot 249 on Plan CP818009 and commonly known as St. Ronans
- (iii) Term Lease No. 222006 comprising Lot 1 on Plan CP852262 and commonly known as Rosella Plains
- (iv) Preferential Pastoral Holding No. 18/5026 comprising Lot 507 on Plan CP865042 and Lot 5026 on Plan PH251 and commonly known as Namarrong
- (v) Pastoral Holding No. 18/5522 comprising Lot 1 on Plan EI3 and commonly known as Lane Creek
- (vi) Pastoral Holding No. 18/5521 comprising Lot 28 on Plan EI3 and commonly known as Mount Turner
- (vii) Term Lease No. 233948 comprising Lot 5 on Plan EI813291 and commonly known as Galloway
- (viii) Pastoral Holding No. 18/171 comprising Lot 171 on Plan EI835473 and commonly known as Abingdon Downs
- (ix) Preferential Pastoral Holding No. 18/5427 comprising Lot 3 on Plan ET42 and commonly known as Forest Home
- (x) Pastoral Holding Run No. 18/5514 comprising Lot 38 on Plan ET813287 and commonly known as Chadshunt
- (xi) Pastoral Holding No. 18/3074 comprising Lot 2 on Plan GB122 and commonly known as Rockvale
- (xii) Pastoral Holding Run No. 18/5510 comprising Lot 1 on Plan GB123 and commonly known as Kungaree
- (xiii) Pastoral Holding No. 18/5365 comprising Lot 14 on Plan GB28 and commonly known as Shrimp Creek
- (xiv) Term Lease No. 235617 comprising Lots 2 and 15 on Plan GB30 and commonly known as McDonald Creek

- (xv) Preferential Pastoral Holding No. 18/5428 comprising Lot 14 on Plan GB813293 and commonly known as Blancourt
- (xvi) Term Lease No. 236603 comprising Lot 5 on Plan GB835476 and commonly known as Haycock
- (xvii) Pastoral Holding No. 18/228 comprising Lot 14 on Plan LH8 and commonly known as Lyndhurst
- (xviii) Pastoral Holding No. 18/4533 comprising Lot 4533 on Plan PH1199 and commonly known as Ironhurst
- (xix) Pastoral Holding No. 18/4328 comprising Lot 4328 on Plan PH1217 and commonly known as Percy River
- (xx) Pastoral Holding No. 18/3420 comprising Lot 3420 on Plan PH124 and commonly known as Stockman
- (xxi) Pastoral Holding No. 18/4616 comprising Lot 4616 on Plan PH1245 and commonly known as Mount Sircom
- (xxii) Pastoral Holding No. 18/4604 comprising Lot 4604 on Plan PH1260 and commonly known as Anglesey
- (xxiii) Pastoral Holding No. 18/4661 comprising Lot 4661 on Plan PH1280 and commonly known as Granite Creek
- (xxiv) Pastoral Holding No. 18/2909 comprising Lot 2909 on Plan PH1368 and commonly known as Talaroo
- (xxv) Pastoral Holding No. 18/2833 comprising Lot 2833 on Plan PH1388 and commonly known as Namul
- (xxvi) Preferential Pastoral Holding No. 18/5248 comprising Lot 5248 on Plan PH1407 and commonly known as Ellendale
- (xxvii) Pastoral Holding No. 18/4665 comprising Lot 4665 on Plan PH1417 and commonly known as Eresby
- (xxviii) Pastoral Holding No. 18/4662 comprising Lot 4662 on Plan PH1513 and commonly known as Mount Alder
- (xxix) Term Lease No. 236337 comprising Lot 5259 on Plan PH1559 and commonly known as Mount Juliet
- (xxx) Pastoral Holding No. 18/5277 comprising Lot 5277 on Plan PH1565 and commonly known as Routh
- (xxxi) Pastoral Holding No. 22/4594 comprising Lot 4594 on Plan PH1586 and commonly known as Conjuboy
- (xxxii) Term Lease No. 234423 comprising Lot 5307 on Plan PH1663 and commonly known as Marquis
- (xxxiii) Pastoral Holding No. 18/2248 comprising Lot 2248 on Plan PH2034 and commonly known as Kutchera
- (xxxiv) Pastoral Holding No. 18/2573 comprising Lot 2573 on Plan PH2065 and commonly known as North Head
- (xxxv) Pastoral Holding No. 18/2460 comprising Lot 2460 on Plan PH2068 and commonly known as Cumberland
- (xxxvi) Pastoral Holding No. 18/3105 comprising Lot 3105 on Plan PH2079 and commonly known as Cumberland East
- (xxxvii) Preferential Pastoral Holding No. 18/4912 comprising Lot 4912 on Plan PH210 and commonly known as Billgolla

- (Ixi) Pastoral Holding No. 18/5103 comprising Lot 5103 on Plan SP116199 and commonly known as Mount Talbot
- (Ixii) Pastoral Holding No. 9/246 comprising Lot 2 on Plan SP116768 and commonly known as Springfield
- (Ixiii) Term Lease No. 220131 comprising Lot 50 on Plan SP143226 and commonly known as Spring Creek
- (Ixiv) Pastoral Holding No. 18/3750 comprising Lot 50 on Plan SP144125 and commonly known as Ballynure
- (Ixv) Pastoral Holding No. 18/3752 comprising Lot 52 on Plan SP144125 and commonly known as Welfern
- (Ixvi) Term Lease No. 218272 comprising Lot 1 on Plan SP149834 and commonly known as Lynwater
- (Ixvii) Term Lease No. 220683 comprising Lot 2698 on Plan SP166986 and commonly known as Noel
- (Ixviii) Pastoral Holding No. 18/5199 comprising Lot 5 on Plan SP196211 and commonly known as Duffer
- (Ixix) Term Lease No. 235562 comprising Lot 5306 on Plan SP201262 and commonly known as Rose Glen
- (Ixx) Pastoral Holding No. 18/5527 comprising Lot 37 on Plan SP206973 and commonly known as Arrongulla
- (Ixxi) Pastoral Holding No. 18/5250 comprising Lot 5250 on Plan SP242983 and commonly known as Townley
- (Ixxii) Term Lease No. 236580 comprising Lot 1 on Plan SP242983 and commonly known as Robinhood
- (Ixxiii) Term Lease No. 236581 comprising Lots 2, 3, 4, 5, 6 and 7 on Plan SP242983 and commonly known as Howlong
- (Ixxiv) Term Lease No. 236442 comprising Lot 53 on Plan SP242966 and commonly known as Mount Sullivan
- (Ixxv) Pastoral Development Holding No. 18/234 comprising Lot 12 on Plan TE28 and commonly known as Mt Surprise
- (Ixxvi) Pastoral Holding No. 18/5478 comprising Lot 2 on Plan VR6 and commonly known as Perryvale

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.

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).