

*attachment B*

**Schedule 1 — DETERMINATION AREA**

**A. Description of Determination Area**

The Determination Area comprises all of the land and waters described in Parts 1 and 2 below, to the extent that they are within the External Boundary Description as described in Part 3 below, and depicted on the determination map, excluding the areas described in Schedule 2.

**Part 1 Exclusive Areas**

All of the land and waters described in the following table and depicted in dark blue on the determination map:

<b>Area Description (at time of determination)</b>
Lot 2 on Plan USL39449

**Part 2 Non-Exclusive Areas**

All of the land and waters described in the following table and depicted in light blue on the determination map:

<b>Area Description (at time of determination)</b>
Lot 2 (Pt) on Plan CWL3600
Lot 5 on Plan GU4
Lot 2 (Pt) on Plan K1241104
Lot 3 (Pt) on Plan K1241105
Lot 18 (Pt) on Plan NPW936
Lot 5203 (Pt) on Plan PH1063
Lot 2944 (Pt) on Plan PH1182
Lot 5281 (Pt) on Plan PH1808
Lot 3825 on Plan PH1908
Lot 4573 on Plan PH820
Lot 537 (Pt) on Plan SP132224
Lot 480 on Plan SP179213
Lot 2 (Pt) on Plan SP205224
Lot 4 (Pt) on Plan SP232791
Lot 3 (Pt) on Plan WU32
Lot 2 (Pt) on Plan WU33
The water within Part 3 including, but not limited to, the following rivers and creeks: Anthill Creek, Burdekin River, Emma Creek, Herbert River, Leichhardt Creek and Rudd Creek.
The area of road 60 wide shown on Plan SP179213 between stations A-B-C and D-E-F*

\* denotes areas to which s 24KA of the *Native Title Act 1993* (Cth) applies

### Part 3 External Boundary Description

Commencing on the eastern bank of Anthill Creek at the intersection of that creek and Burdekin River, being a corner of Lot 6 on AP20093 – Sheet 9 of 51 (Native Title Determination Plan); then generally north easterly, generally north westerly and generally northerly along the northern boundary of that lot to the centreline of an unnamed road at Latitude 18.300328° South, further described as: then extending generally north easterly, generally north westerly and generally northerly along the eastern banks of Anthill Creek and the eastern banks of Leichhardt Creek to the centreline of that road to Longitude 145.032616° East; then generally north-westerly and generally easterly through the following coordinate points:

Point	Longitude ° (East)	Latitude ° (South)
1	144.984993	18.243378
2	144.935117	18.207665
3	144.939879	18.206537
4	144.949278	18.205283

and on to the northern most north east corner of Kinrara Pastoral Lease (Lot 537 on Plan SP132224) being a point on the southern boundary of Lot 11 on Plan CP895989; then southerly, easterly and generally northerly along the southern and eastern boundaries of Lot 11 on Plan CP895989 to the southern boundary of Lot 4 on Plan GU44; then northerly, easterly, generally northerly and westerly along the southern, eastern and northern boundaries of that Lot to the eastern bank of Gunnawarra Creek; then generally north easterly, generally easterly and generally south easterly along the eastern banks of Gunnawarra Creek, the southern banks of Rudd Creek and the southern and western banks of Herbert River to a point opposite the intersection of that river and the southern bank of Cameron Creek at Latitude 18.090786° South; then easterly across to the southern bank of Cameron Creek and generally south easterly, generally northerly, again generally south easterly and generally north easterly along the southern banks of that creek to Longitude 145.558899° East; then generally southerly through the following coordinate points:

Point	Longitude ° (East)	Latitude ° (South)
1	145.559276	18.015796
2	145.558774	18.017673
3	145.559776	18.019424
4	145.559901	18.021176
5	145.559151	18.022803
6	145.559901	18.024304
7	145.559901	18.025805
8	145.559276	18.027307
9	145.558900	18.028683
10	145.559026	18.030309
11	145.559151	18.032435
12	145.558400	18.033562
13	145.556648	18.034313
14	145.555773	18.035564
15	145.554772	18.036689
16	145.554647	18.038441
17	145.555272	18.040568
18	145.555022	18.043195
19	145.555022	18.046073
20	145.555272	18.047449

Point	Longitude ° (East)	Latitude ° (South)
21	145.555272	18.053205
22	145.556023	18.055332
23	145.558025	18.056332
24	145.559651	18.057458
25	145.560402	18.058084
26	145.561027	18.059585
27	145.561153	18.061462
28	145.560153	18.064089
29	145.559026	18.065716
30	145.558776	18.066967
31	145.559777	18.068343
32	145.561653	18.069344
33	145.563281	18.071096

then on to a western boundary of National Park Lot 67 on NPW1148, formerly Lot 18 on NPW667 at Latitude 18.073150° South, (being a point on the north western boundary of discontinued native title determination application Q6029/99 Badjuballa People (QC99/37) filed in the Federal Court on 3/11/1999); then generally south westerly along that National Park boundary to a south western corner at Latitude 18.075990° South; then south westerly to the eastern boundary of Cashmere Pastoral Lease (Lot 2 on Plan CWL3600) at Latitude 18.076254° South; then generally southerly and generally south westerly along the eastern boundaries of that Pastoral Lease and Goshen Pastoral Lease (Lot 480 on SP179213, formerly Lot 4801 on Plan PH2275), to the northern bank of the Herbert River; then south westerly along a north western boundary of Lot 18 on NPW936 to the southern bank of that river; then generally westerly along the southern banks of that river to an eastern boundary of Lot 2 on Plan GU31; then southerly, westerly, again southerly and generally south easterly along the south eastern boundaries of that Lot, the eastern boundary of Yammanie Pastoral Lease (Lot 4573 on Plan PH820) and the northern boundaries of Wairuna Pastoral Lease (Lot 3 on Plan WU32) to the western boundary of former Forest Reserve Lot 750 on AP6351 (being a corner on western boundary of Lot 18 on Plan NPW936) at Longitude 145.672729° East; then generally north westerly along the western boundary of that former Forest Reserve to Latitude 18.408324° South; then generally south easterly through the following coordinate points:

Point	Longitude ° (East)	Latitude ° (South)
1	145.662335	18.411034
2	145.665468	18.412663
3	145.669227	18.415295
4	145.676496	18.418428
5	145.678626	18.421560
6	145.678125	18.426573
7	145.678501	18.428202

then to an eastern boundary of Wairuna Pastoral Lease (Lot 3 on Plan WU32) at Longitude 145.680249° East; then generally south easterly along the eastern boundaries of that Lot to Latitude 18.479744° South; then generally southerly through the following coordinate points:

Point	Longitude ° (East)	Latitude ° (South)
1	145.712628	18.488147
2	145.711914	18.493238

<b>Point</b>	<b>Longitude ° (East)</b>	<b>Latitude ° (South)</b>
3	145.709502	18.493238
4	145.707090	18.493417
5	145.705439	18.497637
6	145.703811	18.501271
7	145.706443	18.500519
8	145.708447	18.501271
9	145.709575	18.503903
10	145.709449	18.505156
11	145.707569	18.507036
12	145.706317	18.508163
13	145.705564	18.510670
14	145.705063	18.513803
15	145.705564	18.515808
16	145.706192	18.518815
17	145.704312	18.522449
18	145.701806	18.526836
19	145.701179	18.529592
20	145.700427	18.533101
21	145.700678	18.535858
22	145.702432	18.539116
23	145.703059	18.540996
24	145.701931	18.542124
25	145.700427	18.542625
26	145.699299	18.544254
27	145.699425	18.545382
28	145.701304	18.546635
29	145.703184	18.550520
30	145.705315	18.554656
31	145.706818	18.556285
32	145.707069	18.556911
33	145.706944	18.558039
34	145.706693	18.560671
35	145.705315	18.562926
36	145.702683	18.564806
37	145.701018	18.566034
38	145.700214	18.567016
39	145.699857	18.567820
40	145.700392	18.568624
41	145.700839	18.569517
42	145.701196	18.571661
43	145.701375	18.573448
44	145.700571	18.575145
45	145.699425	18.577463
46	145.700051	18.579969
47	145.703310	18.583854
48	145.706568	18.586611
49	145.708698	18.590370
50	145.709200	18.594130
51	145.709450	18.600145
52	145.709074	18.603152
53	145.708573	18.605408
54	145.709074	18.607288

then south to a northern corner of Lot 6 on Plan Ap20093 (shown on sheet 13 of 51 (Diagram 'D') of native title determination QUD85/05 Gugu Badhun People #2 (QC2005/007) made by the Federal Court on 1 August 2012) at Longitude 145.711079 East; then generally southerly, north westerly, generally south westerly, generally northerly and generally south westerly along the northern boundary of that lot back to the commencement point, further described as:

Point	Longitude ° (East)	Latitude ° (South)
1	145.711079	18.608541
2	145.711581	18.610045
3	145.711706	18.611549
4	145.711079	18.614180
5	145.710077	18.614932

the south westerly to the northern bank of the Burdekin River at Longitude 145.708573° East; then generally north-westerly along that bank to a point opposite the intersection of that river and the western bank of Good Camp Creek at Latitude 18.502172° South; then westerly across to the western bank of Good Camp Creek and generally south westerly along the western banks of that creek to Latitude 18.519819° South; then generally south westerly through the following coordinate points:

Point	Longitude ° (East)	Latitude ° (South)
1	145.542669	18.519793
2	145.541777	18.519693
3	145.540649	18.520320
4	145.539772	18.522200
5	145.538644	18.522701
6	145.536889	18.523578
7	145.535636	18.524831
8	145.534258	18.525583
9	145.533631	18.526962
10	145.533631	18.528215
11	145.532503	18.528716
12	145.532378	18.529593
13	145.532879	18.529969
14	145.532378	18.530596
15	145.532002	18.531223
16	145.531626	18.532100
17	145.530623	18.533228
18	145.529872	18.533478
19	145.528869	18.533478
20	145.528744	18.534105
21	145.527115	18.535107
22	145.526488	18.535734
23	145.525611	18.536486
24	145.524985	18.537238
25	145.524483	18.537864
26	145.524108	18.538741
27	145.524232	18.539869
28	145.524483	18.540496
29	145.524232	18.541122
30	145.523480	18.540997

<b>Point</b>	<b>Longitude ° (East)</b>	<b>Latitude ° (South)</b>
31	145.522353	18.540371
32	145.521602	18.540872
33	145.520347	18.541749
34	145.519345	18.541874
35	145.518093	18.541498
36	145.517341	18.540120
37	145.516338	18.539117
38	145.515085	18.538491
39	145.513831	18.538115
40	145.511702	18.537614
41	145.510950	18.536611
42	145.510574	18.535483
43	145.509321	18.534606
44	145.508693	18.533604
45	145.507190	18.533353
46	145.505435	18.532977
47	145.502929	18.533478
48	145.500924	18.534230
49	145.499421	18.534230
50	145.498042	18.533604
51	145.496037	18.532225
52	145.494408	18.531724
53	145.493155	18.531348

then to the northern bank of Nobb Creek at Longitude 145.491776° East; then generally south westerly along the northern banks of that creek and the northern banks of Lucy Creek and generally north easterly along the eastern banks of Back Creek to Latitude 18.470696° South; then generally northerly through the following coordinate points:

<b>Point</b>	<b>Longitude ° (East)</b>	<b>Latitude ° (South)</b>
1	145.415834	18.468942
2	145.417212	18.467313
3	145.419092	18.465558
4	145.421347	18.463553
5	145.422977	18.461924
6	145.424230	18.460421
7	145.421347	18.457663
8	145.417337	18.454906
9	145.414706	18.451773
10	145.411823	18.446635
11	145.409317	18.441623
12	145.409066	18.437989
13	145.409441	18.435984
14	145.409818	18.435107
15	145.409317	18.433979
16	145.408440	18.432976
17	145.407312	18.431472
18	145.404805	18.428214
19	145.403176	18.424580
20	145.402173	18.422199

then to the northern bank of the Burdekin River at Longitude 145.401979° East, then generally south westerly along the northern banks of that river bank back to the commencement point.

The eastern boundaries of the External Boundary Description, as described in this Part 3, are coincident with the western and southern boundaries of discontinued native title determination application Q6029/99 Badjuballa People (QC99/37) filed in the Federal Court on 3 November 1999.

The southern boundaries of the External Boundary Description, as described in this Part 3, are coincident with the northern boundaries of native title determination QUD85/05 Gugu Badhun People #2 (QC2005/007) as determined by the Federal Court on 1 August 2012.

#### **Reference datum**

Geographical coordinates are in decimal degrees referenced to the Geocentric Datum of Australia (GDA94).

#### **Data reference and source**

- Land tenure information obtained from the Digital Cadastral Database, Department of Natural Resources and Mines (Qld) (February 2013).
- Watercourse boundaries and road boundaries are based where possible on cadastral boundaries obtained from the Digital Cadastral Database, Department of Natural Resources and Mines (Qld) (February 2013) otherwise digitised from 100K Topographic Map sheets © Commonwealth of Australia and supplied by Geoimage Pty Ltd under licence from Geoscience Australia. Native title determination application boundary data compiled by the Department of Natural Resources and Mines (Qld) or sourced from the National Native Title Tribunal.

#### **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.

Prepared by Client Mapping Services, Spatial Data & Mapping, Land & Spatial Information, Department of Natural Resources and Mines (Qld) (April 2013).

#### **B. Map of Determination Area**

[to be inserted]