

### **SCHEDULE THREE (NATIVE TITLE DETERMINATION AREA)**

Note: The “native title determination area” is defined as:

**native title determination area** means the land or waters described in Schedule Three (native title determination area), being the land and waters:

- (a) covered within the external boundary of the native title determination application, described in Part 1 of Schedule Three excluding:
  - (i) the land and waters excluded from the native title determination application on 6 July 2022, described in Part 2 of Schedule Three; and
  - (ii) the land and waters excluded from the native title determination application on 19 October 2022, described in Part 3 of Schedule Three.

#### **Part 1 (external boundaries of the native title determination application)**

Note: The description of the external boundaries of the native title determination application in this Schedule Three has been transcribed from the Attachment B of the native title determination application (which also appears on the National Native Title Tribunal website). If there is any inconsistency between Schedule Three and Attachment B of the native title determination application, the latter prevails.

The external boundary of the native title determination application filed 24 June 2013, which remains unamended at the date of this determination, is as follows:

Commencing at the northernmost western corner of Lot 3 on Plan DP789579, being a point on the southern boundary of the Border Ranges National Park (also being the southern boundary of NSD6019/98 the Githabul Peoples Native Title Determination) and extending generally easterly and generally northerly along the southern and eastern boundaries of that native title determination to Latitude 28.439512° South; then generally easterly and generally south easterly through the following coordinate points

to a point on the northern boundary of the Richmond River Drainage Basin at Longitude 153.199893° East.

<b>Longitude (° East)</b>	<b>Latitude (° South)</b>
153.145337	28.438867
153.147355	28.438614
153.150885	28.437942
153.155004	28.437017
153.155929	28.437185
153.156349	28.437858
153.156686	28.439959
153.156686	28.441809
153.157106	28.443070
153.158199	28.444330
153.158283	28.445591
153.157610	28.446768
153.157526	28.447945
153.156434	28.448281
153.155929	28.449122
153.156349	28.450299
153.156518	28.451896
153.156349	28.453997
153.156349	28.455763
153.156097	28.456855
153.154836	28.457696
153.154752	28.458957
153.154668	28.460806
153.156013	28.461983
153.158787	28.463664
153.160973	28.464925
153.161897	28.465934
153.161813	28.466858
153.161225	28.468624
153.159712	28.470305
153.160048	28.471734
153.161729	28.473247
153.162150	28.474928
153.162738	28.477450

<b>Longitude (° East)</b>	<b>Latitude (° South)</b>
153.163915	28.478795
153.165764	28.481064
153.166773	28.482241
153.168118	28.483166
153.170051	28.483418
153.171733	28.484091
153.172321	28.484679
153.172263	28.485058
153.172397	28.485158
153.172370	28.485154
153.172250	28.485138
153.172153	28.485772
153.171228	28.486864
153.170724	28.488630
153.170556	28.489975
153.171144	28.491151
153.172573	28.491656
153.174591	28.492749
153.176860	28.494094
153.178794	28.496363
153.181652	28.498381
153.183585	28.499642
153.186359	28.501491
153.187788	28.503425
153.188713	28.506451
153.188881	28.508048
153.187872	28.511074
153.187704	28.512755
153.187956	28.514016
153.188881	28.515361
153.191487	28.517210
153.193504	28.518387
153.195185	28.520068
153.195858	28.522254
153.197791	28.522422
153.198212	28.523515
153.198464	28.525448

Then generally easterly and generally southerly along that drainage basin boundary to Longitude 153.499370° East; then south easterly to the western boundary of Friday Hut Road where it intersects the southern boundary of Coolamon Scenic Drive; then generally southerly along the western boundary of Friday Hut Road to Latitude 28.693716° South; then generally southerly and generally south westerly passing through the following coordinate points to the western boundary of Wardell Road at 28.910293° South.

<b>Longitude (° East)</b>	<b>Latitude (° South)</b>
153.498240	28.704277
153.500157	28.713010
153.500583	28.721317
153.499518	28.732393
153.497814	28.740913
153.495684	28.750923
153.488017	28.761572
153.478859	28.767749
153.474173	28.771369
153.471831	28.776481
153.468637	28.788620
153.467573	28.796713
153.469064	28.801399
153.472046	28.806723
153.474389	28.810131
153.476732	28.814178
153.478010	28.819716
153.478010	28.822911
153.476732	28.829940
153.473963	28.836969
153.468852	28.842933
153.462462	28.852518
153.461823	28.856991
153.459480	28.868492
153.450108	28.882550
153.442013	28.894906

Then generally southerly along the western boundary of that road and Buckombil Mountain Road to the north eastern corner of Lot 79 on Plan DP755720; then generally southerly passing through the following coordinate points to the western bank of Tuckean Broadwater at Latitude 28.982108° South (also being the north eastern boundary of NSD6107/1998 Bandjalang People #2 (NC1998/019) native title determination application).

<b>Longitude (° East)</b>	<b>Latitude (° South)</b>
153.426252	28.932393
153.424548	28.933884
153.422632	28.941338
153.420715	28.950496
153.417734	28.960295
153.416244	28.964768
153.416457	28.969667
153.414327	28.974992
153.411132	28.979464
153.408576	28.980955
153.405807	28.981807
153.404751	28.982108

Then generally westerly and generally north westerly along that native title determination application to the intersection of the eastern boundary of Gores Road and the northern boundary of Lot 184 on Plan DP755742, further described as:

Commencing at a point on the western bank of Tuckean Broadwater at Latitude 28.982108° South (also being a point on the eastern boundary of Lot 29 on Plan DP755691) and extending generally northerly and generally westerly along the eastern and northern boundaries of that lot, the eastern and southern boundaries of Lot 126 on Plan DP755691 and the prolongation of that southern boundary to the eastern boundary of Lot 226 on Plan DP755691; then generally southerly and generally westerly along the eastern and southern boundaries of that lot, eastern and northern boundaries of Lot 162 on Plan DP 755691, southern boundary of Lot 227 on Plan DP755691, southern and western boundaries of

Lot 1 on DP115382, southern boundary of Lot 170 on Plan DP755691, eastern and southern boundaries of Lot 154 on Plan DP755691, eastern and southern boundary of Lot 1 on Plan DP627659 to the northern boundary of the Dungarubba Road Reserve; then generally westerly along that road reserve to its intersection with the eastern boundary of the Wyrallah Road Reserve; then northerly along that road reserve to the prolongation easterly of the northern boundary of Maxwell Road Reserve; then generally westerly along that prolongation and that road reserve and Paffs Lane Road Reserve to the northern boundary of Lot 2 on Plan DP114827; then generally westerly along the northern boundary of that lot, again Paffs Lane Road Reserve and onwards to its intersection with the western boundary of Tuckurimba Road Reserve; then generally southerly along that road reserve to the northern boundary of Delelvin Lane Road Reserve; then generally westerly along that road reserve to the eastern bank of Wilsons River; then generally north westerly along the eastern and northern banks of that river to Longitude 153.295028° East; then south westerly to the intersection of the southern bank of Wilsons River and the north western bank of Pelican Creek; then generally westerly along the north western, northern and eastern banks of Pelican Creek to the eastern boundary of Lot 259 on Plan DP728186; then generally northerly along the eastern boundary of that lot, southern and western boundaries of Lot 4 on Plan DP739070, western boundary of Lot 2 on Plan DP594856 and Lot 139 on Plan DP755736 to its intersection with again the northern bank of Pelican Creek at Latitude 28.894493° South; then generally north westerly along the northern boundaries of that creek to its intersection with Lot 2 on Plan DP534003; then generally northerly and generally north westerly along eastern and northern boundaries of that lot, the western boundaries of Lot 4 on Plan DP122848 and southern and western boundaries of Lot 14 on Plan DP113663, Lot 13 on Plan DP113663 and Lot 2 on Plan DP1135039 (formerly Lots 145 and 125 on Plan DP755736) to again the northern bank of Pelican Creek at Longitude 153.216221° East; then generally north westerly along the northern boundary of that creek to the southern boundary of Lot 105 on Plan DP755736; then generally westerly and northerly along southern and western boundaries of that lot; then westerly to a point again on the northern bank of Pelican Creek at Longitude 153.194725° East; then generally north westerly along the northern bank of that creek to its

intersection with the northern boundary of the Caniaba Road Reserve; then westerly along that road reserve to the eastern boundary of Lot 2 on Plan DP866264; then generally northerly and generally westerly along the eastern and northern boundaries of that lot to again the northern bank of Pelican Creek; then generally north westerly along the northern boundary of that creek to the northernmost corner of Lot 10 on Plan DP845649; then southerly along the western boundary of that lot to the northern boundary of an un-named road reserve (north of Lot 11 on Plan DP845649); then westerly and southerly along the northern and western boundaries of that road reserve to its intersection with the northern boundary of Gores Road Reserve; then generally north westerly along the northern and eastern boundaries of Gores Road Reserve to its intersection with the northern boundary of Lot 184 on Plan DP755742.

Then generally north westerly passing through the following coordinate points to the western bank of an un-named creek at Latitude 28.792387° South.

<b>Longitude (° East)</b>	<b>Latitude (° South)</b>
153.123522	28.807553
153.123115	28.806739
53.121893	28.804804
153.119755	28.802565
153.118636	28.801140
153.118432	28.799104
153.118127	28.798086
153.117414	28.796660
153.116396	28.795337
153.115275	28.794115
153.114461	28.792996

Then generally northerly along that bank of that creek to its intersection with the western bank of Back Creek at Latitude 28.774980° South; then generally north westerly and generally northerly along the western banks of that creek and western banks of Boundary Creek to Latitude 28.668908° South; then south westerly to a corner on the western boundary of Lot 2 on Plan DP123265 at Latitude 28.671250° South;

then generally northerly along the western boundaries of that lot, Lot 1 on Plan DP123265, Lot 2 on Plan DP233701 to the southern boundary of Lot 2 on DP1014764; then north easterly to the southernmost point on the southern boundary of the north eastern severance of Lot 58 on Plan DP1121658; then generally north westerly along southern and western boundaries of that north eastern severance, the eastern severance of Lot 118 on Plan DP755690, the eastern severance of Lot H on Plan DP412308, Lot 172 on Plan DP755707, again the eastern severance Lot H on Plan DP412308 and Lot G on Plan DP412304 to the southern boundary of the Murwillumbah Road Reserve; then north westerly to the centreline of an un-named creek at Longitude 153.068574° East, Latitude 28.588915° South; then generally north easterly along the centreline of that un-named creek to Latitude 28.554320° South; then generally north easterly through the following coordinate points to a corner on the eastern boundary of an un-named road reserve at Latitude 28.527521° South.

<b>Longitude (° East)</b>	<b>Latitude (° South)</b>
153.089613	28.539724
153.090020	28.537790
153.089715	28.535041
153.091038	28.532394
153.092463	28.530154
153.093481	28.528220
153.094092	28.527508
153.095212	28.528118
153.096434	28.528831
153.098063	28.528118

Then generally north easterly along the eastern boundaries of that road reserve and Creegan Road Reserve back to the commencement point.

### **Exclusions**

This native title determination application specifically excludes any area within the external boundary of the following native title determinations and native title determination applications:



- NSD6107/1998 Bandjalang People #2 (NC1998/019) as determined by the Federal Court on 2 December 2013;
- NSD6020/2001 Byron Bay Bundjalung People #3 (NC2001/008) as accepted for registration on 14 March 2011; and
- NSD6019/98 - The Githabul People (NC1995/011) as determined by the Federal Court on 29 November 2007.

**Part 2 (land and waters excluded from the native title determination application on 6 July 2022)**

1.	Lot 8 DP 242199
2.	Lot 23 DP 256783
3.	Lot 21 DP 256783
4.	Lot 25 DP 256783
5.	Lot 22 DP 256783
6.	Lot 245 DP 728122
7.	Lot 24 DP 256783
8.	Lot 3 DP 721329
9.	Lot 1 DP 250076
10.	Lot 163 DP 41231
11.	Lot 1 DP 135355
12.	Lot 14 DP 242199
13.	Lot 6 DP 241962
14.	Lot 6 DP 247851
15.	Lot 5 DP 245679
16.	Lot 10 DP 253467
17.	Lot 7 DP 245679
18.	Lot 4 DP 242254
19.	Lot 3 DP 47033
20.	Lot 2 DP 241962
21.	Lot 1 DP 250481
22.	Lot 392 DP 728547
23.	Lot 10 DP 253466
24.	Lot 1 DP 1187922
25.	Lot 2 DP 43788
26.	Lot 1 DP 1191679

27.	Lot 2 DP 1189818
28.	Lot 5 DP 242199
29.	Lot 9 DP 253467
30.	Lot 1 DP 243870
31.	Lot 2 DP 1187095
32.	Lot 12 DP 242199
33.	Lot 266 DP 728141
34.	Lot 6 DP 242199
35.	Lot 11 DP 253299
36.	Lot 1 DP 1187774
37.	Lot 1 DP 242554
38.	Lot 3 DP 1194482
39.	Lot 1 DP 1196297
40.	Lot 1 DP 1188115
41.	Lot 4 DP 1187922
42.	Lot 3 DP 1191681
43.	Lot 1 DP 1187129
44.	Lot 3 DP 43788
45.	Lot 7300 DP 1143525
46.	Lot 1 DP 1191180
47.	Lot 1 DP 1192319
48.	CAD ID 105232662
49.	CAD ID 170094172
50.	CAD ID 105255676
51.	CAD ID 105567314
52.	CAD ID 107069414
53.	CAD ID 107069415
54.	CAD ID 105425682
55.	CAD ID 105017116
56.	CAD ID 105437000
57.	CAD ID 105431354
58.	CAD ID 105147839
59.	CAD ID 105451603
60.	CAD ID 105601031
61.	CAD ID 107065884
62.	CAD ID 107065885
63.	CAD ID 105684628

64.	CAD ID 105509847
65.	CAD ID 105238379
66.	CAD ID 105255503
67.	CAD ID 105074456
68.	CAD ID 105402825
69.	CAD ID 105595421
70.	CAD ID 105631982
71.	CAD ID 105606668
72.	CAD ID 105601026
73.	Lot 7001 DP 1063053
74.	Lot 3 DP 242199
75.	Lot 1 DP 1186968
76.	Lot 2 DP 250076
77.	Lot 3 DP 1189425
78.	Lot 21 DP 1162349
79.	Lot 10 DP 1150046
80.	Lot 9 DP 253466
81.	Lot 1 DP 1192318
82.	Lot 1 DP 1194679
83.	Lot 1 DP 1193591
84.	CAD ID 105402719
85.	CAD ID 105612399
86.	CAD ID 105702599
87.	CAD ID 105005863
88.	CAD ID 107066868
89.	CAD ID 107066869
90.	CAD ID 107066866
91.	CAD ID 107066867
92.	CAD ID 105011472
93.	CAD ID 167520556
94.	CAD ID 107018948
95.	CAD ID 105232584
96.	Lot 1 DP 43788
97.	Lot 1 DP 1195058
98.	Lot 1 DP 1189429
99.	Lot 1 DP 1187586
100.	Lot 1 DP 1196674

101.	Lot 3 DP 250076
102.	Lot 1 DP 1187850
103.	Lot 1 DP 1196290
104.	Lot 2 DP 1187922
105.	Lot 1 DP 1173124
106.	Lot 148 DP 755729
107.	Lot 1 DP 1200024
108.	Lot 1 DP 820667
109.	Lot 2 DP 1196290
110.	Lot 1 DP 1187042
111.	Lot 1 DP 1196045
112.	CAD ID 106690380
113.	CAD ID 105215418
114.	CAD ID 105312610
115.	CAD ID 105612404
116.	CAD ID 105062850
117.	CAD ID 105702606
118.	CAD ID 105601109
119.	CAD ID 105157666
120.	Lot 4 DP 1178608
121.	Lot 1 DP 1181584
122.	Lot 3 DP 1191390
123.	Lot 1 DP 1176285
124.	Lot 9 DP 242199
125.	Lot 11 DP 253467
126.	Lot 16 DP 45978
127.	Lot 1 DP 1188714
128.	Lot 2 DP 1191680
129.	Lot 2 DP 242254
130.	Lot 2 DP 47033
131.	Lot 1 DP 1166470
132.	Lot 1 DP 1189818
133.	Lot 2 DP 1191684
134.	Lot 20 DP 1162349
135.	Lot 1 DP 1196291
136.	Lot 11 DP 1150046
137.	Lot 1 DP 1187095

138.	Lot 2 DP 1196297
139.	Lot 384 DP 728132
140.	Lot 48 DP 704280
141.	Lot 2 DP 1181584
142.	Lot 2 DP 1187129
143.	Lot 2 DP 1189846
144.	Lot 1 DP 1197615
145.	CAD ID 100244359
146.	CAD ID 105572682
147.	CAD ID 105203959
148.	CAD ID 105520056
149.	CAD ID 105679660
150.	CAD ID 105296471
151.	CAD ID 105362575
152.	CAD ID 105702591
153.	CAD ID 105544319
154.	CAD ID 105538635
155.	CAD ID 105705497
156.	CAD ID 105477412
157.	CAD ID 105519878
158.	CAD ID 105045712
159.	CAD ID 105391233
160.	CAD ID 105419971
161.	CAD ID 105706163
162.	CAD ID 106712960
163.	CAD ID 105356920
164.	CAD ID 105080329
165.	CAD ID 105074614
166.	CAD ID100278572
167.	CAD ID 100278804
168.	CAD ID 105175481
169.	CAD ID 105261049
170.	CAD ID 105425621
171.	CAD ID 105544317
172.	Lot 2 DP 242554
173.	Lot 17 DP 45978
174.	Lot 385 DP 728132

175.	Lot 383 DP 728131
176.	Lot 2 DP 1027540
177.	Lot 1 DP 1191684
178.	Lot 1 DP 1190635
179.	Lot 28 DP 45978
180.	Lot 7301 DP 1158560

**Part 3 (land and waters excluded from the native title determination application on 19 October 2022)**

1.	CAD ID 105203966
2.	Lot 1 DP 806694
3.	(Part) Lot 129 DP 755691 <sup>4</sup>
4.	Lot 132 DP 755691
5.	Lot 144 DP 755691
6.	(Part) Lot 126 DP 755691 <sup>5</sup>
7.	Lot 130 DP 755691
8.	Lot 127 DP 755691
9.	Lot 131 DP 755691
10.	Lot 135 DP 755691
11.	Lot 143 DP 755691
12.	Lot 147 DP 755691
13.	Lot 133 DP 755691
14.	Lot 134 DP 755691
15.	Lot 93 DP 755691
16.	Lot 125 DP 755691
17.	CAD ID 104039770
18.	CAD ID 104406629
19.	CAD ID 104039848
20.	Lot 43 DP 755693

<sup>4</sup> The excluded part of lot 129 in deposited plan 755691 is the part of former portion 80 in Crown Plan 3999-1759, which is situated within lot 129 in deposited plan 755691. The area subject to the application is the remaining part of lot 129 in deposited plan 755691, which excludes the part of the land subject to former portion 80 in Crown Plan 3999-1759.

<sup>5</sup> The excluded part of lot 126 in deposited plan 755691 is the part of Stibbards Creek within lot 126 in deposited plan 755691. The area subject to the application is the part of the land within lot 126 in deposited plan 755691 to the north of Stibbards Creek, and the part of the land within lot 126 in deposited plan 755691 to the south of Stibbards Creek.

21.	Lot 89 DP 755693
22.	CAD ID 104189557
23.	CAD ID 107200654
24.	CAD ID 107019614
25.	Lot 1 DP 712828
26.	Lot 90 DP 755712
27.	Lot 1 DP 123317
28.	Lot 91 DP 755712
29.	Lot 75 DP 755712
30.	CAD ID 107018948
31.	Lot 7001 DP 1063053
32.	Lot 1 DP 125323
33.	Lot 137 DP 755720
34.	Lot 1 DP 1097962
35.	Lot 72 DP 755739
36.	Lot 89 DP 755739
37.	Lot 82 DP 755739
38.	Lot 1 DP 1178152
39.	Lot 2 DP 1178152
40.	CAD ID 105051432
41.	CAD ID 105436971
42.	Lot 31 DP 755743
43.	CAD ID 107019470
44.	Lot 1 DP 603080
45.	Lot 121 DP 755746
46.	Lot 124 DP 755746
47.	Lot 55 DP 755752
48.	Lot 5 DP 821941
49.	Lot 7 DP 821941
50.	Lot 8 DP 821941
51.	Lot 3 DP 808304
52.	Lot 5 DP 249043
53.	Lot 4 DP 755752
54.	Lot 6 DP 821941
55.	Lot 64 DP 755752
56.	Lot 31 DP 755752
57.	Lot 98 DP 728194

58.	Lot 1 DP 755752
59.	CAD ID 100778047
60.	CAD ID 100002506
61.	CAD ID 105437024
62.	CAD ID 105567098
63.	CAD ID 105606725
64.	CAD ID 106732315
65.	CAD ID 104406630
66.	CAD ID 103685824
67.	CAD ID 106709313
68.	CAD ID 105544375
69.	CAD ID 107019477
70.	Lot 1 DP 230291
71.	CAD ID 105085732
72.	Lot 2 DP 808419
73.	CAD ID 106732200
74.	CAD ID 171230422
75.	CAD ID 107197768