



SCHEDULE 5: AREAS NOT FORMING PART OF THE DETERMINATION AREA

The following areas of land and waters are excluded from the Determination Area as described in Schedule 4:

- (1) The land and waters within the External Boundary which at the time the native title determination application was made were, or had been, the subject of one or more surrenders of native title to which s 24EB(1)(d) of the *Native Title Act 1993* (Cth) applies.
- (2) The land and waters within the External Boundary which at the time the native title determination application was made were, or had been, the subject of one or more Previous Exclusive Possession Acts, within the meaning of s 23B of the *Native Title Act 1993* (Cth) as they could not be claimed in accordance with s 61A of the *Native Title Act 1993* (Cth).
- (3) Specifically, and to avoid any doubt, the land and waters described in (2) above includes the land and 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 s 21 of the *Native Title (Queensland) Act 1993* (Qld), apply, together with any adjacent land or waters in accordance with s 251D of the *Native Title Act 1993* (Cth), including the areas described in the table below and depicted in yellow in the map in Schedule 6:

Area description (at time of Determination)			Determination Map Sheet Reference
1. Inner harbour between the eastern and western breakwaters, Townsville shaded yellow, in determination map, sheet 3, described as:			3
Point No.	Longitude (°East)	Latitude (°South)	
1	146.83618139	19.24113415	



2	146.83549668	19.24229979
3	146.83737793	19.24490294
4	146.83736267	19.24508303
5	146.83729779	19.24545223
6	146.83707302	19.24552017
7	146.83699235	19.24573943
8	146.83691174	19.24571192
9	146.83448631	19.25234953
10	146.83435980	19.25230780
11	146.83409384	19.25303569

Extending generally westerly along the High Water Mark from the High Water Mark at Longitude 146.834094° East, Latitude 19.253036° South to the High Water Mark at Longitude 146.833178° East, Latitude 19.252630° South

12	146.83317820	19.25263036
13	146.83310598	19.25282744

Extending generally westerly along the High Water Mark from the High Water Mark at Longitude 146.833106° East, Latitude 19.252827° South to the High Water Mark at Longitude 146.830220° East, Latitude 19.250273° South



14	146.83022033	19.25027340
15	146.82920389	19.24992098
16	146.83323479	19.24369140
17	146.83523337	19.24060268

which includes:

- Lot 449 on Plan SP126597;
- Lot 450 on Plan SP126597;
- Lot 460 on Plan SP242513;
- Lot 461 on Plan SP242513;
- Lot 462 on Plan SP259996; and
- That part of Lot 430 on Plan EP1068 within the External Boundary covered by an area of public works.

2. Section 251D area around Lot 791 on EP2348, shaded yellow, in determination map, sheet 7, described as:			7
Point No.	Longitude (°East)	Latitude (°South)	
1	146.838879383	19.2461674861	
2	146.838952003	19.2460006799	
3	146.838959780	19.2460037391	
4	146.838974500	19.2460110173	
5	146.838992584	19.2460222822	



6	146.839894640	19.2466566451
7	146.840747203	19.2472562250
8	146.840751220	19.2472591136
9	146.840760350	19.2472658478
10	146.840772585	19.2472764959
11	146.840783797	19.2472881168
12	146.840792216	19.2472984635
13	146.840793908	19.2473006156
14	146.846937961	19.2553752776
15	146.846948525	19.2553907694
16	146.846956188	19.2554047511
17	146.846962539	19.2554193130
18	146.846967530	19.2554343451
19	146.846971122	19.2554497334
20	146.846973288	19.2554653613
21	146.846973650	19.2554732345
22	146.846974012	19.2554811084
23	146.846973288	19.2554968552



24	146.846971122	19.2555124818
25	146.846967530	19.2555278701
26	146.846962540	19.2555429032
27	146.846956188	19.2555574650
28	146.846948525	19.2555714459
29	146.846940525	19.2555834842
30	146.846931552	19.2555948871
31	146.844019728	19.2590060773
32	146.843794142	19.2589834395
33	146.846783771	19.2554811081
34	146.840638072	19.2474042536
which includes: • That part of Lot 792 on Plan SP234641 covered by an area of public works; • That part of Lot 793 on Plan SP251250 covered by an area of public works; and • That part of Lot 794 on Plan SP308904 covered by an area of public works.		
3. Borrow area adjacent to Lot 773 on Plan SP223346, shaded yellow, in determination map, sheet 5, described as:		



Point No.	Longitude (°East)	Latitude (°South)	
1	146.84421190000	19.2616364	
2	146.84264180000	19.2631985	
3	146.84261580000	19.2631958	
4	146.84088990000	19.2648981	
5	146.84061910000	19.2652111	
6	146.83612020000	19.2696875	
7	146.83559420000	19.2685599	
8	146.83559510000	19.2685589	
9	146.84371810000	19.2591777	
10	146.84543680000	19.2596437	
11	146.84561620000	19.2596923	
12	146.84538840000	19.2604613	
13	146.84420990000	19.2616236	
14	146.84421130000	19.2616284	
4. Channel extending from Ross River adjacent to Lot 773 on Plan SP223346, shaded yellow, in determination map, sheet 6, described as:			6



Point No.	Longitude (°East)	Latitude (°South)
1	146.8442057	19.2615989
2	146.8425908	19.2631974
3	146.8425801	19.2631959
4	146.8425675	19.2631939
5	146.8425549	19.2631919
6	146.8425423	19.2631897
7	146.8425302	19.2631875
8	146.8425172	19.2631851
9	146.8425047	19.2631826
10	146.8424922	19.2631800
11	146.8424797	19.2631773
12	146.8424673	19.2631745
13	146.8424549	19.2631716
14	146.8424425	19.2631686
15	146.8424301	19.2631655
16	146.8424178	19.2631623
17	146.8424054	19.2631590



18	146.8423961	19.2631564
19	146.8409918	19.2647802
20	146.8361202	19.2696875
21	146.8355951	19.2685589
22	146.8438800	19.2589907
23	146.8437941	19.2589834
24	146.8467838	19.2554811
25	146.8467416	19.2554257
26	146.8493652	19.2523914
27	146.8493864	19.2523685
28	146.8494300	19.2523297
29	146.8494783	19.2522964
30	146.8495307	19.2522691
31	146.8495863	19.2522483
32	146.8496442	19.2522342
33	146.8497035	19.2522271
34	146.8497632	19.2522272
35	146.8498225	19.2522343



36	146.8498804	19.2522485
37	146.8499359	19.2522694
38	146.8499882	19.2522968
39	146.8500349	19.2523289
40	146.8506975	19.2528458
41	146.8507419	19.2528853
42	146.8507799	19.2529290
43	146.8508119	19.2529770
44	146.8508373	19.2530283
45	146.8508557	19.2530823
46	146.8508669	19.2531381
47	146.8508706	19.2531947
48	146.8508668	19.2532513
49	146.8508555	19.2533071
50	146.8508370	19.2533610
51	146.8508115	19.2534124
52	146.8507795	19.2534602
53	146.8507625	19.2534811



54	146.8461426	19.2588239
55	146.8447094	19.2604813
56	146.8441746	19.2610998
57	146.8441574	19.2611326
58	146.8441366	19.2611635
59	146.8441125	19.2611921
60	146.8440792	19.2612255
61	146.8440762	19.2612285
62	146.8440738	19.2612333
63	146.8440771	19.2612441
64	146.8440828	19.2612548
65	146.8440884	19.2612655
66	146.8440939	19.2612762
67	146.8440993	19.2612870
68	146.8441046	19.2612979
69	146.8441098	19.2613088
70	146.8441149	19.2613197
71	146.8441198	19.2613307



72	146.8441247	19.2613417
73	146.8441295	19.2613528
74	146.8441340	19.2613637
75	146.8441387	19.2613750
76	146.8441431	19.2613862
77	146.8441475	19.2613974
78	146.8441517	19.2614087
79	146.8441558	19.2614200
80	146.8441598	19.2614313
81	146.8441637	19.2614427
82	146.8441675	19.2614541
83	146.8441712	19.2614655
84	146.8441748	19.2614770
85	146.8441783	19.2614884
86	146.8441816	19.2615000
87	146.8441849	19.2615115
88	146.8441879	19.2615227
89	146.8441911	19.2615347



90	146.8441940	19.2615463	
91	146.8441968	19.2615580	
92	146.8441995	19.2615696	
93	146.8442021	19.2615813	
94	146.8442045	19.2615931	
5. Platypus Channel, shaded yellow, in determination map, sheet 2, described as:			2
Point No.	Longitude (°East)	Latitude (°South)	
1	146.868385844	19.1919757714	
2	146.868381274	19.1919865237	
3	146.868369815	19.1920121094	
4	146.868367177	19.1920173344	
5	146.868350748	19.1920471020	
6	146.868344214	19.1920570962	
7	146.868328832	19.1920805730	
8	146.856212106	19.2108688719	
9	146.856224192	19.2108793931	
10	146.856252214	19.2109084457	



11	146.856277466	19.2109397070
12	146.856299753	19.2109729414
13	146.856318905	19.2110078945
14	146.856334780	19.2110442991
15	146.856347252	19.2110818817
16	146.856356231	19.2111203529
17	146.856361647	19.2111594204
18	146.856363455	19.2111987873
19	146.856361646	19.2112381560
20	146.856356232	19.2112772244
21	146.856351799	19.2112981867
22	146.856123089	19.2122571859
23	146.856113657	19.2122844731
24	146.856097784	19.2123208786
25	146.856078631	19.2123558317
26	146.856072273	19.2123659832
27	146.849752721	19.2221627218
28	146.849733195	19.2221906134



29	146.849711548	19.2222170526
30	146.849683522	19.2222461061
31	146.849652013	19.2222734617
32	146.848877977	19.2228840977
33	146.848845931	19.2229072733
34	146.848811935	19.2229277877
35	146.848775140	19.2229459837
36	146.848736816	19.2229610635
37	146.848697252	19.2229729130
38	146.848656754	19.2229814412
39	146.848615626	19.2229865854
40	146.848574182	19.2229883040
41	146.848532740	19.2229865854
42	146.848491612	19.2229814403
43	146.848451112	19.2229729130
44	146.848411600	19.2229610968
45	146.841078723	19.2343267036
46	146.840664806	19.2349681874



47	146.836768617	19.2410061807
48	146.836782203	19.2410309696
49	146.836798079	19.2410673760
50	146.836810555	19.2411049559
51	146.836819535	19.2411434271
52	146.836824951	19.2411824955
53	146.836826760	19.2412218624
54	146.836824950	19.2412612302
55	146.836819536	19.2413002977
56	146.836810555	19.2413387698
57	146.836798081	19.2413763506
58	146.836782205	19.2414127561
59	146.836763048	19.2414477082
60	146.836756661	19.2414579048
61	146.836710642	19.2415292182
62	146.836342583	19.2420995835
63	146.835784698	19.2429641082
64	146.835765178	19.2429919836



65	146.835743538	19.2430184075
66	146.835715509	19.2430474601
67	146.835652008	19.2430980703
68	146.835684922	19.2430740818
69	146.835617016	19.2431192422
70	146.835580216	19.2431374381
71	146.835541888	19.2431525180
72	146.835522104	19.2431584427
73	146.835502319	19.2431643674
74	146.835461815	19.2431728957
75	146.835451949	19.2431744465
76	146.835292187	19.2431979239
77	146.834694609	19.2432857331
78	146.834482648	19.2433168799
79	146.834470974	19.2433466303
80	146.834455584	19.2433813550
81	146.834437201	19.2434147405
82	146.834430862	19.2434248616



83	146.834070458	19.2439836040
84	146.834050915	19.2440115189
85	146.834029249	19.2440379797
86	146.834001220	19.2440670323
87	146.833970632	19.2440936549
88	146.833937717	19.2441176425
89	146.833902727	19.2441388144
90	146.833865927	19.2441570094
91	146.833827597	19.2441720884
92	146.833788028	19.2441839387
93	146.833747525	19.2441924670
94	146.833706391	19.2441976111
95	146.833664943	19.2441993297
96	146.833623495	19.2441976111
97	146.833582361	19.2441924679
98	146.833541857	19.2441839396
99	146.833502288	19.2441720893
100	146.833463958	19.2441570094



101	146.833427158	19.2441388144
102	146.833392169	19.2441176416
103	146.833359254	19.2440936540
104	146.833343959	19.2440803431
105	146.833328665	19.2440670323
106	146.833300637	19.2440379797
107	146.833275381	19.2440067165
108	146.833253089	19.2439734830
109	146.833233933	19.2439385317
110	146.833218055	19.2439021254
111	146.833205581	19.2438645445
112	146.833196600	19.2438260733
113	146.833191186	19.2437870050
114	146.833189376	19.2437476371
115	146.833191185	19.2437082702
116	146.833196602	19.2436692028
117	146.833205581	19.2436307316
118	146.833218056	19.2435931505



119	146.833219318	19.2435898979
120	146.833405945	19.2431142734
121	146.834122105	19.2412890780
122	146.834302630	19.2408290053
123	146.834303962	19.2408257884
124	146.834318937	19.2407918255
125	146.834337671	19.2407576503
126	146.834344246	19.2407475950
127	146.834359595	19.2407241796
128	146.834558723	19.2404147802
129	146.835613222	19.2387805580
130	146.838059984	19.2349885165
131	146.838079510	19.2349606312
132	146.838101155	19.2349341984
133	146.838108558	19.2349260190
134	146.839562412	19.2333578748
135	146.846855145	19.2220545091
136	146.846843107	19.2220440302



137	146.846815081	19.2220149767
138	146.846789828	19.2219837154
139	146.846767540	19.2219504809
140	146.846748385	19.2219155279
141	146.846732512	19.2218791215
142	146.846720037	19.2218415407
143	146.846711059	19.2218030704
144	146.846705645	19.2217640020
145	146.846703836	19.2217246333
146	146.846705645	19.2216852673
147	146.846711059	19.2216461989
148	146.846715488	19.2216252510
149	146.846936601	19.2206940237
150	146.846944191	19.2206662149
151	146.846953626	19.2206389187
152	146.846969500	19.2206025141
153	146.846988654	19.2205675610
154	146.853314677	19.2107607455



155	146.853334206	19.2107328494
156	146.853355856	19.2107064049
157	146.853383879	19.2106773523
158	146.853415368	19.2106500111
159	146.854189238	19.2100393283
160	146.854221301	19.2100161347
161	146.854255317	19.2099956059
162	146.854292110	19.2099774108
163	146.854330432	19.2099623310
164	146.854369990	19.2099504815
165	146.854410487	19.2099419524
166	146.854451611	19.2099368091
167	146.854493051	19.2099350905
168	146.854534491	19.2099368091
169	146.854575615	19.2099419524
170	146.854616112	19.2099504815
171	146.854655593	19.2099622797
172	146.864028447	19.1954289189



173	146.868568333	19.1867944038
174	146.889246779	19.1368314335
175	146.889260945	19.1368006138
176	146.889277485	19.1367708822
177	146.889288624	19.1367542654
178	146.889299763	19.1367376486
179	146.889325003	19.1367063864
180	146.889353013	19.1366773338
181	146.889383582	19.1366507121
182	146.889416475	19.1366267226
183	146.889451442	19.1366055508
184	146.889488220	19.1365873557
185	146.889526524	19.1365722750
186	146.889566067	19.1365604255
187	146.889606545	19.1365518964
188	146.889647650	19.1365467531
189	146.889689073	19.1365450345
190	146.889730495	19.1365467531



191	146.889771600	19.1365518964
192	146.889812079	19.1365604255
193	146.889851621	19.1365722759
194	146.889892245	19.1365883899
195	146.890684884	19.1369446330
196	146.890719344	19.1369617939
197	146.890754313	19.1369829657
198	146.890787205	19.1370069551
199	146.890817775	19.1370335768
200	146.890845785	19.1370626294
201	146.890871026	19.1370938917
202	146.890893302	19.1371271261
203	146.890912447	19.1371620792
204	146.890928313	19.1371984846
205	146.890940782	19.1372360664
206	146.890949755	19.1372745376
207	146.890952461	19.1372940709
208	146.890955167	19.1373136050



209	146.890956976	19.1373529738	
210	146.890955168	19.1373923416	
211	146.890949755	19.1374314108	
212	146.890940781	19.1374698820	
213	146.890928314	19.1375074638	
6. Berth No. 11 Port of Townsville, shaded yellow, in determination map, sheet 4, described as:			4
Point No.	Longitude (°East)	Latitude (°South)	
1	146.843367903	19.229914184	
2	146.843527497	19.229488820	
3	146.843530542	19.229489732	
4	146.843568869	19.229504812	
5	146.843605665	19.229523007	
6	146.843640653	19.229544179	
7	146.843673565	19.229568168	
8	146.843704150	19.229594789	
9	146.843732177	19.229623842	
10	146.843757431	19.229655103	



11	146.843779721	19.229688338
12	146.843798876	19.229723290
13	146.843814751	19.229759695
14	146.843827226	19.229797277
15	146.843836205	19.229835748
16	146.843841620	19.229874816
17	146.843843430	19.229914184
18	146.843841620	19.229953551
19	146.843836206	19.229992619
20	146.843827227	19.230031090
21	146.843813160	19.230072766
22	146.841423863	19.236125444
23	146.841097891	19.240712526
24	146.841091745	19.240760541
25	146.841082767	19.240799012
26	146.841070291	19.240836594
27	146.839788389	19.243828560
28	146.839759770	19.243884107



29	146.839737479	19.243917341
30	146.839712222	19.243948603
31	146.839684194	19.243977656
32	146.839653605	19.244004278
33	146.839618254	19.244029876
34	146.838106555	19.245021930
35	146.838074004	19.245041490
36	146.838037204	19.245059685
37	146.837998874	19.245074765
38	146.837959305	19.245086614
39	146.837918801	19.245095144
40	146.837877667	19.245100287
41	146.837836219	19.245102005
42	146.837794770	19.245100287
43	146.837753637	19.245095144
44	146.837713132	19.245086614
45	146.837673564	19.245074765
46	146.837635234	19.245059685



47	146.837598433	19.245041490
48	146.837563442	19.245020318
49	146.837530528	19.244996330
50	146.837499940	19.244969708
51	146.837471911	19.244940655
52	146.837452619	19.244917301
53	146.836083666	19.242875601
54	146.835456246	19.243331906
55	146.835431135	19.243348969
56	146.835404910	19.243364450
57	146.835368109	19.243382645
58	146.835329780	19.243397725
59	146.835290212	19.243409574
60	146.835249708	19.243418103
61	146.835208575	19.243423246
62	146.835167127	19.243424966
63	146.835125678	19.243423246
64	146.835084546	19.243418103



65	146.835044041	19.243409574
66	146.835004474	19.243397725
67	146.834966144	19.243382645
68	146.834929344	19.243364450
69	146.834894354	19.243343278
70	146.834861439	19.243319289
71	146.834830852	19.243292667
72	146.834802822	19.243263615
73	146.834777567	19.243232353
74	146.834763872	19.243211935
75	146.835167127	19.242973274
76	146.836351201	19.241221863
77	146.836148001	19.241103572
78	146.834150803	19.242509383
79	146.833989896	19.242489469
80	146.833989708	19.242490190
81	146.833981129	19.242488383
82	146.833941561	19.242476534



83	146.833903232	19.242461455
84	146.833866432	19.242443259
85	146.833831442	19.242422087
86	146.833798528	19.242398098
87	146.833767940	19.242371477
88	146.833739912	19.242342424
89	146.833714656	19.242311162
90	146.833692365	19.242277928
91	146.833673208	19.242242975
92	146.833657332	19.242206570
93	146.833644856	19.242168989
94	146.833635876	19.242130518
95	146.833630462	19.242091449
96	146.833628652	19.242052082
97	146.833630462	19.242012715
98	146.833635877	19.241973647
99	146.833644857	19.241935176
100	146.833657333	19.241897594



101	146.834203419	19.240544078
102	146.834218195	19.240511375
103	146.834235636	19.240479880
104	146.837829820	19.234781115
105	146.837850435	19.234751184
106	146.837873478	19.234722895
107	146.840087918	19.232483608
108	146.840128783	19.232446915
109	146.840161695	19.232422926
110	146.840196684	19.232401754
111	146.840233481	19.232383559
112	146.840271808	19.232368479
113	146.840311373	19.232356630
114	146.840351874	19.232348102
115	146.840393005	19.232342957
116	146.840434450	19.232341239
117	146.840475896	19.232342957
118	146.840517026	19.232348102



119	146.840557528	19.232356630
120	146.840597092	19.232368479
121	146.840635420	19.232383559
122	146.840672217	19.232401754
123	146.840707205	19.232422926
124	146.840740118	19.232446915
125	146.840770704	19.232473536
126	146.840790634	19.232494196
127	146.840543808	19.232701212
128	146.839932221	19.233642452
129	146.838465441	19.235224541
130	146.834749515	19.240983497

Reference datum

Geographical coordinates have been provided by the Port of Townsville and are Geographical coordinates referenced to the Geodetic Datum of Australia 2020 (GDA2020), in decimal degrees.

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 of 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.