

Renotification of a non-claimant application for determination of native title in New South Wales

Notification day: 27 March 2024



National Native Title Tribunal

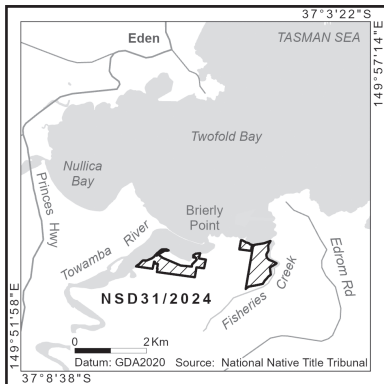
Important note: This notice replaces a previous notice which identified a notification date of 13 March 2024

A 'non-claimant' application has been made to the Federal Court of Australia (Federal Court) seeking a determination that native title does not exist in the area described below. The Applicant has a non-native title interest in the area, which is set out in their application and summarised below.

Under the *Native Title Act 1993* (Cth), there can be only one determination of native title for an area. Unless there is a relevant native title claim, as defined in section 24FE, over the area described below on or before **26 June 2024**, the area may be subject to protection under section 24FA and **acts may be done which extinguish or otherwise affect native title**.

A person who claims to hold native title rights and interests in this area may wish to file a native title claimant application or become a party to this non-claimant application. These may be the only opportunities to have those rights and interests taken into account in the Federal Court's determination. Any other person may also wish to become a party.

If you want to become a party to this application, you must file a Form 5 (Notice of Intention to become a Party) with the Federal Court, **on or before 26 June 2024**. Further information regarding how to file a Form 5 is available from www.fedcourt.gov.au. After **26 June 2024**, you will need to seek leave from the Federal Court to become a party.



Applicant's name: Eden Local Aboriginal Land Council

Federal Court File No: NSD31/2024

Non-native title interest: The applicant holds an estate in fee simple in relation to the areas comprising the application area but, pursuant to s 36(9) of the *Aboriginal Land Rights Act 1983* (NSW), the applicant's interest is subject to any native title rights and interests that existed in relation to the land and waters immediately prior to its transfer to the applicant

Order sought by Applicant: The applicant seeks a determination that native title does not exist

Description: The application area covers a combined area of about 1 sq km and is located on Lots 17 and 18 on DP750213, Lot 68 on DP1040135, part of Lot 65 on DP1040135 and part of Lot 67 on DP1040135, approximately 5.5 km south of Eden in the vicinity of Brierly Point

Relevant LGA: Bega Valley Shire Council

For assistance and further information about this application, call Vasile Tiano on 02 8067 2158 or visit www.nntt.gov.au.