

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

Notification day: 17 December 2025



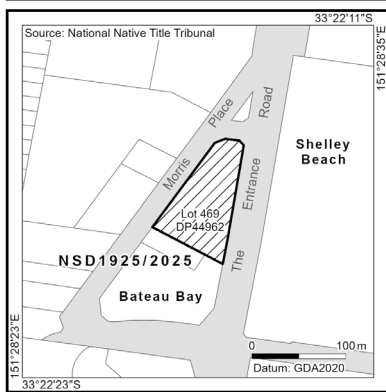
National
Native Title
Tribunal

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 **16 March 2026**, 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 16 March 2026**. Further information regarding how to file a Form 5 is available from www.fedcourt.gov.au. After **16 March 2026**, you will need to seek leave from the Federal Court to become a party.



Applicant’s name: Darkinjung Local Aboriginal Land Council

Federal Court File No: NSD1925/2025

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

Order sought by Applicant: The applicant seeks a determination that native title does not exist in relation to the area of land and waters described as Lot 469 in Deposited Plan 44962

Description of area: The application area covers 5660 sq metres covering Lot 469 on Deposited Plan 44962, abutting Morris Place and The Entrance Road in the suburb of Bateau Bay

Relevant LGA: Central Coast Council

For assistance and any further information about this application, including the description of the area, call Jake Ellis on 07 3052 4040 or visit www.nntt.gov.au.