

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

Notification day: 22 April 2026



# 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 **21 July 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 21 July 2026**. Further information regarding how to file a Form 5 is available from [www.fedcourt.gov.au](http://www.fedcourt.gov.au). **After 21 July 2026**, you will need to seek leave from the Federal Court to become a party.

**Applicant's name:** Awabakal Local Aboriginal Land Council

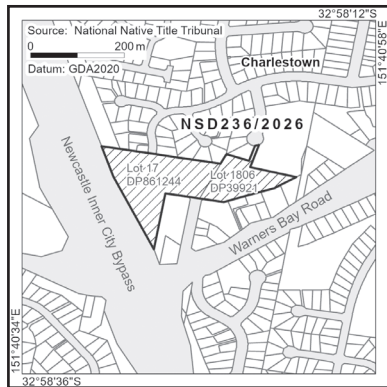
**Federal Court File No:** NSD236/2026

**Non-native title interest:** The Applicant is the registered proprietor of an estate in fee simple in relation to 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

**Description of area:** The application area covers 2.86 ha encompassing Lot 17 on Deposited Plan 861244 and Lot 1806 on Deposited Plan 39921, abutting the Newcastle Inner City Bypass road in the suburb of Charlestown

**Relevant LGA:** Lake Macquarie City Council



**For assistance and any further information about this application, including the description of the area, call Sylvia Jagtman on 07 3052 4040 or visit [www.nntt.gov.au](http://www.nntt.gov.au).**