



fact sheet

NEW SOUTH WALES ABORIGINAL LAND COUNCIL

Amendments to the *Aboriginal Land Rights Act 1983 (NSW) (ALRA)*

Under amendments to the ALRA the New South Wales Aboriginal Land Council (**NSWALC**) or LALCs may constitute an expert advisory panel to assess applications made by Local Aboriginal Land Councils (**LALCs**) for approval of land dealings. These panels are to be constituted in accordance with the *Aboriginal Land Rights Regulation 2002 (ALRR)*.

What is the expert panel?

The expert panel is an advisory panel established by NSWALC to provide expert advice, and make recommendations in order to assist NSWALC in forming a view as to whether a land dealing application should be approved or not. Under clause 108 of the ALRR, NSWALC is to establish a public register of persons who may be appointed to expert panels. LALCs can access the contact details of experts. The panel experts will have expertise in one or more of the following:

- land valuation;
- property development;
- planning;
- business;
- finance;
- corporate governance;
- Aboriginal heritage or culture; or
- any other expertise NSWALC considers relevant.

NSWALC may add or remove people from this register at any time and must forward a copy of the register to the Minister at least once every 12 months.

How is a panel formed?

NSWALC may form an expert panel, consisting of one or more members from the register, to assess a land dealing approval or any other part of the application, if:

- NSWALC is of the opinion it is appropriate to do so and the application procedures have been followed by the LALC and NSWALC; or
- the LALC seeking approval of the land dealing requests an assessment.

The cost of an expert panel will be passed directly onto the LALC.

What does the panel do?

The expert panel must review any material provided to NSWALC by the LALC relating to the land dealing and any other material provided by NSWALC. At the request of NSWALC the panel may:

Note: the content of this fact sheet is intended for information purposes only. It is not intended as advice and should not be relied upon as advice. All parties should seek independent advice that is suited to their own specific circumstances.

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- consider whether the proposed land dealing is, or is likely to be, contrary to the interests of the members of the LALC concerned or other Aboriginal people in the area;
- provide a recommendation in order to assist NSWALC in forming a view as to whether the proposed land dealing should be approved; and
- provide a recommendation as to any conditions that may be imposed upon approval.

The panel must provide NSWALC with a written report in the time specified by NSWALC.