

LAND CLAIM FOR LAND PURSUANT TO *ABORIGINAL LAND RIGHTS ACT 1983 (NSW), SECTIONS 36, 37*



OFFICE OF THE REGISTRAR
ABORIGINAL LAND RIGHTS ACT 1983 (NSW)

Level 3, 2-10 Wentworth Street,
Parramatta, 2124
02 8633 2266

PO Box 5068
Parramatta, 2124

Please print all details clearly using block letters:

Name of Council:

Local Aboriginal Land Council

Address of Council:

(Postal address registered with the Registrar's Office):

Telephone Number:

Email Address:

Name of Chairperson:

Lot/Portion Number or Reserve Number:

Deposited Plan, Parish Map or Other Plan Number:

Nearest Town or Village:

Parish:

Shire of Municipality:

County:

Please attach a detailed plan, sketch and/or map of the claim area and identify it clearly.

If this application is lodged by the NSW Aboriginal Land Council on behalf of one of more Local Aboriginal Land Councils (LALCs), please insert the name(s) of these LALC(s) here:

Map identifying the claim area is attached?

☐ YES

☐ NO

Area is coloured in or hatched?

☐ YES

☐ NO

Under section 36 (4A) of the *Aboriginal Land Rights Act 1983* the Registrar may refuse to refer a land claim to the Crown Lands Minister if:

(a) The claim, or part of the claim, relates to lands that are not vested in Her Majesty, or

(b) The claim, or part of the claim, has been made in contravention of an undertaking given by the claimant in an Aboriginal Land Agreement under section 36AA, while such undertaking remains in force.

Generally land not vested in Her Majesty means land not vested in the State of New South Wales, most commonly private land.

An undertaking in an Aboriginal Land Agreement may prohibit an Aboriginal Land Council from making a claim for particular land. If such an undertaking is given, land the subject of the undertaking cannot be claimed while the undertaking is in force.

The Registrar keeps a record of all enforceable Aboriginal Land Agreements.

If the Registrar decides not to refer a land claim to the Crown Lands Minister, the Registrar must advise the claimant Aboriginal Land Council of his intention not to refer the land claim and give the claimant Aboriginal Land Council at least 28 days to provide further information about why the land claim should be referred.

If after 60 days from the date of lodgement of the claim, the Registrar has not referred such a land claim to the Crown Lands Minister, the Registrar is taken to have refused to refer the claim to the Crown Lands Minister.

An Aboriginal Land Council may appeal the Registrar's decision not to refer a land claim to the Crown Lands Minister to the court.

☐ I am satisfied that the land the subject of this land claim is vested in Her Majesty; and

☐ I am satisfied that this land claim does not contravene an undertaking in an Aboriginal Land Agreement under section 36AA of the *Aboriginal Land Rights Act 1983*.

Signed & dated by LALC Chairperson(s):