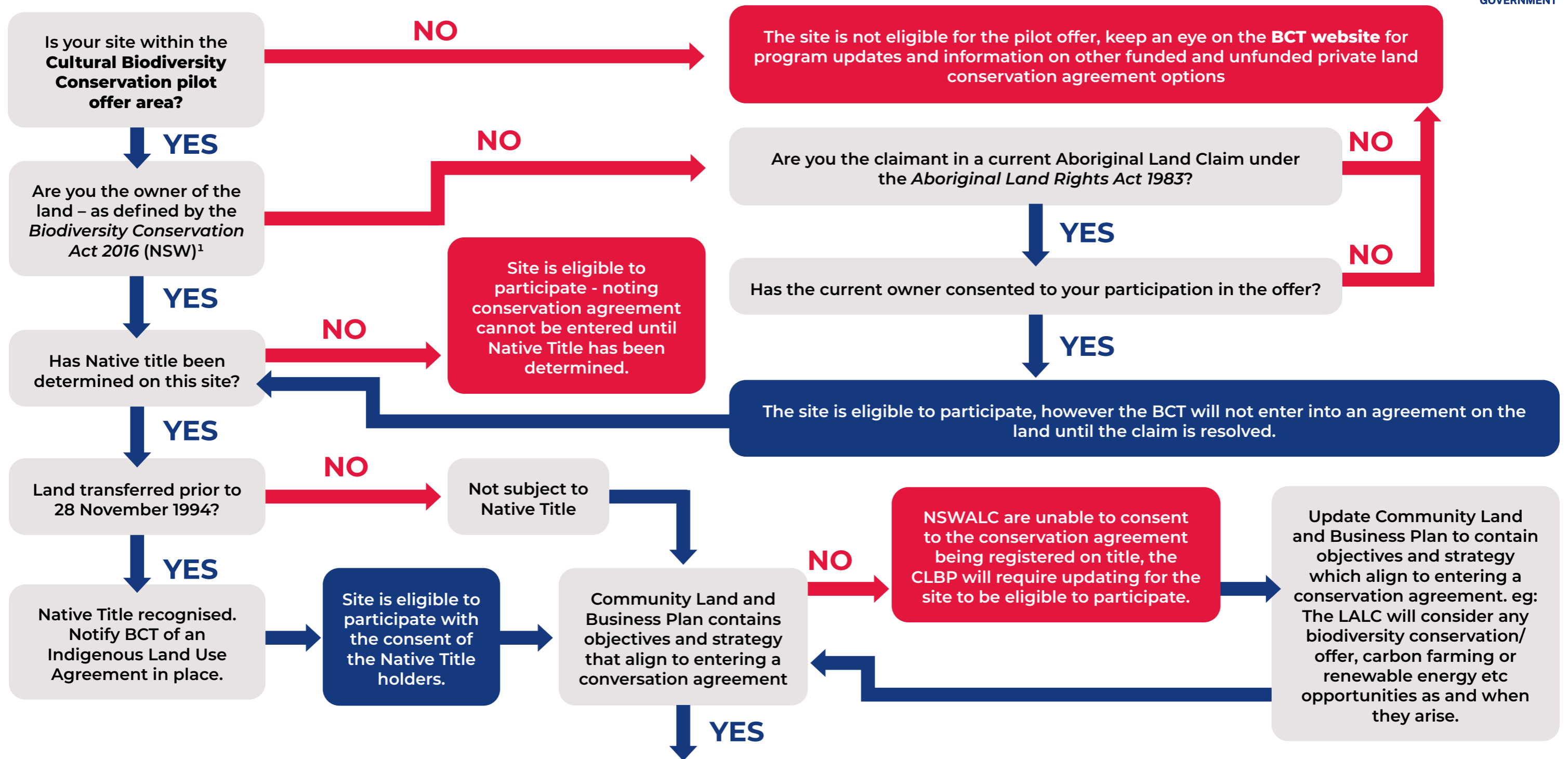


BCT Conservation Agreement Eligibility for LALCs



What are the steps NSWALC will want to see documentation/evidence of to consent to the dealing being registered on title?

The LALC will need to obtain land dealing approval to enter a Conservation Agreement (CA) in accordance with the land dealing provisions under Division 4 of Part 2 of the *Aboriginal Land Rights Act 1983*.

To enable registration of an instrument (in this instance the CA) on title, the land dealing process is as follows (high level overview):

- the LALC obtains land dealing approval from members to enter the CA;
- the LALC then applies to NSWALC for land dealing approval to enter the CA;
- the LALC enters the CA as approved by members and by NSWALC;

- the LALC applies to NSWALC CEO to issue a registration approval certificate to enable registration of the CA on title.

NSWALC have fact sheets published on their website re the process of obtaining land dealing approval: [LALC Land Dealings - NSW Aboriginal Land Council](#)

¹ Under the *Biodiversity Conservation Act 2016* owner of land includes: (a) every person who, either at law or in equity – (i) is entitled to the land for any estate of freehold in possession, or (ii) is a person to whom the Crown has lawfully contracted to sell the land under the *Crown Land Management Act 2016* or any other Act relating to the alienation of lands of the Crown, or (iii) is entitled to receive, or is in receipt of, or if the land were let to a tenant would be entitled to receive, the rents and profits in respect of the land, whether as beneficial owner, trustee, mortgagee in possession or otherwise, and (b) a person who leases land under the *Crown Land Management Act 2016*, and (c) any other person who, under the regulations, is taken to be the owner of the land, but (unless the regulations otherwise provide) does not include a beneficiary of a trust relating to the land.