



Dean Foley <d.foley@barayamal.com>

Complaint | NSWALC Council | Councillor Charles Lynch | Enquiry

Nicole Courtman <Nicole.Courtman1@oralra.nsw.gov.au>
To: "d.foley@barayamal.com" <d.foley@barayamal.com>
Cc: Tony Sutherland <tony.sutherland2@oralra.nsw.gov.au>, Rochelle Coggan
<Rochelle.Coggan@aboriginalaffairs.nsw.gov.au>

Wed, Sep 13, 2023 at 10:33 AM

OFFICIAL

Dear Mr Foley

The NSW Aboriginal Land Council (**NSWALC**) is a statutory body established under Part 7 of the *Aboriginal Land Rights Act 1983 (ALRA)*. The members of NSWALC under section 120 of the ALRA are the elected Councillors for the 9 regions. The voting members of the Local Aboriginal Land Councils in each region are entitled to vote in the election for the Councillors under section 121(5) of the ALRA.

In relation to your complaint, the Registrar can investigate allegations of misconduct under Part 10 of the ALRA. Misconduct is defined in section 176 of the ALRA. [Aboriginal Land Rights Act 1983 No 42 - NSW Legislation](#)

Your complaint suggests that Mr Lynch "might have violated the council's Code of Conduct by his actions." The Code of Conduct that applies to NSWALC is in schedule 4 of the *Aboriginal Land Rights Regulation 2020 (ALRR)*. See [Aboriginal Land Rights Regulation 2020 - NSW Legislation](#)

It would assist me as Registrar to consider whether your complaint warrants investigation, pursuant to section 192 of the ALRA, if you could please provide particulars of the alleged misconduct, more specifically the alleged breaches of the Code of Conduct.

NSWALC has advised that Mr Lynch's letter dated 24 August 2023 was written in response to various comments about Mr Lynch and NSWALC on your website www.barayamal.com.au. It appears the letter was intended to clarify for you NSWALC's role and provide information in relation to NSWALC's support for LALCs and the financial management of the Statutory Fund.

In previous years, NSWALC has adopted a caretaker convention for the NSWALC Election. During this period the convention provides guidance for NSWALC Councillors and staff about activities that may and may not be undertaken in the period immediately leading up to the election and until the declaration of the election results. We understand that the convention, similar to the caretaker period adopted for the last NSW Government election, is expected to commence in late December 2023.

Kind regards

Nicole Courtman

Interim Registrar*Aboriginal Land Rights Act 1983*

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Visit our website: www.oralra.nsw.gov.au

The Office of the Registrar stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to supporting the return of land to Aboriginal people as compensation for past dispossession; and to support self-determination through participation and representation in the land council network.

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From: Dean Foley <d.foley@barayamal.com>

Sent: Wednesday, 30 August 2023 12:50 PM

To: Admin Officer <adminofficer@oralra.nsw.gov.au>

Subject: Complaint | NSWALC Council | Councillor Charles Lynch | Enquiry

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To whom it may concern,

[Quoted text hidden]