

Appendix 13

AAPA Certificate Advice C94/204



Our File: 89/603
In Reply Please Quote: 72274

7th June 2010

Gundjeihmi Aboriginal Corporation
8 Wanguri Terrace
WANGURI NT 0810

ATTENTION: Christine Crassweller

RE: ABORIGINAL SACRED SITES WITHIN THE RANGER PROJECT AREA

Referring to your request dated 31st May 2010 seeking information on sacred sites within the above area, I advise that the Aboriginal Areas Protection Authority has a record of a number of sacred sites within the area listed in the Register of Sacred Sites.

Sacred sites known to the Authority in the above area are shown on the map accompanying this letter as either "registered sacred sites" or "recorded sacred sites". Sacred sites listed as "registered sacred sites" are sacred sites that Aboriginal custodians have asked the Authority to protect and that have subsequently been documented and evaluated by the Authority and entered in the Register of Sacred Sites in accordance with the *Northern Territory Aboriginal Sacred Sites Act 1989*.

Sites listed as "recorded sacred sites" are sites that have not been evaluated or placed in the Register but there is information indicating that they are nonetheless significant according to Aboriginal tradition and therefore "sacred sites" within the meaning of the Act. The Authority does not purport to hold detailed information regarding all these sites. However, the information attached to this letter regarding recorded sacred sites is relevant to your query as the offence provisions of the Act apply to all sacred sites, whether or not these have been listed in the Register of Sacred Sites.

The symbols representing sites on the attached map are not intended to precisely show extent of each site. Before entering or undertaking works on, or in the vicinity of these sites, further advice should be sought from the Registrar.

Inspection of the Authority's Register is not a definitive way of determining the location of all sacred sites in a given area, particularly in circumstances where use or works are proposed that may result in disturbance of the natural features of the area. There is a risk that a sacred site previously unknown to the Authority may be identified after the commencement of works, leaving no option but to cease works or possibly breach the offence provisions of the Act.



**Aboriginal Areas
Protection Authority**
protecting sacred sites across the territory

30
years

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To overcome this problem the *Northern Territory Aboriginal Sacred Sites Act 1989* enables a person, wishing to make use of or carry out works on land in the Northern Territory, to request that the Aboriginal Areas Protection Authority consult with custodians and provide written advice specifying the constraints (if any) to a particular activity imposed by the existence of sacred sites. Section 19G of the Act also provides the opportunity for an Applicant to discuss the project with Aboriginal custodians at a meeting convened by the Authority.

The written advice provided by the Authority following the completion of the procedures established in Sections 19A-22 of the Act is termed an "Authority Certificate". An Authority Certificate sets out the conditions (if any) on which, under the Act the proposed work may be carried out or use made of the land. As long as the holder of a Certificate complies with its conditions the holder is indemnified against prosecution under any of the offence provisions of the Act.

An Authority Certificate has previously been issued over the Ranger Project Area. As a consequence of this, under Sections 19A-22 of the Act, the Authority has placed conditions relating to the protection of sacred sites in relation to particular works. The accompanying map shows the approximate location of the Restricted Works Area identified in the Certificate. The Authority highly recommends that an Authority Certificate be applied for any proposed works over the Ranger Project Area.

Relevant Authority Certificate may be viewed in the Authority's Darwin office at a cost of \$23 a certificate. Should you wish to view the Certificate (a copy cannot be provided), please contact me on 8999 5511 to arrange a time.

If you have any queries, please do not hesitate to contact me on 8999 5511.

Yours sincerely,



DONNA DWYER
Manager of Technical Section