



How are Sacred Sites protected in the Township Lease?

Sacred Sites in the Northern Territory are protected by the Sacred Sites Act and also by the Aboriginal Land Rights Act.

Sacred Sites are also protected under a Township Lease.

Sacred Sites Laws

Under the Aboriginal Land Rights Act a "Sacred Site" is described as a site that is sacred to Aboriginal people or is significant according to Aboriginal Tradition. The Sacred Sites Act protects Sacred Sites on all land in the Northern Territory and is managed by the Aboriginal Area Protection Authority (known as the AAPA).

The AAPA works with custodians to record the location and significance of Sacred Sites and maintains the Register of Sacred Sites. Anyone wanting to develop land in the Northern Territory must talk to AAPA and apply for an Authority Certificate. An Authority Certificate sets out where work can be done and any areas that cannot be developed.

The Executive Director of Township Leasing (Executive Director) must apply for an Authority Certificate for each Township Lease community.

Protection of Sacred Sites in the Township Lease

The Township Lease contains clauses which protect Sacred Sites by:

- Making sure that Aboriginal people have access to Sacred Sites;
- Requiring the Executive Director to communicate with the Custodian of any sacred site and observe any restrictions in the Authority Certificate before approving new developments; and
- Where there is a Sacred Site, a sublease can only be granted to a Custodian of that site, or to an authority which can protect the site (such as the Land Council).

Within the Township Lease all parties acknowledge that the Register of Sacred Sites maintained by AAPA may not contain all Sacred Sites in the township area. The Executive Director will talk to the Consultative Forum to confirm the location of any Sacred Sites before any new development can go ahead.

The Consultative Forum can also advise the Executive Director of any cultural areas that need to be respected.

If any sites are identified which are not known to AAPA, the Executive Director must inform AAPA and apply for an updated Authority Certificate to include any previously unidentified Sacred Sites.

Once consent for development is provided by the Executive Director the developer is also required to obtain their own AAPA certificate prior to development.

