Pastoral Assessment DAF
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Aboriginal Areas
Protection Authority
protecting sacred sites across the territory

Dear Pastoral Assessment Team,

RE: PL2026/0007 - NT Portion 02730 - Bloodwood - Clearing of native vegetation (2202ha) for pastoral purposes (non-irrigated improved pasture for hay production and grazing)

Thank you for the opportunity for the Aboriginal Areas Protection Authority (the Authority) to comment on the Pastoral Land Clearing Application PL2026/0005 relating to N.T. Portion 2730 Bloodwood Downs Station, Sturt Plateau NT (the Application).

Purpose of this submission

The Authority is an independent statutory authority established under the *Northern Territory Aboriginal Sacred Sites Act 1989* (the Act). The Authority's functions include assisting in the protection and registration of Aboriginal sacred sites throughout the Northern Territory.

This submission is confined to matters relevant to clauses 12.4 and 12.5 of the Application under section 91F of the *Pastoral Land Act 1992*.

Authority Certificates and Abstracts of Records

The Act provides two primary mechanisms through which proponents may obtain information relevant to Aboriginal sacred sites: an Abstract of Records and an Authority Certificate.

An Abstract of Records provides information regarding sacred sites that have been recorded or registered by the Authority within a specified area. It may assist proponents to identify known sacred site constraints, understand where known sacred sites are located and undertake an informed risk assessment during project planning.

While the Abstract of Records may provide valuable information regarding known sacred site constraints, the existence of a sacred site is a question of fact and is not dependent upon whether a site has been recorded or registered by the Authority. Accordingly, there may be sacred sites within an area that are not identified in an Abstract of Records.

An Authority Certificate serves a different purpose. Through the Authority Certificate process, the Authority consults with relevant Aboriginal custodians and assesses the relationship between a proposed activity and any sacred site constraints affecting the area. The process may identify conditions under which an activity can proceed without there being a substantive risk of damage to, or interference with, a sacred site. An Authority Certificate provides proponents with greater certainty regarding sacred site constraints associated with a proposal and the circumstances in which an activity may lawfully proceed.

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An Authority Certificate may also be issued where an agreement has been reached between the applicant and the relevant Aboriginal custodians. Such agreements are negotiated independently between the applicant and custodians, typically through the relevant Land Council.

Where an agreement has been reached, the Authority Certificate is issued in accordance with that agreement and may include conditions reflecting activities that custodians have agreed may proceed notwithstanding damage to, or interference with, a sacred site.

Where an Abstract of Records identifies an existing Authority Certificate, a proponent may also inspect that Authority Certificate. Depending on the circumstances, an existing Authority Certificate may provide additional information regarding sacred site constraints previously identified in relation to activities undertaken within the area. However, Authority Certificates are activity-specific, and the conditions or constraints identified in a particular Authority Certificate may not necessarily be relevant to a different activity or proposal.

Matters noted by the Authority

The Authority notes the following matters identified in the Application:

- The Application is submitted by Bloodwood Station (NT) Pty Ltd (ACN 158 040 094) as trustee for The Dehne Family Trust, the holder of Perpetual Pastoral Lease 1197 over NT Portion 2730), to permit land clearing of 2,202 hectares of native vegetation at Bloodwood Station for unirrigated improved pasture (Jarra finger grass) for hay production and grazing.
- On 11 September 2026, the proponent obtained an Abstract of Records regarding NT Portion 2730, in response to the requirements of clauses 12.4 and 12.5 of the Application.
- The Abstract of Records identified (as at 11 September 2026) a recorded sacred site within NT Portion 2730 and provided the numbers of Authority Certificates issued by the Authority previously within NT Portion 2730.
- The proponent has advised that it does not intend to apply for an Authority Certificate in respect of the proposed works the subject of the Application as the sacred site identified in the Abstract of Records will be protected via the application of a buffer excluding clearing or other development works.

Assessment

The Authority notes that the proponent has elected to rely upon an Abstract of Records rather than seek an Authority Certificate. The Act does not require an Authority Certificate for the proposed clearing, and the decision to rely on one mechanism over another is ultimately a matter for the proponent's own assessment of risk. However, an Abstract of Records is not intended to provide an exhaustive identification of sacred sites and does not involve consultation with Aboriginal custodians regarding a specific proposal.

The proponent has advised that the recorded sacred site identified in the Abstract of Records will be avoided during the proposed clearing by the application of a buffer excluding a sinkhole said to be associated with the sacred site and surrounding native vegetation. The Authority has not consulted with Aboriginal custodians regarding the proposed clearing and has not assessed whether the proposed clearing, including the proposed buffer, would avoid damage to, or interference with, a sacred site.

The Authority assesses proposed activities against sacred site constraints through the Authority Certificate process, following consultation with relevant Aboriginal custodians. In the absence of an Authority Certificate application, the Authority has no basis upon which to assess whether the proposed clearing will cause damage to, or interference with, a sacred

site, nor whether the proposed buffer will actually have the effect of avoiding damage to, or interference with, a sacred site.

Responsibility for ensuring that the proposed works do not damage or interfere with a sacred site, and for compliance with the Act generally, remains with the proponent. A person who unlawfully enters or remains on, or damages or interferes with a sacred site may be liable for offences under the Act, regardless of whether they have obtained an Abstract of Records.

The Authority draws these matters to the Board's attention as potentially relevant to its consideration of the Application.

Yours sincerely,



Darren Johnson
Director of Policy and Governance
15 October 2026