



**Aboriginal Areas  
Protection Authority**

protecting sacred sites across the territory

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National Water Strategy  
Department of Climate Change, Energy, the Environment and Water

CC: [WaterSecurity.NTG@nt.gov.au](mailto:WaterSecurity.NTG@nt.gov.au)

Dear National Water Strategy

### **New National Water Agreement Discussion Paper**

The Aboriginal Areas Protection Authority (the Authority) is a statutory body established under the Northern Territory Aboriginal Sacred Sites Act 1989 (NT) (Sacred Sites Act) and is responsible for overseeing the protection of Aboriginal sacred sites on land and sea across the Northern Territory.

The protection of Aboriginal sacred sites is recognised by the Northern Territory Government and the broader Territory community as an important element in the preservation of the Territory's cultural heritage for the benefit of all Territorians. The Authority seeks to strike a balance between the protection of sacred sites and development in the Northern Territory.

Waterways and water places are fundamentally important in Aboriginal culture and spirituality. This is illustrated by the fact that almost one third (~ 5,000) of all sacred site records held by the Authority (15,720) are water related. Protection of these sacred sites and the values associated with them is paramount to protecting living Aboriginal culture in the Territory.

The Authority agrees with the objectives and outcomes outlined in the Discussion Paper and considers that they are reasonable, well founded and generally encompass NT interests in water. Part of meeting these objectives in the Northern Territory is to obtain an Authority Certificate.

Regarding the principles that will guide effective and efficient ways to achieve the objectives and outcomes, the Authority recommends the inclusion of 'free prior and informed consent' in relation to water decisions that affect Aboriginal Territorians and their cultural values. As stated above, the relationship between water and sacred sites is profound.

The Authority's focus is sacred sites, and on-site consultation focusses on custodians of sacred sites who have the authority to make decisions about sacred sites. Typically, decisions about sacred sites, and cultural matters relating to land and sea will not be made by an individual, but collectively amongst people who have different culturally ascribed responsibilities for sacred sites, and the land and sea that they exist within.

The Authority has over four decades of records relating to Aboriginal land interests across the NT, including NT coastal waters, that are drawn upon the process of identifying relevant groups and individuals who must be consulted. It is incumbent on any development to take reasonable steps to identify First Nations interests in the area of their development.

If you have any queries, or require any further information please contact [Secretariat.AAPA@nt.gov.au](mailto:Secretariat.AAPA@nt.gov.au)

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Benedict Scambary', written in a cursive style.

Benedict Scambary  
Chief Executive Officer  
22 April 2024