Aboriginal Areas Protection Authority
protecting sacred sites across the territory

Our Ref: 2026/4-113 (202614427)

Pastoral Assessment
Department of Agriculture and Fisheries
PastoralAssessment.DAF@nt.gov.au

Dear Pastoral Assessment Team,

RE: PA2026/0009 - N.T. Portion 7060, 8953 Victoria Hwy, Delamere NT (Stapleton Station PPL)

Thank you for the opportunity for the Aboriginal Areas Protection Authority (the Authority) to comment on the Pastoral Land Clearing Application PL2026/0009 lodged by Cross Pacific Investments Pty Ltd relating to N.T. Portion 7060, 8953 Victoria Hwy, Delamere NT and Stapleton Station PPL (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.

A fact sheet providing some general information about Abstracts of Records and Authority Certificates issued under the Act by the Authority is included with this submission.

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*.

Matters noted by the Authority

The Authority notes the following matters relevant to the Application:

- The Application is for the clearing of 7,370.96 hectares (approximately 12% of the property) of native vegetation for the purpose of permanent improved pasture and some fodder crops. The proponent is the holder of Perpetual Pastoral Lease 1206.
- The proponent has obtained an Abstract of Records regarding NT Portion 7060 on 19 May 2026 in response to the requirements of clauses 12.4 and 12.5 of the Application.
- The Abstract of Records identified (as at 19 May 2026) recorded and registered sacred sites within the subject land and provided the numbers of Authority Certificates issued by the Authority previously within the subject land.
- The proponent does not hold an Authority Certificate in respect of the land the subject of the Application or for the proposed land clearing.
- The proponent has advised that it does not intend to apply for an Authority Certificate in respect of the proposed land clearing as only one sacred/registered site is located within the vicinity of the proposed clearing.

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- The proponent’s position is that, as the site is more than 350 metres from the proposed clearing, the proponent considers the risk of disturbance from the proposed clearing to be very low.

- The proponent has advised it has applied a default 100 metre retained native vegetation buffer to all sacred sites.

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 sacred sites identified in the Abstract of Records will be avoided during the proposed clearing by the application of a default 100 metre retained native vegetation buffer. 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 remains available to provide further information within the limits of its statutory functions.

Yours sincerely,



Jessica Bates
Compliance and Investigation Manager

04 November 2026