Our Ref: 89/1723

In Reply Please Quote: 511410

19 February 2007

Hale Energy Limited
PO Box 1126
SUBIACO WA 6904

ATTENTION: STUART TILL

RE: ABORIGINAL SACRED SITES WITHIN THE AREAS OF EL24809 & EL24810

I refer to your application dated 16 February 2007 seeking advice on the location of sacred sites within the above areas.

I advise that the Aboriginal Areas Protection Authority has a record of a number of sacred sites within these areas.

Sites listed as “recorded sacred sites” are sites that have not yet 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 Northern Territory Aboriginal Sacred Sites Act 1989. 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 maps are not intended to show precisely the extent of each site. Recorded sites may be represented by a site centroid or tentative site boundary. In each case the extent of the site may be much greater. Before entering or undertaking works on, or in the vicinity of these sites, further advice should be sought from the Authority.

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 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.

To overcome this problem the Sacred Sites Act 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.

I strongly recommend that any works within the above areas only proceed in accordance with the conditions of an Authority Certificate.

If you have any queries, please do not hesitate to contact Ms Kellie Brahim or me on 8952 6366.

Yours faithfully,

\[signature\]

ANDREW ALLAN
Regional Manager

attach.