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4 April, 2025
Secretary,
Legislative Scrutiny Committee,
GPO Box 3721, DARWIN NT 0801

Via email: LA.Committees@nt.gov.au.

To whom it may concern,

Northern Territory Aboriginal Sacred Sites Legislation Amendment Bill 2025

We write to lodge our strongest objection to this legislation.

It is damning upon this government and unacceptable that the NT Aboriginal representative bodies unanimously object to this legislation, which provides a primary protection for timeless sacred sites.

For example Central Land Council (CLC) chair Warren Williams said while he had met with Mr Burgoyne on Thursday last week, "he gave us less information than what he gave to the media this morning"[1]

We object to any amendment to this legislation that has not been through a meaningful engagement process administered by government departments using established public participation principles.

It is highly inappropriate that the primary consultation with the most impacted groups is occurring at the eleventh hour via the political Legislative Assembly Scrutiny Committee process.

This legislation appears to have been rushed through at the behest of a few large landholders like pastoralists.This privileging of a few wealthy landholders is prejudicial towards Aboriginal people. This is by definition racist.This is clear in the statements of Northern Land Council Chair Matthew Ryan[2]:

It is very clear this Bill is a rush job that undermines the integrity of the Sacred Sites Act in favour of proponents.

“The Sacred Sites Act isn’t about putting profits before our people; it is to protect our cultural heritage as we are obliged to do as custodians

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[1] https://amp.abc.net.au/article/105090016
[2] https://www.nlc.org.au/sacred-sites-bill-nt-government-ignored-traditional-owners

Not properly engaging with Aboriginal people will inevitably lead to unfair and poor legislation. Shortcomings in legislation could lead to the permanent loss of profound and sacred sites.

There are also secondary economic and reputational risks to the Northern Territory. For example Juuken Gorge scenario[3], in addition to profoundly damaging a sacred site also had severe economic and reputational consequences for the industry and the State. This creates economic risks for us all, including impacting on good corporate citizens' ability to attract finance.

Notwithstanding that there may be mutually agreed opportunities to improve procedures, we also consider the concerns of pastoralists are disingenuous and focused on minimising costs not protecting sacred sites. A review of pastoral land clearing applications shows that applicants almost never do any more than obtain an abstract of records. They essentially never consult with the impacted Traditional Owners or discuss their plans prior to lodging clearing applications.

We call on this legislation to be abandoned and a proper process embarked upon. The first and foremost priority must be that sacred sites are protected in a way in which the Aboriginal people whose sites are at risk are satisfied. The Land Councils have made clear this will take at least three months of consultation.

Sincerely,

Jacqueline Arnold and Adrian Tomlinson

[3] https://antar.org.au/issues/cultural-heritage/the-destruction-of-juukan-gorge/