



AMENDED ABORIGINAL HERITAGE ACT 1972 STAKEHOLDER INFORMATION KIT

An amended *Aboriginal Heritage Act 1972* will come into effect on Wednesday, 15 November 2023. It is supported by amendments to the *Aboriginal Heritage Regulations 1974*, transitional Regulations and new Regulations which introduce a fee regime.

The section 18 process for approval to undertake works that may impact or harm Aboriginal heritage has also been restored, with some process improvements.

All landowners have one simple obligation – that is, to not knowingly damage an Aboriginal cultural heritage site, which has been the law since 1972.

The *Aboriginal Heritage Cultural Act 2021* and all Regulations associated with that legislation will also be repealed effective 15 November 2023.

The information below is supplied to assist Implementation Group members to support their staff and members.

1. Website links, email and phone number

The Department of Planning, Lands and Heritage is the Government agency responsible for administering the *Aboriginal Heritage Act 1972*.

Anyone with enquiries about Aboriginal heritage matters should:

Visit: <https://www.wa.gov.au/aboriginal-heritage>

The website includes an Aboriginal Heritage Enquiry Form that people can complete to help us triage customer enquiries.

Call: 6551 8002, and select Option 1

Register: with ACHknowledge

<https://www.wa.gov.au/achknowledge-portal>

Applicants should contact the Department for a pre-lodgement discussion prior to submitting an application in ACHknowledge.

Email: aboriginalheritage@dplh.wa.gov.au

The Department will triage enquiries for ICT/portal support, property/heritage searches and more complex case management.

2. Key documents

In addition to the amended 1972 Act and associated Regulations, two key guidance materials have been prepared for applicants. Links to these documents can be found on our website.

- Aboriginal Heritage Act 1972 Guidelines
- Consultation Policy



3. Suggested website content

Aboriginal heritage holds significant value to Aboriginal people for their social, spiritual, historical, scientific, or aesthetic importance within Aboriginal traditions, and provides an essential link for Aboriginal people to their past, present and future.

Aboriginal heritage could include rock art, ancient caves or burial sites, waterways, ceremonial sites or scar trees.

On 15 November 2023, the *Aboriginal Heritage Act 1972* was restored as the legislation that manages Aboriginal heritage in Western Australia with simple and effective amendments drawn from feedback over years of consultation.

Before undertaking any activities on your land, check for Aboriginal heritage or contact the Department of Planning, Lands and Heritage where staff will be able to assist in determining if you will need an approval.

Visit: <https://www.wa.gov.au/aboriginal-heritage>

Call: 6551 8002

4. ACHknowledge Quick Tips

- Existing portal registrations remain active. Login and passwords remain the same.
- A [User Guide](#) and webinars are available to assist applicants.
- Applications can be saved as they are prepared and returned to at a later date.
- ACHknowledge has capacity to upload Shape Files – multiple Shape Files should be uploaded in one .Zip file.
- Users will see minimal front-end changes – some labels of fields and drop-down menu items will change in accordance with 1972 Act business processes.
- The ACH Directory reverts to the ACH Register.
- Timers and workflows added to reflect changes to 1972 Act and Regulations.
- Submitted and paid applications will appear under **My submitted applications**.
- Draft or submitted notices in **My draft applications** have not transferred to the updated portal.
- Timeframes listed in the amended Regulations will start from 15 November 2023.
 - Section 18 and section 16 applications will be considered by the new Aboriginal Cultural Heritage Committee for recommendation to the Minister for Aboriginal Affairs.
 - Under the amended 1972 Act, any requests from the Committee for further information in relation to an application will ‘stop-the-clock’ on the timeframes.
- Over the coming months extra functionality will be added to the portal, particularly for the backend administration.

5. Frequently Asked Questions

Refer attached.

These FAQs are also available on our website. They should not be published on third party websites but should be used by Implementation Group members to support enquiries from your membership.