

Facts at a glance

Consent to use land under Section 18 of the Aboriginal Heritage Act 1972

- Where an Aboriginal site exists on land, consent to use or develop the land under Section 18 of the *Aboriginal Heritage Act 1972* is needed.
- To ensure an applicant has sufficient knowledge of Aboriginal sites on the land they should talk to the Traditional Owners of the area and complete archaeological and ethnographic surveys of the land.
- Section 18 notices need to be submitted to the Registrar of Aboriginal Sites, according to the Aboriginal Cultural Material Committee's (ACMC) guidelines. The ACMC considers Section 18 applications for land that contains Aboriginal sites and makes recommendations to the Minister for Indigenous Affairs.
- Applicants need to include attachments such as certificates of title, colour copies of Aboriginal heritage survey reports and evidence of consultation with the relevant Aboriginal people.
- If Section 18 notices meet all the requirements of the ACMC guidelines, the application will be considered at an ACMC meeting.
- The Minister for Indigenous Affairs considers the recommendations of the ACMC, and the general interest of the community when making a decision on a Section 18 notice.
- There is opportunity for the landowner to appeal the decision of a Section 18 notice through the State Administrative Tribunal.
- For more information on Section 18 notices, call the Department of Indigenous Affairs on 9235 8000 or visit dia.wa.gov.au. Application forms and guidelines can be obtained by emailing heritage@dia.wa.gov.au and more information is available at <http://www.dia.wa.gov.au/Heritage--Culture/Section-18/>

