



About Australia's Heritage: The National Heritage List

## The National Heritage List and Native Title

Places are added to the National Heritage List through Australia's national environmental law, the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act).

The EPBC Act protects the natural, Indigenous, and historic heritage values of places included in the list.

### How does the National Heritage List affect native title?

The Australian Government is committed to upholding and respecting the native title rights and interests of traditional owners, including under the *Native Title Act 1993*.

Most often, listing a place on the National Heritage List will have no practical effect on Native Title rights and interests.

However, in limited circumstances, Native Title holders may need to seek approval before undertaking actions likely to have a significant impact on the values protected by the National Heritage List.

### What actions could have a significant impact on a place?

Whether an action is likely to have a significant impact on a place on the National Heritage List depends on the nature of the heritage values of the place and their attributes. It also depends on the intensity, duration, magnitude, and geographic extent of the action's impact.

Examples of actions which are commonly referred for approval include:

- building and construction
- resource activities, such as mining, forestry, agriculture and aquaculture

Examples of actions unlikely to have a significant impact, and therefore not require approval, include:

- cultural or customary activities by individuals or community groups.

### Do I need approval for my actions?

Actions that are likely to cause loss or damage to the natural, Indigenous, or historic values of a place on the National Heritage List must be referred to the government for prior approval.

This includes actions proposed or happening near a place on the list, as well as small scale actions, which can still have a significant impact on sensitive values of the place.

## Who can I talk to about this?

If you are considering taking an action but are unsure if you need prior approval, you can:

- email your questions to [epbc.referrals@dceew.gov.au](mailto:epbc.referrals@dceew.gov.au)
- call us to speak with a heritage officer on 1800 803 772 or a referral officer on 02 6274 1112
- invite a heritage officer to talk to your community group or organisation.

## More information

You can learn more about the National Heritage List and referring actions under the EPBC Act on our website.

[Australian Heritage Council's Free Prior and Informed Consent \(FPIC\) policy](#)

[Australia's heritage and the National Heritage List](#)

[EPBC Act referral process](#)

[Significant Impact Guidelines on Matters of National Environmental Significance](#)

### Acknowledgement of Country

We acknowledge the Traditional Custodians of Australia and their continuing connection to land and sea, waters, environment and community. We pay our respects to the Traditional Custodians of the lands we live and work on, their culture, and their Elders past and present.

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