

# ABORIGINAL CULTURAL HERITAGE LAWS IN THE NORTHERN TERRITORY

Last updated in January 2026

*Heritage Act 2011 (NT)*

*Northern Territory Aboriginal Sacred Sites Act 1989 (NT)*

## What is Aboriginal heritage?

In the Northern Territory, Aboriginal cultural heritage is protected under two separate laws: the *Heritage Act 2011* (**Heritage Act**) and the *Northern Territory Sacred Sites Act 1989* (NT). Visit the EDO's [Aboriginal Sacred Sites Laws in the Northern Territory](#) factsheet for more information on how sacred sites are protected.

Under the Heritage Act, Aboriginal cultural heritage is considered to be archeological places and objects which relate to Aboriginal people's historical connection to the land and waters. The terms used in the Heritage Act are **Aboriginal or Macassan archaeological places** and **Aboriginal or Macassan archaeological objects**.

### Examples of Aboriginal places

- Artefact scatters
- Shell middens and earth mounds
- Stone arrangements
- Rock art
- Burial places

### Examples of Aboriginal objects

- Artworks
- Sacred objects
- Burial poles
- Tools made from various materials

## How is Aboriginal heritage protected?

The Heritage Act automatically protects Aboriginal and Macassan archeological places and objects whether or not they are registered on the Heritage Register. Anyone who wants to carry out work on a heritage place or object has to apply for a **works approval** from the [Heritage Council](#) or the Minister for Lands, Planning & Environment (for major work). They must consider the advice of the Aboriginal Areas Protection Authority if the heritage place or object is, or is in, a sacred site.

Under the Heritage Act it is an **offence** to:

- **cause damage to a heritage place or object**
- **remove part** of a heritage place
- **remove heritage objects** from the NT, or
- **fail to report the discovery** of Aboriginal places or objects without a reasonable excuse.

A person does **not** commit an offence under the Heritage Act if they are acting:

- in accordance with Aboriginal tradition
- under a works approval or heritage agreement, or
- for removal of objects from the NT, with approval of the Department of Lands, Planning and Environment.

1800 626 239

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## What can I do if Aboriginal cultural heritage is under threat?

### 1. Report discoveries of Aboriginal places or objects to the Heritage Branch

Any person who discovers an Aboriginal site or object must report the discovery to the Heritage Branch (within the Department of Lands, Planning and Environment).

### 2. Report any damage to Aboriginal places or objects to the Heritage Branch

If you suspect that an Aboriginal place or object has been or may be damaged, you should report your concerns to the Heritage Branch as soon as possible. It is an offence to damage an Aboriginal place or object and enforcement action may be taken.

### 3. Apply for works approval from the Heritage Branch

Anyone planning on carrying out work which will affect an Aboriginal place or object needs to apply to the CEO of the Department of Lands, Planning & Environment for a works approval. An applicant must consult with Aboriginal representative bodies and other Aboriginal people. An Aboriginal owner of the Aboriginal place or object may be able to challenge the works approval in the NT Civil and Administrative Tribunal if they were not consulted.

### 4. Request a stop work order be issued

A heritage officer can issue a **stop work order** if they think a person is carrying out work, or about to carry out work and the work presents a serious or imminent threat to the heritage significance of a heritage place or object. The stop work order lasts for 30 days unless it is extended by the NT Civil and Administrative Tribunal. You can contact the Heritage Branch to let them know about your concerns.

### 5. Apply to the Federal Government for a Declaration

If you have run out of options under NT laws, you can apply for a declaration to protect cultural heritage under the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (Cth). Visit EDO's factsheet on [First Nations Cultural Heritage and Federal Law](#) for more information.

You can contact the **Heritage Branch** by phone on:

☎ (08) 8999 5039

or by email at:

✉ [heritage.branch@nt.gov.au](mailto:heritage.branch@nt.gov.au)

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Submit your completed works application to the **Heritage Branch** via email at:

✉ [heritage.branch@nt.gov.au](mailto:heritage.branch@nt.gov.au)

or by post at **PO Box 3675 Darwin NT 0801**

Contact the EDO if you are aware of a Heritage Council decision affecting Aboriginal places or objects which did not involve consultation with the relevant Aboriginal representative bodies or persons.

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☎ (08) 8999 5039

or by email at:

✉ [heritage.branch@nt.gov.au](mailto:heritage.branch@nt.gov.au)

You can apply for a **declaration** at:

☎ 1800 751 242

✉ [atsihpa@dceew.gov.au](mailto:atsihpa@dceew.gov.au)

You can call the Environmental Defenders Office on **1800 626 239** for free legal advice.

☎ 1800 626 239

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