



Fact sheet



Underwater Cultural Heritage Act 2018

If your project has potential to impact on Australia's protected underwater cultural heritage or requires entry in an underwater cultural heritage protected zone, you must obtain an appropriate permit in accordance with this Act.

1. What approvals do I need?

Conduct relating to Australia's protected underwater cultural heritage (UCH) is prohibited without a permit under the [Underwater Cultural Heritage Act 2018](#) (UCH Act).

Conduct that generally requires a permit includes:

- engaging in activities having or likely to have an adverse impact on protected UCH
- supplying, or offering to supply, protected UCH
- advertising protected UCH for sale
- possessing, importing or exporting protected UCH
- entering specified protected zones containing UCH
- engaging in underwater activities within specified protected zones.

The UCH Act also requires notification of any discoveries of suspected UCH within 21 days of discovery.

There are 27 UCH protected zones under the UCH Act protecting 28 sites. Individual protected zones can cover over 200 hectares of seabed and water, and have different requirements relating to access, permitted conduct, and required permits.

Please refer to both the [Australasian Underwater Cultural Heritage Database](#) and the map of [Underwater Cultural Heritage Protected Zones](#) on the Department of Climate Change, Energy, the Environment and Water (DCCEE) website to determine if your project is likely to come into contact with protected UCH or a protected zone and requires a permit.

A desktop or detailed UCH Assessment prepared by a suitably qualified and experienced underwater archaeologist can also assist in understanding the potential risk to protected UCH in your project area.

2. Who provides the approvals?

DCCEE administers the Act. In collaboration with the States and Northern Territory, it monitors activity around UCH items and protected zones.

The Minister for the Environment and Water decides whether to grant permits under the UCH Act.

3. How do I apply for the approvals?

Applications for permits are made online through the [Australasian Underwater Cultural Heritage Database](#). Notification of discovery of UCH is also made through this database.

The [Underwater Cultural Heritage Rules 2018](#) detail the criteria under which permit applications are assessed.

4. More information

Department of Climate Change, Energy, the Environment and Water

Further information on the regulation of Australia's underwater cultural heritage is available on the DCCEE [website](#). This includes information on the requirements of individual protected zones and [environmental planning advice](#) related to underwater cultural heritage.

This fact sheet provides general information and does not constitute legal advice. You should seek independent legal advice tailored to your individual circumstances. The Major Projects Facilitation Agency (MPFA) assists major project proponents to navigate Australian Government approval processes. The MPFA does not grant approvals, nor administer the legislation listed in this fact sheet.

[Guidelines](#) on the application of the UCH Act in Australian waters are also available on the DCCEEW website.

The Department's Underwater Cultural Heritage Team can be contacted by email at UnderwaterHeritage@dcceew.gov.au.

Major Projects Facilitation Agency

If you would like assistance to identify potential Australian Government regulatory approvals required for your project, please refer to the [Major projects help tool](#) self-assessment.

The MPFA team can be contacted by email at MPFA@industry.gov.au.