

WHAT ARE HERITAGE AGREEMENTS?

HERITAGE AGREEMENTS ALLOW THE MINISTER RESPONSIBLE FOR HERITAGE TO ENTER INTO AN AGREEMENT WITH A PERSON TO CONSERVE THE HERITAGE SIGNIFICANCE OF A HERITAGE PLACE OR OBJECT.



A heritage agreement sets out what will be done to conserve the heritage significance of the place or object. It may include provisions about:

- conserving the place or object
- providing advice or assistance to conserve the place or object
- reviewing the valuation of the place or object
- restricting the use of the place or object
- requirements and standards for work to be carried out
- restricting work that may be carried out
- public appreciation of the heritage significance of the place or object
- availability of the place or object for public inspection.



WHO CAN HAVE ONE?

A heritage agreement is made by the Minister and the owner of the place or object, or another person if the owner consents. The Minister enters into the agreement on the advice of the ACT Heritage Council (the Council). Parties to the agreement can specify how the agreement may be varied or how it may be ended, and may be influenced by advice from the Council.

BENEFITS OF A HERITAGE AGREEMENT

Heritage agreements are initiated on a voluntary basis. Their primary goal is to support the heritage owner and ensure the protection and ongoing conservation management of the heritage place or object for future generations. A place or object does not need to be registered for an agreement to apply.

The Council may arrange for various types of conservation advice and assistance to support the agreement, such as financial, technical or other assistance.

Additionally, the Minister may obtain exemptions for a place or object from specified provisions of a Territory law. Where it is proposed to introduce such regulations, consultation will occur with the relevant government agencies and authorities.

HOW IS IT ENFORCED?

Because it is attached to the land where the place or object is located through the land's title, the heritage agreement is binding on current and all subsequent owners until the agreed ending date. This is done by lodging a copy of each heritage agreement, and any agreement to vary or end the agreement, with the Registrar-General for registration under the *Land Titles Act 1925*.

WHAT IF THE HERITAGE AGREEMENT IS BREACHED?

A party to the agreement may apply to the Supreme Court for an enforcement order if someone contravenes or fails to comply with the agreement or if there are reasonable grounds for believing someone may contravene it. Details of any enforcement order are included in the Heritage Register.

FURTHER INFORMATION

For more information, please contact ACT Heritage on 13 22 81.

Please note the material in this information sheet is provided for general information only, and should not be relied upon for the purpose of a particular matter covered by the [Heritage Act 2004](#).

