



# What are Heritage Agreements?

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Heritage agreements allow the Minister to enter into an agreement with a person to conserve the heritage significance of a registered heritage place or object.

A Heritage Agreement sets out what will be done to conserve the heritage significance of the place or object and may include provisions relating to:

- conservation of the place or object;
- provision of advice or assistance needed for conservation of the place or object;
- review of the valuation of the place or object;
- restrictions on the use of the place or object;
- requirements and standards for work to be carried out;
- restrictions on work that may be carried out;
- public appreciation of the heritage significance of the place or object; or
- availability of the place or object for public inspection.

## WHO CAN HAVE ONE?

A Heritage Agreement is made by the Minister for Heritage and the owner of the place or object, or another person if the owner consents. The Minister enters into a Heritage Agreement on the advice of the Heritage Council. The 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 Heritage Council.

## BENEFITS OF A HERITAGE AGREEMENT

Heritage Agreements are initiated on a voluntary basis and a place or object does not need to be registered for a Heritage Agreement to apply. 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.

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

Additionally, it may be possible for the Minister to obtain exemptions for place (or land where a place or object is located) 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?

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

## WHAT IF THE HERITAGE AGREEMENT IS BREACHED?

To ensure compliance with provisions of a Heritage Agreement, 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 that someone may contravene the agreement. Details of an enforcement order are included in the Heritage Register.

**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 Act.**

**The Heritage Act is available at:**  
[www.legislation.act.gov.au/a/2004-57/default.asp](http://www.legislation.act.gov.au/a/2004-57/default.asp)

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