



Cultural Heritage Fact Sheets

Protecting National Heritage

The new regime for the protection of national heritage under the *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)* commenced on 1 January 2004. This Fact Sheet explains how the new regime works.

What heritage places are protected?

Two lists of significant heritage places are maintained under the *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)*:

- **National Heritage List** - places of national heritage significance
- **Commonwealth Heritage List** - heritage places managed by the Commonwealth

The National Heritage List records the natural, Indigenous and historic places with values or characteristics that have special national significance, such as the Eureka Stockade and Port Arthur. National heritage places must show important aspects of the history of Australia.

How are heritage places protected?

If a development activity is likely to have a significant impact on the heritage values of a listed place, the developer must seek approval under the EPBC Act. Public comments will be invited regarding the application.

Commonwealth agencies are required to develop and implement management plans for heritage places under their control.

Is the Register of the National Estate still relevant?

Prior to 1 January 2004, the Register of the National Estate was maintained as a national inventory of heritage places. The Register is still maintained as a record of natural, cultural and historical heritage places, however listing on the Register does not place any legal constraints upon the management of a heritage place.

Can I nominate a heritage place?

Any person may nominate a property for listing on the Register of the National Estate or the National Heritage List by completing a nomination form, available from the Australian Heritage Council. The nomination must identify the place being nominated, the location of the property and the reasons why the property should be listed.

The Australian Heritage Council will assess whether the heritage values of the place satisfy the listing criteria and make a recommendation to the Minister.

Contacts

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For advice on your legal rights and enforcement options, contact the
Environmental Defenders Office (EDO) Tasmania, on (03) 6223 2770 or email edotas@edo.org.au*



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