

Queensland



Subordinate Legislation 2004 No. 41

Queensland Heritage Act 1992

QUEENSLAND HERITAGE AMENDMENT REGULATION (No. 1) 2004

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1 Short title

This regulation may be cited as the *Queensland Heritage Amendment Regulation (No. 1) 2004*.

2 Commencement

This regulation commences on 30 April 2004.

3 Regulation amended

This regulation amends the *Queensland Heritage Regulation 2003*.

4 Insertion of new ss 7A–7C

After section 7—

insert—

‘7A Study must be reported—Act, s 44

‘A notice under section 44(1) of the Act must—

- (a) be in the approved form; and
- (b) adequately identify the area proposed to be studied by reference to survey information or a suitable plan; and
- (c) contain a description of the area proposed to be studied.

‘7B Recommending declaration of protected object—Act, s 46

‘(1) This section applies if—

- (a) a person considers either of the following may be of cultural heritage significance—
 - (i) an object situated on, under or recovered from the surface of land;
 - (ii) the remains of a ship or some other object in, or recovered from, the territorial waters of the State; and
- (b) recommends to the Minister that the object or remains be provisionally declared to be a protected object.

‘(2) The recommendation must—

- (a) be in the approved form; and
- (b) contain the following information—
 - (i) the name and address of the person;
 - (ii) a description of the object or remains;
 - (iii) a history of the object or remains;
 - (iv) a statement explaining why the person considers the object or remains are of cultural heritage significance; and
- (c) be accompanied by photographs or drawings of the object or remains that support the statement mentioned in paragraph (b)(iv); and
- (d) adequately identify the land or territorial waters by reference to survey information or a suitable plan.

‘7C Recommending declaration of protected areas—Act, s 49

‘(1) This section applies if a person recommends to the Minister that an area containing protected objects or a place of cultural heritage significance be declared to be a protected area.

‘(2) The recommendation must—

- (a) be in the approved form; and
- (b) contain the following information—
 - (i) the name and address of the person;
 - (ii) a description of the area;
 - (iii) a history of the objects or place;
 - (iv) a statement explaining why the person considers the area should be declared to be a protected area; and
- (c) be accompanied by photographs or drawings of the area that support the statement mentioned in paragraph (b)(iv); and
- (d) adequately identify the area by reference to survey information or a plan.’.

5 Amendment of s 8 (Declaration of protected area—Act s 50)

(1) Section 8, heading—

omit, insert—

‘8 Declaration of protected areas—Act, s 49’.

(2) Section 8(1), from ‘protected’—

omit, insert—

‘protected area.’.

6 Amendment of schedule (Fees)

Schedule, item 4, ‘authorising operations in a protected area (Act, s 52(2))’—

omit, insert—

‘to enter a protected area (Act, s 51(2)(c))’.

ENDNOTES

1. Made by the Governor in Council on 22 April 2004.
2. Notified in the gazette on 23 April 2004.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Environmental Protection Agency.