

Queensland



Subordinate Legislation 2003 No. 268

Queensland Heritage Act 1992

QUEENSLAND HERITAGE REGULATION 2003

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FEES

1 Short title

This regulation may be cited as the *Queensland Heritage Regulation 2003*.

2 Commencement

This regulation commences on 28 November 2003.

3 Definition

In this regulation—

“approved form” means a form approved by the chief executive under section 9.

4 Application to enter place in heritage register—Act, s 24

An application under section 24(1) of the Act to enter a particular place in the heritage register must—

- (a) be in the approved form; and
- (b) adequately identify the place by reference to survey information or a suitable plan; and
- (c) contain a description of the place; and
- (d) contain a statement of the history of the place; and
- (e) contain a statement explaining why the applicant considers the place—
 - (i) is of cultural heritage significance; and
 - (ii) satisfies 1 or more of the criteria mentioned in section 23(1)¹ of the Act; and
- (f) be accompanied by photographs or drawings of the place that support the statement mentioned in paragraph (e).

¹ Section 23 (Criteria for entry in the register) of the Act

5 Certificate of immunity—Act, s 32

(1) An application under section 32(1) of the Act must be in the approved form.

(2) For section 32(3)(a) of the Act, the following information is required—

- (a) a comprehensive description of the place;
- (b) a comprehensive history of the place;
- (c) a statement that relates the cultural heritage significance of the place to the criteria mentioned in section 23(1) of the Act;
- (d) details of the sources from which further information about the place may be obtained;
- (e) photographs or drawings of the place at the time the application is made.

6 Development by the State—Act, s 34

For section 34(3) of the Act, the details are the following—

- (a) the existing condition of the registered place;
- (b) the history and development of the place;
- (c) a statement that relates the cultural heritage significance of the place to the criteria mentioned in section 23(1) of the Act;
- (d) a description of the proposed development;
- (e) a statement, giving reasons, about the likely effect of carrying out the development on the cultural heritage significance of the place.

7 Application for exemption certificate—Act, s 35

An application under section 35(1) of the Act must—

- (a) be in the approved form; and
- (b) contain the following information—
 - (i) the name and address of the owner of the registered place;
 - (ii) a comprehensive description of the place;
 - (iii) a comprehensive history of the place;

- (iv) a comprehensive description or drawing of the proposed development;
 - (v) a statement, giving reasons, about the likely effect of carrying out the development on the cultural heritage significance of the place; and
- (c) be accompanied by—
- (i) photographs or drawings of the place at the time the application is made; and
 - (ii) a conservation policy demonstrating that carrying out the development would not adversely affect the cultural heritage significance of the place.

8 Declaration of protected area—Act s 50

(1) The area within 400 m of the intersection of parallel of latitude 24°56.929' south and meridian of longitude 153°18.211' east, on the shore of Fraser Island between Waddy Point and Orchid Beach, is declared to be a protected area.²

(2) The latitude and longitude are worked out using the system called the 'World Geodetic System 1984' or 'WGS 84'.

9 Approved forms

The chief executive may approve forms for use under this regulation.

10 Fees

The fees payable under the Act are in the schedule.

11 Repeal of regulation

The *Queensland Heritage Regulation 1992* is repealed.

² Section 50 (Areas of archaeological interest) of the Act

SCHEDULE

FEES

	section 10
	\$
1. Application for certified copy of an entry in the heritage register (Act, s 22(1)(a))	26.50
2. Application for certificate about whether property affected by an entry in the heritage register or otherwise affected by the Act (Act, s 22(1)(b))	26.50
3. Application for certificate of immunity (Act, s 32(3)(b)) .	531.00
4. Application for permit authorising operations in a protected area (Act, s 52(2))	106.00

ENDNOTES

1. Made by the Governor in Council on 6 November 2003.
2. Notified in the gazette on 7 November 2003.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Environmental Protection Agency.