

Heritage Amendment Act 2011 No 71

[2011-71]



New South Wales

Status Information

Currency of version

Repealed version for 2 March 2012 to 1 September 2012 (accessed 17 July 2024 at 22:38)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Repeal**

The Act was repealed by sec 30C of the [Interpretation Act 1987 No 15](#) with effect from 2.9.2012.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 2 September 2012

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Contents

Long title	3
1 Name of Act	3
2 Commencement	3
Schedule 1 Amendment of Heritage Act 1977 No 136	3

Heritage Amendment Act 2011 No 71



New South Wales

An Act to amend the *Heritage Act 1977* in relation to the Heritage Council and the listing of items on the State Heritage Register; and for other purposes.

1 Name of Act

This Act is the *Heritage Amendment Act 2011*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

Schedule 1 Amendment of *Heritage Act 1977* No 136

[1]-[10] (Repealed)

[11] Section 34

Omit the section. Insert instead:

34 Action by Minister following recommendation for listing

- (1) Within 14 days after the Heritage Council makes a recommendation for listing to the Minister, the Minister must:
 - (a) decide whether or not to direct the listing and inform the Heritage Council of that decision, or
 - (b) request the Planning Assessment Commission to review the matter.
- (1A) On receiving a request to review a matter, the Planning Assessment Commission is to conduct its review and provide a report to the Minister within the time period specified in the regulations.
- (2) If the Minister requests a review by the Planning Assessment Commission, the Minister must, within 14 days after the Commission provides its report:
 - (a) consider that report, and

- (b) decide whether or not to direct the listing, and
 - (c) inform the Heritage Council of that decision.
- (3) The Minister may make a request under this section on the Minister's own motion or after a request by an affected owner, mortgagee, lessee or occupier.
- (4) A decision of the Minister to direct, or not to direct, the listing on the State Heritage Register of an item that the Heritage Council has recommended be listed is to contain the reasons for listing or not listing the item and is to be made publicly available on the internet by the Heritage Council within 7 days after the decision is made.

[12] Section 35 Ministerial Review Panel

Omit the section.

[13]-[16] (Repealed)