

Standard Commonwealth Heritage Listing Process

Minister must determine the start of the first 12-month assessment period. Each annual assessment period commences on the anniversary of that day (s341G).

Public nominations sought

Minister must publish an invitation for people to nominate places in the List (s341H). The notice must allow at least 40 business days for nominations to be made.

Minister may reject nominations that are vexatious, frivolous, not made in good faith, or which do not contain sufficient information (s341J(4)). If rejected for failure to meet regulations about information or form requirements, the Minister must give reasons to the nominator (s341J(5)).

Minister must give all nominations to the AHC within 30 business days after the end of the nomination period (s341J).

Priority Assessment List Developed

- Within 40 business days, the AHC must give Minister a proposed priority assessment list and a statement about it. The AHC must have regard to its own views about priorities for the assessment period, the AHC's capacity to make assessments while performing other functions, and any other matters the AHC considers appropriate (s341JA). It may exclude places unlikely to have CH values.
- The list may include places that have been nominated in the current or preceding assessment period, or places the AHC wishes to nominate itself (s341JA).
- The list must include an assessment completion time for each nomination. This may be more than the 12-month assessment period if the AHC considers more time is needed (s341JB).

AHC may decide to not include a nominated place in the list if it is unlikely to have Commonwealth Heritage values (s341JA(4)).

AHC must explain an exclusion to the Minister (s341JC).

After 20 business days the priority assessment list becomes final. The Minister may remove or add places during this time (s341JD).

Public comment sought

AHC must publish the finalised priority assessment list on the Internet and in accordance with the regulations (s341JE). AHC must publish a notice inviting people to make comments on each place in the finalised priority assessment list (s341JF).

AHC may ask the Minister to extend the assessment completion time if necessary (s341JH(2)). There is a maximum of 5 years for extensions. Minister must publish details of the extension (s341JH(5)).

In deciding, the Minister may seek and consider information from any source.

The Minister may extend the 90-day period and must publish details of the extension on the Internet and as required by the regulations (s341JI(3)& (4)).

AHC Assesses Nominations

AHC must assess the places in the priority assessment list within the time limits set by the list (ss341JG & 341JH). AHC must take into account public comments received under s341JF. If AHC considers places might have CH values, it must give owners, occupiers and Indigenous persons at least 20 business days to comment (s341JG(5)). AHC gives the assessments to the Minister (ss341JG&341JH)).

Minister makes decision

Minister must make a decision on the AHC assessments within 90 business days of receiving them (s341JI).

Do not include place in Commonwealth Heritage List
Minister may decide in writing not to include the place in the Commonwealth Heritage List (s341JI(1)(b)). Minister must:

- Publish the decision on the Internet within 10 days
- Advise nominator and give reasons.

Include place in Commonwealth Heritage List
Minister may include the place, or part of the place, in the Commonwealth Heritage List (s341JI(1)(a)). Minister must:

- Publish an instrument in the *Gazette* and copy on Internet
- Take all practicable steps to identify and advise owners/occupiers of inclusion of a place in Australia
- Advise nominator.