

**NORTHERN TERRITORY OF AUSTRALIA**

**HERITAGE REGULATIONS 2012**

As in force at 1 October 2012

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# NORTHERN TERRITORY OF AUSTRALIA

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As in force at 1 October 2012

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## HERITAGE REGULATIONS 2012

### Regulations under the *Heritage Act 2011*

#### **1 Citation**

These Regulations may be cited as the *Heritage Regulations 2012*.

#### **2 Commencement**

These Regulations commence on the commencement of the *Heritage Act 2011*.

#### **3 Exempt work**

- (1) For section 78(1) of the Act, minor work on a heritage place or heritage object is declared to be exempt work if:
  - (a) the work is carried out by, or on the instructions of, the owner of the place or object; and
  - (b) the work is carried out only for the conservation of the place or object; and
  - (c) the work does not detrimentally affect the heritage significance of the place or object.
- (2) For subregulation (1), minor work is any of the following:
  - (a) routine maintenance or cleaning that does not involve:
    - (i) damage to or the removal of existing fabric; or
    - (ii) the introduction of new material;
  - (b) the repair or replacement of services or equipment such as telecommunication cables, water pipes, electrical wiring and fire extinguishers:
    - (i) by a person who is licensed to carry out the work; and

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- (ii) by the use of existing service routes, cavities or voids, or the replacement of existing surface mounted equipment, in a way that does not involve damage to or the removal of significant fabric;
  - (c) the repair or replacement of deteriorated, damaged or missing fabric:
    - (i) by a person who is licensed to carry out the work and has experience in the conservation of heritage buildings; and
    - (ii) in a way that ensures the repaired or replaced fabric matches the existing fabric and does not involve damage to or the removal of large amounts of fabric;
  - (d) the removal of fabric that is not significant;
  - (e) painting, using paint that:
    - (i) is of the same colour and type as used for the existing scheme; and
    - (ii) is appropriate to the substrate and does not endanger the survival of earlier paint layers;
  - (f) general landscape maintenance that does not damage or substantially alter the layout, contours, plant species or a significant landscape feature of the heritage place or heritage object;
  - (g) tree surgery by a qualified horticulturalist or tree surgeon;
  - (h) the erection of a temporary structure if:
    - (i) the erection or structure does not damage or endanger significant fabric or a significant landscape feature; and
    - (ii) the structure does not obstruct significant views of or from the heritage place or heritage object;
  - (i) the erection of a temporary fence or other structure as a safety or general security measure;
  - (j) if a building is unstable or irreparably damaged – carrying out emergency stabilising measures;

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- (k) the erection of:
    - (i) signage located behind or on the glass surface of a window on commercial premises; or
    - (ii) a temporary real estate sign relating to the sale or leasing of premises;
  - (l) if carried out on a cemetery or burial site – in addition to any other minor work:
    - (i) digging or making a new grave; or
    - (ii) the repair or maintenance of a monument or grave marker.

(3) In this regulation:

***significant***, in relation to fabric or a landscape feature on a heritage place or heritage object, means fabric or a feature that:

- (a) has heritage significance in its own right; or
- (b) is an essential element of the heritage significance of the place or object.

## ENDNOTES

### 1

#### KEY

Key to abbreviations

amd = amended

app = appendix

bl = by-law

ch = Chapter

cl = clause

div = Division

exp = expires/expired

f = forms

Gaz = Gazette

hdg = heading

ins = inserted

lt = long title

nc = not commenced

od = order

om = omitted

pt = Part

r = regulation/rule

rem = remainder

renum = renumbered

rep = repealed

s = section

sch = Schedule

sdiv = Subdivision

SL = Subordinate Legislation

sub = substituted

### 2

#### GENERAL AMENDMENTS

General amendments of a formal nature (which are not referred to in the table of amendments to this reprint) are made by the *Interpretation Legislation Amendment Act 2018* (Act No. 22, 2018) to: rr 1 and 2.

### 3

#### LIST OF LEGISLATION

##### ***Heritage Regulations (SL No. 13, 2012)***

Notified

28 March 2012

Commenced

1 October 2012 (r 2, s 2 *Heritage Act 2011* (No. 34 of 2011) and Gaz S43, 31 July 2012)