

**NORTHERN TERRITORY OF AUSTRALIA**

**NORTHERN TERRITORY ABORIGINAL SACRED SITES AMENDMENT  
REGULATIONS 2011**

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**Subordinate Legislation No. 31 of 2011**

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**Subordinate Legislation No. 31 of 2011\***

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## ***Northern Territory Aboriginal Sacred Sites Amendment Regulations 2011***

I, Thomas Ian Pauling, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Northern Territory Aboriginal Sacred Sites Act*.

Dated 18 July 2011

T. I. PAULING  
Administrator

By His Honour's Command

M. B. A. McCARTHY  
Minister for Indigenous Development

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\* Notified in the *Northern Territory Government Gazette* on 27 July 2011.

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**1 Citation**

These Regulations may be cited as the *Northern Territory Aboriginal Sacred Sites Amendment Regulations 2011*.

**2 Regulations amended**

These Regulations amend the *Northern Territory Aboriginal Sacred Sites Regulations*.

**3 Regulation 2 amended**

Regulation 2

*omit*

of the Commonwealth

*insert*

(Cth)

**4 Regulation 4 repealed**

Regulation 4

*repeal*

**5 Regulation 7 replaced**

Regulation 7

*repeal, insert*

**7 Abstract of Authority's records**

- (1) A person may apply to the Authority for an abstract of the Authority's records in relation to a parcel of land.
- (2) The application must be in writing and accompanied by the applicable fee.
- (3) The Authority may give the applicant a written abstract containing:
  - (a) advice as to the following:
    - (i) whether there are any registered sacred sites on the parcel of land;
    - (ii) whether the Authority has a record of any other sacred sites on the parcel;

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- (iii) whether any part of the parcel is the subject of a restricted work area described in an Authority Certificate; and
  - (b) a map indicating the location of any registered or recorded sacred sites and any restricted work areas.
- (4) The Authority may also give the applicant additional maps or spatial data if the applicant:
- (a) pays the applicable fees for the maps or spatial data; and
  - (b) if required by the Authority – signs an agreement between the applicant and the Authority in relation to the use of the maps or spatial data and pays the applicable fee for the agreement.
- (5) In this regulation:

***parcel of land*** means the whole of the land the subject of a separate certificate as to title registered under the *Land Title Act*.

## **8 Fees**

The fees payable under the Act and these Regulations are set out in Schedule 4.

## **6 Schedule 1 replaced**

Schedule 1

*repeal, insert*

## **Schedule 1 Guidelines for classifying applications**

regulation 3

### **1 Standard applications**

An application for an Authority Certificate that is not mentioned in clause 2 should be classified as a standard application unless there are exceptional circumstances relating to the application.

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## **2 Non-standard applications**

An application for an Authority Certificate mentioned below should be classified as a non-standard application.

### **2.1 Large area of land**

An application in relation to one or more areas of land the perimeters of which together equal 20 km or more.

### **2.2 Substantial project**

An application in relation to a substantial project, being proposed work that:

- (a) requires a public environmental report or an environmental impact statement under the *Environmental Assessment Act*; or
- (b) is associated with a complex development such as a resort, mine or major horticultural development; or
- (c) uses an area of sea; or
- (d) involves the acquisition or extinguishment of native title rights.

A project is not necessarily a substantial project if the works relate to a standard road borrow area or to infrastructure being developed separately from principal works (for example, an access track to a mine if the request is for an Authority Certificate separate from the main mine Authority Certificate).

### **2.3 Aboriginal land**

An application in relation to an area of land that is, in whole or part, Aboriginal land as defined in section 3(1) of the *Land Rights Act*.

### **2.4 Sacred sites**

An application in relation to:

- (a) an area of land that encompasses a registered sacred site or a restricted work area described in a previously issued Authority Certificate; or
- (b) an area where an Authority Certificate has previously been refused due to the existence of sacred sites.

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## 2.5 Specialised equipment or expertise

An application the determination of which will require the use of specialised equipment (for example, charter aeroplanes or helicopters) or expert professional advice (for example, an arborist).

## 2.6 Comprehensive survey

An application that:

- (a) is not limited to a specific location or project; and
- (b) requires a comprehensive survey of unusually wide scope.

## 2.7 Undisclosed work

An application that does not disclose the proposed use of the land or the nature of the work proposed to be carried out on the land.

## 2.8 Remote location

An application in relation to an area of land that is remote from major population centres, the determination of which will require special arrangements for travel or accommodation.

## 7 Schedule 3 amended

- (1) Schedule 3, heading, after "**Schedule 3**"

*insert*

### **Charges for non-standard application or conference**

- (2) Schedule 3, clause 1(a)

*omit*

(inclusive)

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**8 Schedule 4 replaced**

Schedule 4

*repeal, insert***Schedule 4 Fees**

regulation 8

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	<b>Application or matter</b>	<b>Fee (revenue units)</b>
1	Standard application for an Authority Certificate in relation to:	
	(a) freehold land anywhere in the Territory; or	57 for application plus 1 035 for certificate
	(b) land, other than freehold land and Aboriginal land, that is:	57 for application plus 1 035 for certificate
	(i) within the municipal boundary of Darwin, Palmerston or Litchfield Shire; or	
	(ii) within 25 km of the Alice Springs Post Office; or	
	(c) land, other than freehold land and Aboriginal land, that is:	57 for application plus 2 300 for certificate
	(i) not within the municipal boundary of Darwin, Palmerston or Litchfield Shire; and	
	(ii) not within 25 km of the Alice Springs Post Office	
2	Inspection of Register of Sacred Sites	23 per sacred site



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3	Inspection of register kept under section 26 of the Act	23 per inspection of Authority Certificate application and related Certificate or refusal
4	Abstract of Authority's records	23 per parcel of land
5	Additional information provided with abstract of Authority's records:	
	(a) additional maps up to A3 size;	23 for each map
	(b) maps over A3 size;	50 for the first 5 maps and 28 for each additional map
	(c) specialised maps or spatial data	equivalent of production costs
6	Agreement under regulation 7(4)(b)	50

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