

NORTHERN TERRITORY OF AUSTRALIA

HERITAGE REGULATIONS

Subordinate Legislation No. 13 of 2012

Table of provisions

1	Citation	2
2	Commencement	2
3	Exempt work.....	2



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Subordinate Legislation No. 13 of 2012*

Heritage Regulations

I, Sally Gordon Thomas, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Heritage Act*.

Dated 22 March 2012

S. G. THOMAS
Administrator

By Her Honour's Command

D. R. KNIGHT
Minister for Justice and Attorney-General
acting for
Minister for Natural Resources, Environment and Heritage

* Notified in the *Northern Territory Government Gazette* on 28 March 2012.

1 Citation

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

2 Commencement

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

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
 - (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;

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- (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;
 - (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;

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- (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.