

NORTHERN TERRITORY OF AUSTRALIA
HERITAGE CONSERVATION AMENDMENT (MINOR WORK)
REGULATIONS 2007

Subordinate Legislation No. 21 of 2007

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NORTHERN TERRITORY OF AUSTRALIA

Subordinate Legislation No. 21 of 2007*

Heritage Conservation Amendment (Minor Work) Regulations 2007

I, EDWARD JOSEPH EGAN, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Heritage Conservation Act*.

Dated 25 July 2007.

E. J. EGAN
Administrator

By His Honour's Command

P. R. HENDERSON
Minister for Employment, Education and Training
acting for the
Minister for Natural Resources, Environment and Heritage

* Notified in the *Northern Territory Government Gazette* on 1 August 2007.

1. Citation

These Regulations may be cited as the *Heritage Conservation Amendment (Minor Work) Regulations 2007*.

2. Regulations amended

These Regulations amend the *Heritage Conservation Regulations*.

3. New regulation 10

After regulation 9

insert

10. When no consent required under section 39K for minor work

(1) Minor work on a heritage place or heritage object to which this regulation applies ("the place or object") falls within the exception to section 33 of the Act (and may therefore be carried out without consent under section 39K of the Act) 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 maintenance, conservation or protection of the place or object; and
- (c) the work does not adversely affect the heritage value of the place or object.

(2) This regulation applies to a heritage place or heritage object (other than a prescribed archaeological place or prescribed archaeological object) for which there is no conservation management plan.

(3) 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;
- (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 place or 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 place or 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

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- (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.
- (4) In this regulation:

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

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