

AHIP transfer application

This form needs to be filled out if you want to apply for the transfer of an **Aboriginal Heritage Impact Permit (AHIP)** prescribed under section 90B of the *National Parks and Wildlife Act 1974* (NPW Act).

If you need any help to fill out the form, please contact the relevant section within the Office of Environment and Heritage (OEH) (contact details are listed at the end of this form). Once completed and signed by both the current and proposed AHIP holder, send the form, together with the applicable fee, to the nearest OEH office. You can also refer to *Applying for an Aboriginal Heritage Impact Permit, Guide to Applicants 2010* (www.environment.nsw.gov.au/licences/applyforahip.htm) for guidance.

An application fee of **\$80** per AHIP must accompany the application. The application will be processed only when payment is received by OEH.

1 AHIP transfer details

1.1 AHIP to be transferred

AHIP number	
AHIP expiry date	

1.2 Details of current AHIP holder(s)

Full name(s) of current AHIP holder(s)			
ACN/ABN (if applicable)	ACN:	ABN:	
Business address [#] / other address	No:	Street name:	
	Suburb:	State:	Postcode:

1.3 Details of the applicant (applying for the AHIP transfer)

This application can be made by either the current AHIP holder or the proposed new AHIP holder.

Please note that a proposed AHIP holder can apply for a transfer only if consent is given in writing by the current holder of the AHIP (see question 5).

Applicant's full name(s)			
Trading as (if applicable)			
ACN /ABN (if applicable)	ACN:	ABN:	
Business address [#] / other address	No:	Street name:	
	Suburb:	State:	Postcode:
Contact phone number			

[#] Must be the registered business address as it appears in the ASIC register, for companies or those individuals with an ABN.

1.4 Reason(s) for transfer

1.4.1 Sale of land

	Yes*	No**
Does this AHIP transfer application relate to a specified parcel of land?		

* If you ticked 'Yes', go to **Question 2**

** If you ticked 'No', complete **1.4.2**

Notes:

1. This application will transfer all land covered by the AHIP. A transfer will **not** be considered for a part of the land covered by the AHIP.
2. If your AHIP transfer application relates to a specified parcel of land OEH cannot refuse to transfer the application and cannot vary any conditions of the AHIP.

1.4.2 Other reasons not related to the sale of land

If you answered 'No' at 1.4.1, write down the specific reason(s) why you are requesting the transfer of the AHIP.

Note:

If you also wish to change any of the conditions of the AHIP, you will need to apply separately for a variation to the AHIP using an AHIP variation application form and supply any required additional information. This can be done in two ways:

1. The current AHIP holder can submit an AHIP variation application to OEH prior to the application for a transfer.
 2. After a transfer has been granted to the new AHIP holder, the new AHIP holder can then apply for a variation.
- OEH cannot process a transfer application and a variation simultaneously.

More information on variations is available at www.environment.nsw.gov.au/licences/AHIPforms.htm, or contact your local OEH office (contact details are at the end of this form).

2 Transfer date of the AHIP to the proposed AHIP holder

Please state below the proposed date that the new AHIP holder will take over responsibility for the AHIP from the current AHIP holder.

You may wish the AHIP transfer date to coincide with a specific date, such as the same date as the sale of the land. OEH will endeavour to affect the transfer on the date nominated below. However, to ensure OEH has time to affect the transfer of the AHIP, you should submit this application **at least 30 days prior** to the date you state below.

Date of transfer	
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Note: OEH **cannot** retrospectively grant a transfer of an AHIP.

3 Proposed AHIP holders

3.1 Details of the proposed AHIP holder(s)

The proposed AHIP holder must be an individual(s), a company, body corporate or public authority, but **not** a partnership, trust or joint venture.

Full name(s) of proposed AHIP holder(s)		
Trading as (if applicable)		
ACN/ABN (if applicable)	ACN:	ABN:

3.2 Address of proposed AHIP holder(s)

Registered business**address/ other address	PO Box:		
	No:	Street name:	
	Suburb:	State:	Postcode:
Fax:			

** This must be the registered business address as it appears on the ASIC register, for companies or those individuals with an ABN.

3.3 Contact details for the new project manager

This should be the primary contact, if OEH needs to make any enquiries.

Please fill in the information below if the current project manager will change.

Name	Title:	Given name:
	Surname:	
Organisation		
Position		
Email address		

3.4 Contact details for the new archaeologist

Please fill in the information below if the current archaeologist will change.

Name	Title:	Given name:
	Surname:	
Organisation		
Phone numbers	Business:	Mobile:
Fax		
Email		

4. Signature of proposed AHIP holder

This application may only be signed by a person(s) with the legal authority to sign it. The various ways in which the application may be signed, and the people who may sign the application, are set out in the categories below.

Please tick (✓) the box next to the category that describes how this application is being signed.

If the proposed AHIP holder is:	The application must be signed and certified by one of the following:
an individual	the individual.
a company	the common seal being affixed in accordance with the <i>Corporations Act 2001</i> , or two directors, or a director and a company secretary, or if a proprietary company that has a sole director who is also the sole company secretary – by that director.
a public authority other than a council	the chief executive officer of the public authority, or by a person delegated to sign on the public authority's behalf in accordance with its legislation (Please note: a copy of the relevant instrument of delegation must be attached to this application).
a local council	the general manager in accordance with s.377 of the <i>Local Government Act 1993</i> (LG Act), or the seal of the council being affixed in a manner authorised under the LG Act.

I/We (the proposed AHIP holder) would like to:

- ***apply for the transfer of the AHIP listed at 1.1 from the current AHIP holder***
- ***declare that the information in this form (including any attachment) is not false or misleading.***

Signature		Signature	
Name (printed)		Name (printed)	
Position		Position	
Date		Date	

Seal (if signing under seal):

5. Consent of the current AHIP holder

Under section 90E of the NPW Act an application for the transfer of an AHIP may be made only with the consent in writing of the current holder of the AHIP.

This application may only be signed by a person(s) with the legal authority to sign it. The various ways in which the application may be signed, and the people who may sign the application, are set out in the categories below.

Please tick (✓) the box next to the category that describes how this application is being signed.

If the proposed AHIP holder is:	The application must be signed and certified by one of the following:
an individual	the individual.
a company	the common seal being affixed in accordance with the Corporations Act 2001, or two directors, or a director and a company secretary, or if a proprietary company has a sole director who is also the sole company secretary – by that director.
a public authority other than a council	the chief executive officer of the public authority, or their authorised delegate.
a local council	the general manager in accordance with s.377 of the <i>Local Government Act 1993</i> (LG Act), or the seal of the council being affixed in a manner authorised under the LG Act.

/We (the current AHIP holder) consent to the transfer of the AHIP listed at 1.1 to the proposed AHIP holder.

Signature		Signature	
Name (printed)		Name (printed)	
Position		Position	
Date		Date	

Seal (if signing under seal):

Additional information

1. If the AHIP is transferred, it will be transferred subject to the existing conditions of the AHIP.
2. Under section 90R of the NPW Act, OEH must transfer an AHIP if it relates to a specified parcel of land and a complete application is made under section 90B of the NPW Act. However, in transferring the AHIP, OEH cannot vary any of the conditions on the AHIP. A separate AHIP variation application form must be submitted by the AHIP holder, if they also want to vary the conditions on the AHIP.
3. It is an offence under s169 (3) of the NPW Act to knowingly give any information in this form that is false or misleading in a material particular.
4. Details of the AHIP transfer application and AHIP will appear on OEH's Public Register.
5. You must ensure that all questions are answered and all relevant supporting information has been attached to this application. If your application does not include all the required information, OEH will notify you in writing. OEH may request further information from you to address the gaps in your application. If the information in your application is so insufficient that an assessment cannot be made, OEH may decide to refuse the application. You will be given notice of this proposed refusal.
6. If OEH does not make a determination of the AHIP application within 60 days it is 'deemed to be refused'. 'Deemed to be refused' means that the applicant has the right to challenge OEH's decision to refuse the application in the Land and Environment Court.

Note: OEH can still continue to process the application after 60 days and grant or refuse the AHIP application. You should always contact OEH in the first instance if you have any queries regarding your application.

7. Send the completed form, fee (cheque or credit card authorisation) and attachments to your nearest OEH office identified below.

Please tick the method of payment:

Cheque enclosed. Make cheque payable to 'Office of Environment and Heritage'.

Please debit my VISA/ MASTERCARD credit card in the amount of \$ _____

Card no: _____ Expiry date: ____ / ____ / ____

Cardholder's name: _____

Signature: _____ Date: ____ / ____ / ____

Office of Environment and Heritage

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Greater Sydney Region

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T: 02 8837 6000
F: 02 9995 6900

North Branch

Hunter Central Coast Region

Senior Team Leader, Planning
PO Box 488G
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T: 02 4908 6800
F: 02 4908 6810

North East Region

Senior Team Leader, Planning
Locked Bag 914
Coffs Harbour NSW 2450
T: 02 6659 8235
F: 02 6659 6187

North West Region

Senior Team Leader, Planning
PO Box 2111
Dubbo NSW 2830
T: 02 6883 5330
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South Branch

Illawarra Region

Senior Team Leader, Planning
PO Box 513
Wollongong NSW 2520
T: 02 4224 9600
F: 02 4224 4199

South East Region

Senior Team Leader, Planning
PO Box 733
Queanbeyan NSW 2620
T: 02 6229 7188
F: 02 6229 7006

South West Region

Senior Team Leader, Planning
PO Box 544
Albury NSW 2640
T: 02 6022 0600
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