

**Aboriginal Heritage Impact Permit Transfer Application** Form

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 Heritage NSW Customer Concierge on 02 9873 8500. You can also refer to [Applying for an Aboriginal Heritage Impact Permit: Guide to Applicants](https://www.environment.nsw.gov.au/research-and-publications/publications-search/applying-for-an-aboriginal-heritage-impact-permit-guide-for-applicants)for guidance.

Once completed and signed by both the current and proposed AHIP holder, email the form, together with the applicable fee to: [heritagemailbox@environment.nsw.gov.au](mailto:heritagemailbox@environment.nsw.gov.au).

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

# 1. AHIP transfer details

## 1.1 AHIP number

|  |  |
| --- | --- |
| AHIP number |  |
| AHIP expiry date |  |

## 1.2 Name of current AHIP holder(s)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Full name of AHIP holder(s) | |  | | |
| ACN/ABN (if applicable) | | ACN | ABN | |
| Address\* | No: | Street name: | | |
| Suburb: | | State: | | Postcode: |

\*Must be the registered business address as it appears in the ASIC register, for companies or individuals with an ABN.

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

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Applicants full name | | |  | | |
| Trading as (if applicable) | | |  | | |
| ACN/ABN (if applicable) | | | ACN | ABN | |
| 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 individuals with an ABN.

## 1.4 Reason(s) for transfer

### 1.4.1 Sale of land

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

### 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 Heritage NSW 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 specified 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 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 Heritage NSW 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.

Heritage NSW cannot process a transfer application and a variation simultaneously. More information on variations is available on the Heritage NSE website or contact us on 02 9873 8500.

# 2. Transfer date of the AHIP of 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 holder. You may wish the AHIP transfer date to coincide with a specified date such as the same date as the sale of the land. Heritage NSW will endeavour to affect the transfer on the date nominated below. However, to ensure Heritage NSW has time to affect the transfer of an AHIP, you should submit this application at least 60 days prior to the date you state below.

|  |  |
| --- | --- |
| Date of transfer | DD/MM/YYYY |

### Note: Heritage NSW cannot retrospectively grant a transfer of an AHIP

## 2.1 Proposed AHIP holders

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Applicants full name | |  | | |
| Trading as (if applicable) | |  | | |
| ACN/ABN (if applicable) | | ACN | ABN | |
| 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 individuals with an ABN.

## 2.2 Contact details for the new project manager

This should be the primary contact if Heritage NSW needs to make any enquiries.

|  |  |
| --- | --- |
| Full name |  |
| Organisation |  |
| Position |  |
| Email address |  |
| Phone number |  |

## 2.3 Contact details for the new archaeologist (if relevant)

|  |  |
| --- | --- |
| Full name |  |
| Organisation |  |
| Position |  |
| Email address |  |
| Phone number |  |

# 3. Signature of proposed AHIP holder

Under section 90D NPW Act, an AHIP may only be varied on the written application of the permit 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 int the categories below.

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

|  |  |  |
| --- | --- | --- |
| **If the AHIP holder is:** |  | **The application must be signed and certified by one of the following** |
| An individual |  | The individual AHIP holder or a person approved in writing by Heritage NSW to sign on behalf of the AHIP holder. |
| 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 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 their authorised delegate (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 Local Government Act 1993 (LG Act), or  the seal of the council being affixed in a manner authorised under the LG Act. |

I/We (the AHIP holder/s):

* Apply for the transfer of the AHIP listed at 1.1 from the current AHIP holder
* Declare that the information in this AHIP application form (including any attachments) is not false or misleading

|  |  |  |  |
| --- | --- | --- | --- |
| **Signature** |  | **Signature** |  |
| **Name (printed)** |  | **Name (printed)** |  |
| **Position** |  | **Position** |  |
| **Date** |  | **Date** |  |

Seal (if signing under seal):

# 4. Consent of the current AHIP holder

Under section 90E 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 check the box (☒) next to the category that describes how this application is being signed.

|  |  |  |
| --- | --- | --- |
| If the AHIP holder is: | | The application must be signed and certified by one of the following |
| An individual |  | The individual AHIP holder or a person approved in writing by Heritage NSW to sign on behalf of the AHIP holder. |
| 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 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 their authorised delegate (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 Local Government Act 1993 (LG Act), or  the seal of the council being affixed in a manner authorised under the LG Act. |

**I/We (the current AHIP holder/s) 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)

# 5. 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, Heritage NSW 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, Heritage NSW cannot vary any of the conditions of 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 s.169(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 the Heritage NSW 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 the required information, Heritage NSW will notify you in writing. Heritage NSW 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, Heritage NSW may decide to refuse the application. You will be given notice of this proposed refusal.
6. If Heritage NSW 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 the Heritage NSW decision to refuse the application in the Land and Environment Court.

**Note:** Heritage NSW can still continue to process the application after 60 days and grant or refuse the AHIP application. Contact Heritage NSW in the first instance if you have any queries regarding your application.

**Once completed and signed, pay the fee and email this form with all supporting information to**: [heritagemailbox@environment.nsw.gov.au](mailto:heritagemailbox@environment.nsw.gov.au).

Files that exceed email limits can be submitted using Dropbox. Please share the link with [heritagemailbox@environment.nsw.gov.au](mailto:heritagemailbox@environment.nsw.gov.au)

|  |  |  |  |
| --- | --- | --- | --- |
| Payment authorisation | | | |
| Application fee: $80\* per AHIP \* Processing fees are exempt from GST by the Commonwealth Treasurer’s Division 81 determination under *A New Tax System (Goods and Services Tax) Act 1999* How to pay Payment options include:   * **Direct deposit**: Department of Planning and Environment, BSB 032 001, Account no. 186 245. Once payment is made, please include the remittance advice with submission. * **Credit card:** Please provide contact details below for a member of the Customer Concierge Team to contact you and take payment over the phone. | | | |
|  | | | |
| **Do you require a receipt?** | | **Yes** | **No** |
| **Company name:** | | | |
| **To the attention of:** | | | |
| **Email:** | **Phone:** | | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Contact details for credit card payment** | | | | |
| **Name on card:** | | | | |
| Visa and Mastercard only. American Express is not accepted. | | | | |
| **Contact name:** |  | |  |  |
| **Contact phone number** | |  | | |

ABN: 27 578 976 844

Heritage NSW | Department of Climate Change, Energy, the Environment and Water | Locked Bag 5020 Parramatta NSW 2124 Phone:02 9873 8500 Email: [heritagemailbox@environment.nsw.gov.au](mailto:heritagemailbox@environment.nsw.gov.au) | EHG 2022/0486 August 2022; updated January 2024