

Application Form for a Cultural Heritage Permit for the purposes of the *Aboriginal Heritage Act 2006*

This form, approved by the Secretary, Department of Planning and Community Development, specifies the format in which an application must be prepared when a person is seeking a cultural heritage permit under the *Aboriginal Heritage Act 2006*.

Please be aware that a registered Aboriginal party (RAP) may object to the granting of a cultural heritage permit on any specified grounds, and under these circumstances the Secretary must refuse to grant the permit. Accordingly, it is strongly suggested that an applicant consult with the relevant RAP/s (if any), prior to submitting a permit application.

This form will be a TAX INVOICE for GST purposes when fully completed and payment is made. All fees are GST exempt. Make any cheques payable to:

Department of Planning and Community Development
GPO Box 2392
Melbourne Vic 3001
ABN 30 485 673 497

* Please ensure all posted items are addressed to: *
Deputy Director - Aboriginal Affairs Victoria
Department of Planning and Community Development
GPO Box 2392
MELBOURNE VIC 3001

SECTION 1 – Applicant Information

Person responsible for carrying out the activity and to whom the permit will be granted

Name of applicant: _____

Business name: _____

Postal address: _____

Telephone number: _____ Fax number: _____

Email address: _____ ABN (if any): _____

SECTION 2 – Purpose of Application

In accordance with s.36(1) of the *Aboriginal Heritage Act 2006* ("the Act"), please indicate the purpose for which the Applicant seeks a cultural heritage permit complete the appropriate attachment.

	Tick applicable box(s)	Applicable fee*	\$ amount (July 2011- June 2012)
<ul style="list-style-type: none">To disturb or excavate land for the purpose of uncovering or discovering Aboriginal cultural heritage. <i>(Complete Attachment A)</i>	<input type="checkbox"/>	8 fee units	98.00
<ul style="list-style-type: none">To carry out scientific research on an Aboriginal place including removal of any Aboriginal object from that place for the purpose of research. <i>(Complete Attachment A)</i>	<input type="checkbox"/>	8 fee units	98.00
<ul style="list-style-type: none">To carry out an activity that will harm, or is likely to harm, Aboriginal cultural heritage. <i>(Complete Attachment B)</i>	<input type="checkbox"/>	46 fee units	562.00
<ul style="list-style-type: none">To buy or sell an Aboriginal object. <i>(Complete Attachment C)</i>	<input type="checkbox"/>	13 fee units	159.00
<ul style="list-style-type: none">To remove an Aboriginal object from Victoria. <i>(Complete Attachment D)</i>	<input type="checkbox"/>	13 fee units	159.00

* Refer to www.aboriginalaffairs.vic.gov.au for current value of a fee unit.

Total Amount (excludes GST) \$ _____

SECTION 3: Person Lodging Application (if applicable)

If the cultural heritage permit is being sought by another person/organisation on behalf of the applicant.

Name of representative: _____

Business name: _____

Postal address: _____

Telephone number: _____ Fax number: _____

Email address: _____ ABN (if any): _____

SECTION 4: Signature of Applicant

I certify that, to the best of my knowledge and belief, the information supplied in this application is correct and complete. I am aware that any permit issued in response to this application may include conditions required by the Secretary either on his/her own motion or as reasonably required by a registered Aboriginal party. I agree to indemnify the Secretary, the Minister and the Crown against all claims, damages, costs, liabilities or loss including in relation to all actions, claims or demands which may be made in connection with the issue of any permit as a result of this application.

Signed: _____ Date: / /

[Applicant named in section 1 of this form]

SECTION 5: Application Checklist

Ensure appropriate attachment(s) are completed (see section 2 of this form)

Include appropriate fee (make cheques payable to Department of Planning and Community Development)**

Please ensure all items are sent to the:

Deputy Director - Aboriginal Affairs Victoria
Department of Planning and Community Development
GPO Box 2392
MELBOURNE VIC 3001

*** Pursuant to regulation 70(2) of the Aboriginal Heritage Regulations 2007, any application made for a cultural heritage permit in relation to two or more of the matters referred to in section 2 of this form will attract the sum of fees for each of those matters.*

Notes:

A cultural heritage permit will not be granted in relation to:

- **Aboriginal human remains or a secret or sacred Aboriginal object under the Act; or,**
- **An activity requiring a cultural heritage management plan under the Act.**

Registered Aboriginal Party - If there is a registered Aboriginal party for the area relating to the Aboriginal cultural heritage which is the subject of this permit application, the Secretary must give that party a copy of this application before determining whether to grant or refuse to grant a permit. A registered Aboriginal party has up to 30 days to respond to such a referral, and is entitled to request further information from the applicant. Contact details for registered Aboriginal parties can be found at www.aboriginalaffairs.vic.gov.au.

Attachment B

Application to carry out an activity that will harm, or is likely to harm, Aboriginal cultural heritage under section 36(1)(c) of the Act

Note: the activity that will harm, or is likely to harm, Aboriginal cultural heritage for which a permit is required under s.36(1)(c) of the Act is referred to as the "activity" in this Attachment. The description provided here is the basis on which all decisions under the Act will be made, including whether a permit will be granted. It is therefore important that the description is complete and includes all components and actions that will be associated with the activity.

Attach additional sheets where further space is required.

1. Description of the proposed activity

2. Contact details for land owner/manager (in relation to Aboriginal place) or owner/custodian (in relation to an Aboriginal object) where this person is not the applicant.

3. Land Tenure*

Freehold

Crown

4. Volume and folio details.*

Attach volume and folio details, a VICROADS reference and provide a street address where relevant.

5. Application plan and description of the area/s of land where the activity will take place. *

You must attach a plan of the land subject to the permit application, drawn to scale, with dimensions of the proposed activity, showing the location of proposed works involved in the activity, the boundaries of the area of land on which the activity will take place, and the extent of Aboriginal cultural heritage on that land.

6. Activity location (must be presented using GDA94 coordinates).*

Easting

Northing

7. Victorian Aboriginal Heritage Register (where previously recorded).

Registered Number(s) and Name(s):

* For any project relating to an Aboriginal cultural heritage place located on land or waters in Victoria

Attachment C

Application for a cultural heritage permit to buy or sell an Aboriginal object under section 36(1)(d) of the Act

Note: the description of the Aboriginal object here is the description on which all decisions under the Act will be made, including whether a permit will be granted. It is therefore important that the description of the Aboriginal object and the purpose of its purchase or sale is complete.

Attach additional sheets where further space is required.

1. Provide a detailed description of the Aboriginal object/s which is/are the subject of this application

2. Provide details regarding the history of the object including information about:

- Its place of origin if known (attach a map indicating this location).
- The history of the object (particularly information regarding its manufacture, ownership and use).
- Its current location and ownership.

3. Describe what arrangements have been made to minimise any harm to the object/s

4. Provide the contact details of the person who can arrange access to the Aboriginal cultural heritage for inspection and assessment (if different to the applicant)

5. Information sources and attachments

- You must attach a photograph showing the Aboriginal object/s (preferably from multiple angles).
- If relevant, provide a list of documents and source materials relied upon when preparing this application.

- Provide details about the reliability of information referred to in the preparation of this application.

Note: The export of Aboriginal objects from Australia is governed by separate Commonwealth legislation – the Protection of Movable Cultural Heritage Act 1986. Applicants for a permit to buy or sell an Aboriginal object should contact the relevant Commonwealth department to ensure they are complying with their responsibilities under that Act.

Attachment D

Application for a cultural heritage permit to remove an Aboriginal object from Victoria under section 36(1)(e) of the Act

Note: the description of the Aboriginal object here is the description on which all decisions under the Act will be made, including whether a permit will be granted. It is therefore important that the description of the Aboriginal object and the purpose of its removal is detailed and complete.

Attach additional sheets where further space is required.

1. Provide a detailed description of the Aboriginal object/s which is/are the subject of this application

2. Provide details regarding the history of the object including information about:

- Its place of origin if known (attach a map indicating this location).
- The history of the object (particularly information regarding its manufacture and ownership).
- Its current location and ownership.

3. Describe any likely impact removal may have on the Aboriginal object/s and, if relevant, what arrangements have been made to minimise any harm

4. Provide the contact details of the person who can arrange for the inspection and assessment of the Aboriginal object.

5. Provide details about:

- Why the object is being removed from Victoria.
- Where the object will be taken to.
- Any arrangements that have been made for the care and preservation of the object once it has been removed from Victoria.
- The period of time the object be outside Victoria (if the planned removal is permanent, please specify the reasons why).

6. Information sources and attachments

- You must attach a photograph showing each Aboriginal object which is the subject of the application.
- If relevant, provide a list of documents and source materials relied upon when preparing this application.

- Provide details about the reliability of information referred to in the preparation of this application.

Note: The export of Aboriginal objects from Australia is governed by separate Commonwealth legislation – the Protection of Movable Cultural Heritage Act 1986. Applicants for a permit to buy or sell an Aboriginal object should contact the relevant Commonwealth department to ensure they are complying with their responsibilities under that Act.