Application for Approval of an Amendment to an Approved Cultural Heritage Management Plan for the purposes of the *Aboriginal Heritage Act* *2006*

This form has been prepared for use by a sponsor making an application to a Relevant Authority\* for approval of a proposed amendment to an approved cultural heritage management plan (‘Management Plan’) under section 66A of the *Aboriginal Heritage Act* *2006* (‘Act’).

This form may be used with a **tax invoice**\*\* (if applicable) when fully completed and payment is made. .

Prescribed Fee $­­­\_\_\_\_\_\_\_\_\_\_\_\_

The prescribed fee\*\***\*** for this evaluation is:

Attach additional sheets where further space is required.

**SECTION 1 – Sponsor information**

Name of sponsor:

Business name:

Postal address:

Telephone number: Fax number:

Email address: ABN (if any):

**SECTION 2 – Title, approval date and author(s) of the Management Plan**

*Note: an approved Management Plan cannot be amended 5 years or more after first being approved under section 66A(5) of the Act.*

**SECTION 3 – Cultural heritage management plan number**

CHMP NO.

**SECTION 4 – Heritage advisor**

Name of heritage advisor appointed to assist in preparing the proposed amendment:

Provide a brief description of the heritage advisor’s qualifications and experience:

\* Relevant Authority, in relation to an application for approval of an amendment to an approved Management Plan, means –

a) the relevant Registered Aboriginal Party (“RAP) for the area to which the Management Plan applies; or

b) if there is no relevant RAP – the Secretary, Department of Premier and Cabinet (“Secretary”); or

c) if the applicant is a RAP or the Secretary – the Victorian Aboriginal Heritage Council (“Council”).

\*\* Refer to the Australian Taxation Office website for information on the requirements of tax invoices: <https://www.ato.gov.au/Business/GST/Issuing-tax-invoices/?anchor=Requirementsoftaxinvoices#Requirementsoftaxinvoices>

\*\*\* Prescribed fees are established by the Aboriginal Heritage Regulations 2018. Refer to <http://www.dpc.vic.gov.au/index.php/aboriginal-affairs/aboriginal-cultural-heritage/fees-and-penalties> for the current value of a fee unit.

*Note: Fees payable directly to a RAP may include GST.*

**SECTION 5 – Does the application relate to a minor amendment?**

|  |  |  |
| --- | --- | --- |
|  | ***Yes*** | ***No*** |
| Does the proposed amendment make a change to the extent of the activity area? |  |  |
| Was additional field investigation undertaken to prepare the proposed amendment? |  |  |
| Does the proposed amendment change the impact to the Aboriginal cultural heritage? |  |  |
| Has any relevant authority previously considered the proposed amendment to the management plan? |  |  |

*If ‘yes’ is selected for any of the above questions, it is likely the proposed amendment is not a ‘minor amendment’ in the opinion of the relevant authority (refer to section 66A of the Act).*

**SECTION 3 – Cultural Heritage Management Plan Number (provided by AAV after notification)**

**SECTION 6 – If applying to the Secretary, state the reason for applying**

No relevant Registered Aboriginal Party in relation to the activity area for the proposed amendment Management Plan (complete section 8).

No relevant Registered Aboriginal Party has given notice to the sponsor (under section 55 of the Act) within 14 days of being notified of whether or not it intends to evaluate the proposed amendment (complete section 7).

All relevant Registered Aboriginal Parties have given notice to the sponsor (under section 55 of the Act) that they do not wish to evaluate the proposed amendment (complete section 7).

No relevant Registered Aboriginal Party has given notice to the sponsor within 30 days (under section 63(1) of the Act) with its decision to approve or refuse the proposed amendment (complete section 7).+

***+For the purpose of section 65(1)(b)(iv) of the Act, no fee is prescribed if the application is the same or substantially similar to the application submitted for approval.***

**SECTION 7– List the relevant Registered Aboriginal Parties**

*Note: this section should only be completed where there is a Registered Aboriginal Party in relation to the Management Plan.*

**SECTION 8 – Relevant consultation**

**SECTION 7 – Certification**

Provide a summary of any consultation with relevant traditional owner group(s) or Registered Aboriginal Party regarding the proposed amendment:

**SECTION 9 – Details of the proposed amendment**

Provide a detailed description of the proposed amendment to the Management Plan:

*Note: You must attach an electronic copy of the amended Management Plan with the amendments clearly identified in the document.*

**SECTION 10 – Certification**

**SECTION 7 – Certification**

I certify that to the best of my knowledge and belief that the information supplied is correct and complete. Pursuant to section 53 of the Act, I have prepared the relevant amendment in accordance with the prescribed standards, and certify that all activities undertaken during the assessment of the relevant area for the purposes of preparing the amendment comply with the Aboriginal Heritage Regulations 2018.

I acknowledge that the Relevant Authority *must* refuse to approve the amendment if it has not been prepared in accordance with the prescribed standards.

I agree to indemnify the relevant Registered Aboriginal Party, the Secretary, the Council, 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 a decision by the Relevant Authority to refuse approval of the amendment.

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date of application: / /

**[Sponsor]**

**SECTION 11 – Checklist**

|  |  |
| --- | --- |
|  | Attach an electronic copy (in .pdf format) of the amended Management Plan with all amendments clearly identified in the document. |
|  | Attach a copy of any notices given under section 54 or 55 of the Act (if applicable) |
|  | The application must be accompanied by any prescribed fee.\*\* |

Please ensure this application and all other relevant items are sent to:

|  |  |  |
| --- | --- | --- |
| 1. **If the Relevant Authority is a Registered Aboriginal Party:**  * Contact details for RAPs can be found on the Aboriginal Victoria Website at:<http://www.dpc.vic.gov.au/index.php/aboriginal-affairs/registered-aboriginal-parties> | 1. **If the Relevant Authority is the Secretary:**  * **email:** vahr@dpc.vic.gov.au | 1. **If the Relevant Authority is the Council:**  * **email**: vahc@dpc.vic.gov.au |