

**SECTION 140 APPLICATION FOR AN EXCAVATION PERMIT  
OR  
SECTION 144 APPLICATION  
FOR AN EXCAVATION VARIATION PERMIT  
NSW HERITAGE ACT 1977**

- This form can be used under **Section 140** of the *Heritage Act* to obtain consent to excavate or disturb land that will or is likely to result in the discovery, movement and/or destruction of relics.
- This form can also be used to request a variation of a permit under **Section 144** of the *Heritage Act, 1977*.
- This form should be completed by, or in consultation with a suitably qualified and experienced historical or maritime archaeologist.
- **All signatures on the form must be original.**
- **For the purposes of registering this application, 1 original and 1 electronic copy must be submitted. All signatures on the hard copy form must be original.**
- **Applications must be made and approved prior to commencement of works.**
- **Retrospective permits or approvals will not be issued.**

**1. APPLICATION TYPE**

Section 140 Excavation Permit  Section 144 Variation Permit  (existing S140 Permit No: \_\_\_\_\_)

**2. SITE DESCRIPTION**

Name or number of property / shipwreck /relic: \_\_\_\_\_

Street: \_\_\_\_\_ Suburb/Town: \_\_\_\_\_

Council: \_\_\_\_\_ Postcode: \_\_\_\_\_

Lot: \_\_\_\_\_ Section: \_\_\_\_\_ Strata/Deposited Plan: \_\_\_\_\_ Other: \_\_\_\_\_

Grid Ref: \_\_\_\_\_

**3. SUMMARY OF ARCHAEOLOGICAL WORKS**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**4. PROPOSED DATE OF ARCHAEOLOGICAL ACTIVITY**

Estimated dates: Commencement: \_\_\_\_\_ Completion: \_\_\_\_\_

**5. PRIMARY ARCHAEOLOGICAL ACTIVITY**

- Test Excavation                       Archaeological Monitoring                       Archaeological Salvage and Recording  
 Large Scale Excavation                       Research Excavation                       Other, please describe  
 Staged Archaeological Program (testing + salvage)                      \_\_\_\_\_

**6. APPLICANT'S DETAILS [Note: The Primary/Secondary Excavation Director cannot be the Applicant]**

Title: \_\_\_\_\_ Name: \_\_\_\_\_ Position: \_\_\_\_\_

Company Name: \_\_\_\_\_

Street: \_\_\_\_\_ Suburb/Town: \_\_\_\_\_

Postcode: \_\_\_\_\_ Email: \_\_\_\_\_

Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_ Mobile No.: \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

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**7. OWNER/S DETAILS AND CONSENT**

**Title:** \_\_\_\_\_ **Name:** \_\_\_\_\_

Position: \_\_\_\_\_

Company Name: \_\_\_\_\_

Street: \_\_\_\_\_ Suburb/Town: \_\_\_\_\_

Postcode: \_\_\_\_\_ Email: \_\_\_\_\_

Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_ Mobile No.: \_\_\_\_\_

**Title:** \_\_\_\_\_ **Name:** \_\_\_\_\_

Position: \_\_\_\_\_

Company Name: \_\_\_\_\_

Street: \_\_\_\_\_ Suburb/Town: \_\_\_\_\_

Postcode: \_\_\_\_\_ Email: \_\_\_\_\_

Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_ Mobile No.: \_\_\_\_\_

**Registered Owner/s Consent**

As the registered owner/s of the above property, I/We give consent to this application.

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

As the registered owner/s of the above property, I/We give consent to this application.

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Important:**

Every owner must sign this form (or attach a separate letter signed by each owner if more spaced is required).

It is the applicant's responsibility to clearly demonstrate that all owners have consented to the lodging of this application.

Consent may be provided in a separate letter if the owner(s) or occupier is unable to sign this form.

If the item or site is situated on Crown Land, this section should be completed by an appropriate Official representative of the NSW Government.

**8. PRIMARY/SECONDARY EXCAVATION DIRECTOR/S**

**Note:** The Applicant cannot be the Primary Excavation Director or Secondary Excavation Director.

**PRIMARY: Title** \_\_\_\_\_ **Name:** \_\_\_\_\_

**SECONDARY: Title** \_\_\_\_\_ **Name:** \_\_\_\_\_

Company Name: \_\_\_\_\_

Street: \_\_\_\_\_ Suburb/Town: \_\_\_\_\_

Postcode: \_\_\_\_\_ Email: \_\_\_\_\_

Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_ Mobile No.: \_\_\_\_\_

**PRIMARY ED Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**SECONDARY ED Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

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**HOW TO LODGE YOUR APPLICATION**

**SUBMISSION REQUIREMENTS:**

- (1) One (1) printed copies of an archaeological assessment prepared by a qualified historical archaeologist with demonstrated historic sites experience who can meet the Heritage Council's *Excavation Directors' Assessment Criteria*;
- (2) one (1) CD copy of the above-mentioned archaeological assessment;
- (3) the appropriate fee based on the TOTAL cost of development (see below); and
- (4) If development is proposed at the site, one (1) copy of approved DA, two (2) copies of a plan and two (2) copies of an elevation drawing showing existing structures and proposed works, as well as one (1) plan of sub-surface works must be submitted.

**NOTES:**

- a) **Archaeological assessments must be prepared in accordance with the Heritage Council's *Archaeological Assessments, Assessing Heritage Significance and Statements of Heritage Impact* guidelines as well as Heritage Council's *Assessing Significance of Archaeological Sites & Relics (2009)*.**
- b) **Delays in the determination of an excavation permit can be avoided by ensuring archaeological assessments have been prepared in accordance with the above-mentioned Heritage Council's guidelines, before they are submitted to the Heritage Council. The Heritage Council requires the information listed in this form for the purposes of assessing your application.**
- c) **Applications lodged without printed copies of required documents (specified in this form) may be refused, as the application lacks the information required to enable proper assessment and determination by the Heritage Council of NSW (in accordance with Section 141 of the NSW *Heritage Act 1977*).**
- d) **Timeframe for processing applications commences upon receipt of all required printed documents by the Heritage Council of NSW.**

**CALCULATION OF FEE PAYABLE WITH AN EXCAVATION PERMIT APPLICATION:**

- For development relating to an owner-occupied private house up to \$100,000 = **\$100**
- Other development up to \$100,000 = **\$250**
- All development over \$100,000 = **\$500 plus \$10 for each additional \$100,000 or part \$100,000**

Estimated cost of total development **including** archaeological works: \$ \_\_\_\_\_

Fee payable with application: \$ \_\_\_\_\_

(A fee calculator is available on the Heritage Council/OEH website at [www.heritage.nsw.gov.au](http://www.heritage.nsw.gov.au))(GST is not applicable)

**Payment options:** Cheque / Credit Card. Cheques should be made out to the Heritage Council of NSW (ABN: 48 523 374 931)

*You can apply to have the fee reduced or waived on the basis on financial hardship. If so, please submit supporting evidence with your Section 140 application. There is no fee for requesting a Section 144 variation of a permit.*

**THIS APPLICATION FORM, SUPPORTING DOCUMENTS & APPROPRIATE FEE SHOULD BE SENT TO:  
The Heritage Council, C/- The Conservation Manager, Heritage Division, Office of Environment & Heritage.**

**Mail:** Locked Bag 5020, Parramatta NSW 2124

**DX:** DX 8225 Parramatta

**NEED HELP? Phone the Heritage Division on (02) 9873 8500 and ask to speak to one of the archaeologists in the Conservation Team.**