



ACT Heritage Council

## HERITAGE ACT 2004

AF2017-2

### REQUEST FOR LIMITED ACCESS TO RESTRICTED INFORMATION *Heritage Act 2004, section 57*

<i>For ACT Heritage Use Only</i>	
Date received	
File No.	
Database ID	
Date to Council	
Decision date	
Accepted?	

**The ACT Heritage Register contains details of places and objects of significance to the ACT.**

This form must be used to request access to restricted information under section 57 of the *Heritage Act 2004* (the Act). Under section 54 of the Act, the ACT Heritage Council (the Council) can declare particular information to be restricted if satisfied, on reasonable grounds, that public disclosure of the information would be likely to have a substantial adverse effect on the heritage significance of a place or object, or to an Aboriginal place or object.

A person may apply for access to restricted information under section 57 of the Act. The Council must give the applicant the restricted information if:

- (a) the land is offered for sale; and
- (b) the applicant is an interested person for the land, or someone considering buying an interest in the land; and
- (c) the restricted information is relevant to the conservation and use of the land.

The council may give the applicant the restricted information if:

- (a) the council is satisfied on reasonable grounds that the release of the information will not diminish the heritage significance of a place or object, or damage an Aboriginal place or object; and
- (b) the applicant satisfies the council that the applicant will use the information for 1 or more of the following:
  - i. academic research in connection with a recognised tertiary institution;
  - ii. as a consultant or researcher engaged by an interested person in connection with planning, land management, or a development proposal;
  - iii. to assess heritage significance;
  - iv. to assess whether proposed conduct will diminish the heritage significance of a place or object, or damage an Aboriginal place or object.

The Council must give a written explanation about the operation of Part 9 of the Act when providing restricted information.

Where the Council has given limited access to restricted information, the information is not to be made available for the general public or an audience broader than that described in the Council's advice.

Please note that a separate application must be made, in accordance with section 56 of the Act, to seek approval to publish restricted information.

A fee is not required for lodgement of this form.

#### **DO YOU REQUIRE MORE INFORMATION OR NEED HELP?**

If you need help completing this form, contact ACT Heritage on 13 22 81 or email [heritage@act.gov.au](mailto:heritage@act.gov.au). Incomplete or inadequate forms will be returned with feedback.

#### **Please send this form**

**by mail to:** The ACT Heritage Council, PO Box 158, Canberra ACT 2601;

**by hand to:** ACT Heritage, Dame Pattie Menzies House, 16 Challis Street, Dickson ACT

**by email to:** [heritage@act.gov.au](mailto:heritage@act.gov.au)

More information about ACT Heritage is available at [www.environment.act.gov.au/heritage](http://www.environment.act.gov.au/heritage)

**Approved form AF 2017-2 approved by Mick Gentleman MLA, Minister for the Environment and Heritage on 19 January 2017 under s119 Heritage Act 2004 and revokes AF2015-148.**

**01 YOUR DETAILS****Name:**

<i>Title</i>	<i>First Name</i>	<i>Surname</i>

**Organisation**

<i>Organisation Name (if the organisation is the nominator)</i>	<i>Position</i>

**Postal Address:**

<i>Postal Address</i>	<i>State</i>	<i>Postcode</i>

**Telephone:**

<i>Business Hours</i>	<i>After Hours</i>	<i>Mobile</i>

<i>Email</i>

**02 DETAILS OF PLACE OR OBJECT****What place or object does this application relate to?**

**Place**       **Object**

**Type:**       natural       Aboriginal       historic       other/combined

**Name of place/object:** \_\_\_\_\_

**Other names if any:** \_\_\_\_\_

**Location:** \_\_\_\_\_

<i>Address</i>	<i>Suburb</i>

*Block/Section/District/Division (If multiple addresses or blocks and sections, list all)*

**03 REASONS FOR SEEKING ACCESS TO RESTRICTED INFORMATION****Land for sale**

Is the land currently offered for sale?

Yes       No       Sale notice/advertisement attached

**Are you an interested person:**

For a place:

Owner       occupier       lessee or sublessee       architect/designer       other

For an object:

Owner       person in possession of object       designer       artist       other

For an Aboriginal place or object:

A representative Aboriginal organisation  
 A reporter of a discovered place or object

Other:

The planning and land authority  
 The Conservator of Flora and Fauna  
 The National Capital Authority

Are you considering buying an interest in the land:       Yes       No

**If yes, please indicate why the restricted information is relevant to the conservation and use of the land:**


**If no, please indicate why limited access to restricted information is required:**

- academic research in connection with a recognised tertiary institution;
- as a consultant or researcher engaged by an interested person in connection with planning, land management, or a development proposal;
- to assess heritage significance;
- to assess whether proposed conduct will diminish the heritage significance of a place or object, or damage an Aboriginal place or object.

Please outline your reasons for seeking access to this information:

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**04 DETAILS OF REQUEST**

**What details do you require?**

- Restricted location details
- Restricted details of site name/type
- The restricted Heritage Register entry (ie – all restricted details)
- Other \_\_\_\_\_

**Do you intend to publish the information?**

- No, own use only – note that information must not be knowingly transmitted to third parties including your agents and other eligible parties. They must apply separately.
- Yes:  
You must complete a separate form to apply for approval to publish restricted information.

**05. AUTHORISATION AND PERSONAL INFORMATION DISCLOSURE STATEMENT**

By signing this form, you agree that you are requesting the above information in accordance with the *Heritage Act 2004*, and that the information provided here is accurate to the best of your knowledge.

By signing this form, you further agree that you will not release or publish restricted information except in accordance with any approval given by the Council, including any conditions that may be imposed.

I understand that giving false or misleading information is a serious offence under the *Criminal Code 2002*.

- I have read and understand the provisions of Part 9 of the *Heritage Act 2004*.

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_

*The personal information on this form is provided to the ACT Heritage Council (the Council) and the Environment, Planning and Sustainable Development Directorate (EPSDD) to enable the processing of your application. The collection of personal information is required by the Heritage Act 2004 (the Act). The Act requires the details of the applicant's name and address to be provided with an application for limited access to restricted information. If all or some of the personal information is not collected EPSDD and the Council cannot process your application. EPSDD's Information Privacy Policy contains information about how you may access or seek to correct your personal information held by EPSDD, and how you may complain about an alleged breach of the Territory Privacy Principles. The EPSDD Information Privacy Policy can be found at <http://www.environment.act.gov.au/about/privacy>*

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