



**Hon Ben Wyatt MLA**  
**Treasurer; Minister for Finance; Energy; Aboriginal Affairs**

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Ref: 69-06079

Mr Denis Rakich  
Executive Director/Company Secretary  
Ausgold Exploration Pty Ltd  
Level 16, AMP Building  
140 St Georges Terrace  
PERTH WA 6000

Dear Mr Rakich

I refer to the notice submitted under section 18(2) of the *Aboriginal Heritage Act 1972* (AHA), dated 20 September 2017 by Ausgold Exploration Pty Ltd (the Notice).

The Notice advised that you wish to use the land described as a portion of mining tenement M70/211 for the purpose described as being the Katanning Gold Project: Exploration, infrastructure and mining.

I am advised that your intended use will impact upon one Aboriginal site within the meaning of section 5 of the AHA (Site). This Site is ID 5353 (Jinker/Jinka Hill).

I am pleased to inform you that, pursuant to section 18(3) of the AHA, I have granted consent subject to conditions. The form of consent is enclosed.

I take this opportunity to acknowledge and support agreements reached with those consulted as specified in the Notice. I also draw your attention to the additional information attached, which is provided for your assistance.

If you have any queries in relation to this matter, please contact Mr Matthew Franklin, Team Leader, Heritage, Department of Planning, Lands and Heritage, on (08) 6551 8000.

Yours sincerely



**BEN WYATT MLA**  
**TREASURER; MINISTER FOR FINANCE;**  
**ENERGY; ABORIGINAL AFFAIRS**  
24 JAN 2018  
Enc.

**ABORIGINAL HERITAGE ACT 1972**

**CONSENT PURSUANT TO SECTION 18(3)**

**CONSENT GRANTED TO:** Ausgold Exploration Pty Ltd.  
**IN RESPECT OF**  
**THE LAND:** A portion of mining tenement M70/211.  
**THE PURPOSE:** Katanning Gold Project: Exploration, infrastructure and mining.  
**REFERENCE:** 69-06079  
**SITE(S) TO BE IMPACTED:** ID 5353 (Jinker/Jinka Hill).

**CONDITIONS OF CONSENT**

That the consent holder:

1. Provides a written report to the Registrar of Aboriginal Sites within 60 days of the completion of the Purpose, advising whether and to what extent the Purpose has impacted on all or any Sites located on the Land. The final report should include a detailed description of:
  - a. what extent the Purpose has impacted any Aboriginal Site on the Land;
  - b. where any Aboriginal Site has been impacted, whether such Site has been partially or wholly impacted by the Purpose, and the level, effect and type of any such impact – preferably by the provision of photographs taken before and after the impact;
  - c. where any Aboriginal Site has been subject to archaeological or cultural salvage, when and how such salvage took place, who was present at the salvage and where the material was re-located, the results of the salvage and any subsequent analysis conducted; and
  - d. the results and findings of any monitoring of ground disturbing works associated with the Purpose.
2. Prior to the works starting, that the Applicant provides an opportunity for Wagyl Kaip and Southern Noongar representatives consulted to salvage cultural material on the Land within the boundary of Aboriginal site ID 5353 (Jinker / Jinka Hill).

## SECTION 18 CONSENTS

### ADDITIONAL INFORMATION

The following information is provided for the guidance of the consent holder and does not constitute conditions of consent.

#### 1. Right of Review of Decision

Where a consent holder is aggrieved by a decision of the Minister made under section 18(3) of the *Aboriginal Heritage Act 1972* (AHA), including the conditions to which the consent is subject, application may be made to the State Administrative Tribunal for a review. The Tribunal's website is [www.sat.justice.wa.gov.au](http://www.sat.justice.wa.gov.au).

#### 2. Consent is Non-Transferable

Consent may be relied upon only by the named consent holder in respect of the named land. Any successor in title must give its own notice under the AHA.

#### 3. Traditional Knowledge Holder

Agreements reached with Traditional Owners and knowledge holders entered into on behalf of the consent holders are acknowledged and supported.

#### 4. Conditions of Consent

- The Department of Planning, Lands and Heritage (DPLH) carries out routine audits on compliance with the conditions of consent.
- Failure to comply with the conditions of consent may constitute an offence under section 55 of the AHA.
- It is recommended that the consent holder informs all employees and others engaged in the development of their obligations under the AHA, especially with regard to skeletal material.
- Reports to the Registrar of Aboriginal Sites (the Registrar) should use the Section 18 Report Back template which can be downloaded from the DPLH website at [www.daa.wa.gov.au/globalassets/pdf-files/heritage-pdfs/section-18-report-back-template-2.docx](http://www.daa.wa.gov.au/globalassets/pdf-files/heritage-pdfs/section-18-report-back-template-2.docx).
- The Registrar welcomes any additional information about Aboriginal sites within the meaning of section 5 of the AHA, or objects within the meaning of section 6 of the AHA.

#### 5. Legislation

The AHA, the *Aboriginal Heritage Regulations 1974* and the *State Administrative Tribunal Act 2004* may be viewed and downloaded from the State Law Publisher website at [www.slp.wa.gov.au](http://www.slp.wa.gov.au).