Hon Peter Collier MLC
Minister for Education; Aboriginal Affairs; Electoral Affairs
Leader of the Government in the Legislative Council

Our ref: 34-65280

Ms Silver Kenny
Environmental Improvement Specialist
South32 Worsley Alumina Pty Ltd
Level 37, 108 St Georges Terrace
PERTH WA 6000

Dear Ms Kenny

I refer to your notice pursuant to the *Aboriginal Heritage Act 1972* (AHA), section 18(2), dated 13 October 2015 submitted by South32 Worsley Alumina Pty Ltd on behalf of South32 Worsley Alumina Pty Ltd, Japan Alumina Associates (Australia) Pty Ltd, Sojitz Alumina Pty Ltd, BHP Billiton Aluminium (RAA) Pty Ltd and BHP Billiton Aluminium (Worsley) Pty Ltd.

I am informed that your intended use of the land the subject of the Notice will impact upon one Aboriginal site within the meaning of section 5 of the AHA. This site is DAA 17214 (Mt Saddleback (Mokine)).

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, Site Assessment Officer, Department of Aboriginal Affairs, on (08) 6551 8000.

Kind regards

Hon Peter Collier MLC
MINISTER FOR ABORIGINAL AFFAIRS

21 MAR 2016

Enc.

Level 10, Dumas House, 2 Havelock Street, West Perth Western Australia 6005
Telephone: +61 8 6552 6300 Facsimile: +61 8 6552 6301 Email: Minister.Collier@dpc.wa.gov.au

ABORIGINAL HERITAGE ACT 1972

CONSENT PURSUANT TO SECTION 18(3)

CONSENT GRANTED TO:	South32 Worsley Alumina Pty Ltd
IN RESPECT OF:	34-65280
REFERENCE:	Portions of Mining Lease M258SA and Mineral Lease ML1SA – Mining and associated infrastructure and rehabilitation
ABORIGINAL SITE TO BE IMPACTED:	DAA 17214 (Mt Saddleback (Mokine))

CONDITIONS OF CONSENT

That the consent holder does not mine above the 560 metre contour on both peaks of Mt Saddleback.

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.

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 Aboriginal Affairs 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 Department of Aboriginal Affairs' website at http://www.daa.wa.gov.au/heritage/land-use/section-18/.
- 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.