



Department of Aboriginal Affairs
Department of the Premier and Cabinet

Aboriginal Heritage Due Diligence Guidelines

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About these Guidelines

These Guidelines and the Aboriginal Heritage Matrix are for general assistance only. Land users should always obtain independent advice on the application of the *Aboriginal Heritage Act 1972* (AHA) (WA) to their particular circumstances. When using these Guidelines the 'precautionary principle'* should be applied to any circumstance where doubt exists, particularly about:

- the potential impact to Aboriginal heritage; and/or
- the nature and level of potential impact of the proposed activity(s).

If doubt exists the land user should contact the Department of Aboriginal Affairs in the first instance:

Telephone: 1300 651 077 or 08 6551 8004

Website: www.daa.wa.gov.au/

*The Precautionary Principle

To apply a precautionary approach to the assessment of risk to Aboriginal heritage ensures all aspects of potential risk are considered and appropriate steps are applied to avoid or minimise damage to Aboriginal sites.

PART 1 - INFORMATION TO ASSIST IN USING THESE GUIDELINES

Aboriginal Heritage Act 1972

- 1.0 The *Aboriginal Heritage Act 1972 (AHA)* (WA) was enacted to ensure that Aboriginal heritage to which the AHA applies could be appropriately protected and preserved.
- 1.1 Under section 10 of the AHA, the Minister's role is to ensure that, as far as reasonably practicable, all places in Western Australia which are traditionally or currently of sacred, ritual or ceremonial significance to Aboriginal people are properly recorded and their importance evaluated. This is to assist in determining priorities for the protection and preservation of Aboriginal heritage.
- 1.2 See **Appendix 1 – Definitions** for a list of terms and their definitions as used in the AHA or these Guidelines.

Definition of an Aboriginal Site

- 1.3 As defined in section 5 of the AHA an Aboriginal site is:
 - (a) any place of importance and significance where persons of Aboriginal descent have, or appear to have, left any object, natural or artificial, used for, or made or adapted for use for, any purpose connected with the traditional cultural life of the Aboriginal people, past or present;
 - (b) any sacred, ritual or ceremonial site, which is of importance and special significance to persons of Aboriginal descent;
 - (c) any place which, in the opinion of the Committee, is or was associated with the Aboriginal people and which is of historical, anthropological, archaeological or ethnographical interest and should be preserved because of its importance and significance to the cultural heritage of the State; and
 - (d) any place where objects to which this Act applies are traditionally stored, or to which, under the provisions of this Act, such objects have been taken or removed.
- 1.4 See **Appendix 2 – Types of Aboriginal Sites and Landscape features which may contain a site** – for a brief description of the various types of Aboriginal sites that can be found in Western Australia.

Offences relating to Aboriginal Sites

- 1.5 Under section 17 of the AHA, a person who excavates, destroys, damages, conceals or in any way alters any Aboriginal site commits an offence, unless he or she acts with the authorisation of the Registrar of Aboriginal Sites (Registrar) under section 16 or the consent of the Minister of Aboriginal Affairs (Minister) under section 18.
- 1.6 All land users who wish to use land for a purpose which might contravene section 17 of the AHA must exercise due diligence in trying to establish whether or not their proposed activity on a specified area may damage or destroy an Aboriginal site.
- 1.7 Section 15 of the AHA provides that any person who has knowledge of any thing or place to which the AHA applies or might reasonably be suspected to apply has an obligation to report it to the Registrar. However, according to section 7(1)(b) Aboriginal people are not compelled to disclose information or otherwise act contrary to any prohibition of the relevant Aboriginal customary law or tradition.

Administration of the AHA

The Minister for Aboriginal Affairs

- 1.8 Responsibility for the administration of the AHA is vested in the Minister for Aboriginal Affairs under section 11A. The Minister is required to have regard to the recommendations of the Registrar for Aboriginal Sites and the Aboriginal Cultural Material Committee but is not bound by these recommendations.

The Register

- 1.9 The Register is established under section 38 of the AHA and must, so far as is practicable, include:
 - (a) protected areas (section 19);
 - (b) Aboriginal cultural material; and
 - (c) Aboriginal sites and objects to which the AHA applies.
- 1.10 The Register lists all **known** Aboriginal sites reported to the Registrar pursuant to section 15 of the AHA and all areas currently protected under section 19.
- 1.11 The Register does not include undiscovered or unregistered sites. Irrespective of a site being either known, or assessed by the DAA, and/or on the Register,

importantly the AHA affords protection to **all Aboriginal sites** which can be determined to meet the section 5 definitions.

- 1.12 The Register is an essential reference tool which can assist land users in identifying locations where Aboriginal heritage is present.

The Registrar

- 1.13 The Registrar of Aboriginal Sites (**Registrar**) is appointed to undertake various obligations under the AHA including the management of the Register of Aboriginal Places and Objects (often referred to as the Register of Aboriginal Sites).

The Department of Aboriginal Affairs

- 1.14 The Department of Aboriginal Affairs (**DAA**) is responsible for administering the AHA. The DAA works with Aboriginal people to preserve and manage Aboriginal sites of importance and significance.

The Aboriginal Cultural Material Committee

- 1.15 The Aboriginal Cultural Material Committee (**Committee**) also referred to as the ACMC, evaluates on behalf of the community the importance or significance of Aboriginal places and objects and recommends to the Minister places and objects which are, or have been of special significance to Aboriginal people. The Committee's advice may include recommendations about the preservation or management of Aboriginal sites and objects.
- 1.16 The members of the Committee are drawn from various parts of Western Australia and are people who, in the opinion of the Minister, have special knowledge, experience or responsibility that will assist the Committee in the recognition and evaluation of the cultural significance of matters coming before the Committee.

Distinction between Aboriginal heritage and native title

- 1.17 The *Native Title Act 1993* (Cwlth) (**NTA**) provides for the recognition and protection of native title rights and interests by which Aboriginal people have maintained a traditional connection to their land and waters since sovereignty. The NTA further provides that native title rights have been extinguished over land that has been subject to particular grants of land tenure (e.g. freehold and leasehold). By contrast, regardless of the underlying land tenure, the AHA applies to all land in Western Australia.

- 1.18 Where the Federal Court makes a native title determination that certain Aboriginal people hold native title rights, it will generally include rights to, for example, "visit, maintain and protect from physical harm, areas, places and sites of importance in the Determination Area" which are essentially rights to manage cultural heritage. In that regard, native title holders should be afforded primary authority for Aboriginal heritage within an area where native title rights have been determined.

Further Information

- 1.19 Copies of the Western Australian *Aboriginal Heritage Act 1972* and the Regulations can be accessed online through the State Law Publisher website (www.slp.wa.gov.au) and copies of the Commonwealth *Native Title Act 1993* can be accessed through the ComLaw website (www.comlaw.gov.au).
- 1.20 Any questions regarding the AHA or the Regulations can be referred to the DAA:
Department of Aboriginal Affairs
Telephone: 1300 651 077 or 08 6551 8004
Website: www.daa.wa.gov.au/
- 1.21 Any questions about native title claims or Indigenous land use agreements in Western Australia can be referred to the Native Title Unit:
Department of the Premier and Cabinet – Land, Approvals and Native Title Unit
Telephone: 08 6552 5333
Website: www.dpc.wa.gov.au/LANTU

PART 2–ABORIGINAL HERITAGE– DUE DILIGENCE GUIDELINES

Purpose of the Due Diligence Guidelines (Guidelines)

- 2.0 All Aboriginal sites are protected by the AHA, whether or not they have previously been identified or registered, provided that the site can be determined to meet the section 5 definitions.
- 2.1 A land user is obliged to comply with the provisions of the AHA and failure to do so may result in prosecution. Section 17 of the AHA provides that it is an offence to excavate, destroy, damage, conceal or in any way alter an Aboriginal site. Therefore land users should carefully evaluate how a proposed activity may affect Aboriginal heritage.
- 2.2 In proceedings for an offence under the AHA, section 62 provides a ‘special defence of lack of knowledge’. Section 62 states that "it is a defence for the person charged to prove that he did not know and could not reasonably be expected to have known, that the place or object to which the charge relates was a place or object to which [the AHA] applies".
- 2.3 The purpose of these Guidelines is to assist land users to be more aware of how their activities could adversely impact an Aboriginal site. Compliance with these Guidelines will not of itself guarantee compliance with the AHA. However, where the Guidelines are followed, it is less likely that Aboriginal sites will be harmed.
- 2.4 Due diligence may involve one or all of the following actions:
 - (a) assessing the landscape where an activity is to take place;
 - (b) assessing the proposed activity and the potential impact on the landscape;
 - (c) searching the Register of Aboriginal Sites and the Aboriginal Heritage Inquiry System;
 - (d) consulting with the relevant Aboriginal people;
 - (e) agreeing to an Aboriginal heritage survey; or
 - (f) other heritage management strategies.

Assessing the landscape where an activity is to take place

- 2.5 The possibility of a landscape containing Aboriginal sites will differ between land which has had considerable previous land use, for example intensive land clearing or

development, and land which is largely in its natural state or is remote and undisturbed by previous development.

- 2.6 Similarly, some landforms are more likely than others to serve as an indicator of Aboriginal traditional activity than others. Landscape features which may contain Aboriginal sites and should be approached with some caution include, but are not limited to: rock outcrops, rock shelters, caves, alluvial terraces, foreshores and coastal dunes, ranges and hills, natural wetlands, waterholes, springs, gnamma holes, rivers, creeks, streams, swamps, hills and mound formations, or areas with potential archeological deposits.
- 2.7 An assessment of the area where an activity is proposed may reveal evidence (artefacts or other signs) about previous Aboriginal traditional activity. Please see **Appendix 2 – Types of Aboriginal sites & landscape features which may contain a site.**

Assessing the proposed activity and the potential impact on the landscape

- 2.8 A land use activity can range in effect, from an activity unlikely to impact on Aboriginal sites to an activity highly likely to impact (i.e. damage and destroy) Aboriginal sites. For example, an aerial survey will not physically damage Aboriginal sites whereas blasting or ground excavation can cause extensive damage to an Aboriginal site.
- 2.9 **Schedule 1 – Land Activities by Category** – provides a brief list of land activities categorised by the level of likely disturbance. **Schedule 2 – The Aboriginal Heritage Matrix** – provides an indicative guide to the relationship between previous land use and the category of land activity.

Major Development Projects

- 2.10 A major project which potentially involves multiple ground-disturbing activities over a large area (for example, a port with rail and road access) may require the preparation of an integrated plan to manage Aboriginal heritage, rather than applying a piecemeal approach to different activities within the total project area.
- 2.11 Aboriginal heritage is one compliance requirement a project developer should address as early as possible. Early consultation with Aboriginal people can help to identify how to minimise or avoid any disturbance of Aboriginal sites. Leaving heritage management to the later stages of project planning can risk delays whilst the relevant

information or approvals are obtained.

- 2.12 See the Department of State Development's website for general information about the range of project approvals linked to major projects (www.dsd.wa.gov.au/6734.aspx).

Searching the Register of Aboriginal Sites and the Aboriginal Heritage Inquiry System

- 2.13 Once a land user has identified the proposed activity and considered the level of previous land use, the next step is to establish the possible existence of an Aboriginal site. The key reference tool is the Register of Aboriginal Sites accessible online via the DAA's website. The Register is incorporated into the Aboriginal Heritage Inquiry System (AHIS).
- 2.14 The Register lists all **known Aboriginal sites** reported to the Registrar pursuant to section 15 of the AHA and all areas protected under section 19. See paragraphs 1.9-1.12 of these Guidelines for a fuller description of the Register.
- 2.15 The AHIS enables members of the public to search areas in Western Australia for identified Aboriginal sites and areas previously subject to heritage surveys processed by DAA. The surveys may indicate whether or not Aboriginal sites are present or whether some areas have been marked for avoidance.
- 2.16 The AHIS can be accessed online through DAA's website (www.daa.wa.gov.au/AHIS/default.aspx).
- 2.17 Please note: Land users should exercise caution in areas where no surveys have been completed, or where surveys have only been completed for parts of the area where the proposed activity is intended. Caution is required because heritage surveys over only part of the land may not have identified all possible sites. Sole reliance on information contained in the Register may not be sufficient and consultation in the first instance with the DAA is recommended, depending on the DAA's advice this consultation may extend to include the relevant Aboriginal people.

Consulting with the relevant Aboriginal people

- 2.18 Information about the Aboriginal heritage for a particular area is best obtained through consultation with the relevant Aboriginal people. Whilst there is no definitive list of Aboriginal people who should be consulted for an area, the Committee suggests that the following people at least should be consulted:

- (a) determined native title holders;
- (b) registered native title claimants;

- (c) persons named as informants on Aboriginal site recording forms held in the Register at DAA; and
- (d) any other Aboriginal people who can demonstrate relevant cultural knowledge in a particular area.

2.19 Consultation in this context means engaging meaningfully with the relevant Aboriginal people. The purpose of such consultation could be:

- (a) to provide easily understood information about the proposed land use and to seek responses from the relevant Aboriginal people;
- (b) to identify sites in the area that may not have been registered;
- (c) to assess whether the proposed land activity might damage Aboriginal sites; and
- (d) to develop strategies for heritage management for the proposed land use and for any longer term disturbance that might occur as part of the activity (e.g. construction of power poles and later periodic maintenance).

2.20 Consultation might not lead to consensus but provide a basis upon which decisions can be made.

2.21 It should be noted that Aboriginal people are not obliged to divulge culturally specific or sensitive information and in some cases Aboriginal law and custom may prevent such disclosure. Nonetheless, heritage management strategies can be developed to protect sites even if details are limited.

2.22 If a land use activity is likely to impact upon Aboriginal heritage, it is best that heritage management strategies are implemented early in the planning process. **Early engagement and consultation** can help to identify ways to minimise and avoid damage to or disturbance of Aboriginal sites. Leaving heritage management to the later stages of project planning can potentially delay the land user whilst he/she obtains the relevant information or approvals.

2.23 Please note. Consultation with the relevant Aboriginal people is a pre-condition to the Committee's consideration of an application for consent or approval under the AHA.

Native Title Future Acts

2.24 Where a license or permit application is submitted under a state law which triggers the 'future act' provisions (Division 3 of the NTA), particularly where a license proposes a significant ground disturbing activity, it is likely that an Aboriginal heritage survey of the area will be required.

- 2.25 An Aboriginal heritage agreement cannot dis-allow or modify the operation of the AHA. All parties are bound by the provisions and obligations of the AHA.

Failure to reach agreement about conducting an Aboriginal Heritage Survey

- 2.26 Where agreement cannot be reached with the relevant Aboriginal people for the area to undertake an Aboriginal heritage survey, the land user continues to be bound by the provisions of the AHA. The land user is still obliged to either avoid the site or to apply for consent to impact the site.
- 2.27 If at any time it is likely that the proposed activity will in any way impact on a registered Aboriginal site, or a suspected Aboriginal site is uncovered and consent under section 16 or 18 has not been granted to impact the site, then the activity should cease immediately and the land user should contact the DAA and the relevant Aboriginal people.

Strategies for managing Aboriginal heritage

Site avoidance strategies

- 2.28 If an Aboriginal site is on or close to an area where a land user proposes an activity which may damage, destroy or alter an Aboriginal site the land user should investigate strategies for avoiding the site or limiting disturbance to the site. The land user will consult with the relevant Aboriginal people to:
- (a) seek advice as to how best the activity may be managed to avoid damage;
 - (b) where necessary, conduct an Aboriginal heritage Survey;
- 2.29 The land user may seek authorisation or consent to the activity under either the AHA or the Regulations to proceed with the activity, ideally with the support of the relevant Aboriginal people.

Consent to an activity

- 2.30 Consent or authorisation is usually given in one of three ways:
- (a) **section 18** of the AHA provides that, in order to avoid committing an offence under section 17, a land owner may give notice to the Committee that he or she requires to use the land for a purpose that might impact on a heritage site

unless consent is given by the Minister to the use of the land for that purpose. The Committee considers the notice and makes a recommendation to the Minister for Aboriginal Affairs. The Minister then makes a decision whether or not to consent to the use of the land. If consent is granted, the Minister can also impose conditions;

- (b) **section 16** of the AHA provides that the Registrar, on the advice of the Committee may authorise entry upon and excavation of a site and removal of items from that site; or
- (c) **regulation 10** of the *Aboriginal Heritage Regulations 1974* (WA) (AHR) details particular activities that require written authorisation from either the Registrar or the Minister before any such activities can occur on land and/or property to which these Regulations apply.

Limiting impact to an Aboriginal site

- 2.31 Particular care should be taken where a land user proposes to undertake activities that may potentially cause further disturbance inside the boundaries of a registered Aboriginal site, or where there are sites which are yet to be assessed by the Committee, or in areas which have not previously been surveyed and may include landscape features as set out under **Appendix 2 – Types of Aboriginal sites and landscape features likely to contain a site.**
- 2.32 It is important to be informed about the possibility of an area containing an Aboriginal site. Extra care must be taken prior to proceeding with any land activity that may cause disturbance to an Aboriginal site.

Schedules 1 and 2 of these Guidelines

- 2.33 Schedules 1 and 2 are provided for general guidance only. In case of doubt a land user should contact the DAA for further information and/or assistance on 1300 651 077 or through their website: <http://www.daa.wa.gov.au/contact-us/>.

SCHEDULE 1 – LAND ACTIVITIES BY CATEGORY

The below five lists are examples of typical development activities. Land users should apply the precautionary principle and use their own initiative to assess their intended activity with those described below. In cases where the activity does not correspond with those listed below, a land user should compare it as closely as possible with one or more of the listed activities.

Please note: The following lists of activities are not intended to be exhaustive. Their inclusion is to demonstrate the likely activities within the categories. If in doubt please seek advice from the DAA on 1300 651 077 or through the website: www.daa.wa.gov.au/contact-us/.

These categories are intended to be used in conjunction with the **Aboriginal Heritage Matrix (Matrix)** in **Schedule 2**.

1. Negligible Disturbance

Activities which are non-invasive and cause negligible or no impact to the land may include:

- walking, photography, filming;
- aerial surveying/magnetic surveys;
- use of existing tracks, water courses;
- environmental monitoring;
- water and soils sampling;
- fossicking using hand held instruments;
- spatial measurement; and
- scientific research, using hand held tools.

2. Minimal Disturbance

Activities that cause minimal disturbance to the land may include:

- cultivation/grazing in areas previously cultivated/grazed;
- maintenance of existing paths, walls, roads, tracks, bridges, public infrastructure (e.g. electrical, water, sewage) and community utilities within the existing footprint and adjacent service areas;
- feral animal eradication, weed, vermin and pest control, vegetation control and fire control; and
- light vehicular access and camping.

3. Moderate Disturbance

Activities that cause moderate disturbance to the land may include:

- work program clearance;
- sampling using hand held rig or rig mounted on a light vehicle;
- new fire breaks;

- re-vegetation;
- temporary power lines;
- temporary gravel or soil stockpile; and
- temporary camps.

4. Significant Disturbance

Activities that cause significant disturbance to the land may include:

- creation of new roads or tracks;
- new public access ways, bridges, culverts, flood remediation and erosion levies;
- land clearing over more than a small area;
- intensive soil/core sampling;
- new pipelines;
- significant reclamation works; and
- major landscaping/contouring.

5. Major Disturbance*

Activities that cause major and lasting disturbance to the land may include:

- large-scale land clearing;
- exploration drilling;
- bulk sampling, soil excavation;
- mechanical earthmoving, blasting;
- major construction works;
- open cut mining;
- large scale changes to waterways; and
- industrial development.

*Major developments (for example a new freeway or a port) can create the need for comprehensive heritage management plans i.e. planning which amounts to more than an assessment of individual activities and their possible impact on Aboriginal heritage. For guidance on major development projects see section 2.10 – 2.12 of these Guidelines.

SCHEDULE 2 – THE ABORIGINAL HERITAGE RISK MATRIX

LAND ACTIVITIES – CATEGORIES 1-5					
	1. Negligible disturbance	2. Minimal disturbance	3. Moderate disturbance	4. Significant disturbance	5. Major disturbance
Previous Land Use	Built Environment - e.g. urban environment, towns, metropolitan region.	Low	Low	Low	Medium
	Significantly Altered Environment - e.g. cultivated and cleared land.	Low	Low	Low	High
	Moderately Altered Environment - e.g. partially cleared lands, re-vegetated landscape.	Low	Low	Medium	High
	Minimally Altered Environment - e.g. urban bush land, regrowth areas	Low	Medium	Medium	High
	Unaltered Environment - e.g. protected areas or pristine environment.	Low	Medium	High	High
Risk Assessment					
Low Risk (Review)	Review the landscape and proposed activity (see sections 2.4 - 2.8 - assessing the landscape and the activity). Refer to the AHIS.				
Medium Risk (Review /Exercise Caution)	Review the landscape and proposed activity (as above). The precautionary principle (see page 2) applies. Refer to the AHIS and contact the DAA. A range of actions may be recommended, including: no action, consultation with the relevant Aboriginal people, an Aboriginal heritage survey or modification of the proposed activity to avoid or minimise site impact.				
High Risk (Consult / Survey / Approvals)	Refer to the AHIS. Consult with the DAA and the relevant Aboriginal people. Dependent on consultation outcomes you may need to include: an Aboriginal heritage survey, modification of the proposed activity to avoid or minimise (see sections 2.24 - 2.28) impact to the site and/or other heritage management strategies. The land user may also need to apply for approval or consent (see section 2.26) to the activity.				
For major development projects refer to sections 2.10 - 2.12 for further advice.					

These Guidelines and the Aboriginal Heritage Risk Matrix are for general assistance only. Land users should always obtain independent advice on the application of the AHA to their particular circumstances and if doubt exists the land user should contact the DAA.

Appendix 1 – Definitions

In addition to the definitions used in the AHA the following definitions are used within these guidelines:

Aboriginal heritage means the Aboriginal site or object as defined in sections 5 and 6 of the AHA.

Aboriginal Heritage Risk Matrix means the document attached at Schedule Two of these Guidelines (as amended from time to time).

Aboriginal Heritage Survey means a survey conducted by a suitably qualified archaeologist, ethnographer, anthropologist or other heritage professional who investigates the Aboriginal heritage of an area. For site identification, work area clearance or site avoidance surveys the relevant Aboriginal people will nominate Aboriginal consultants (usually 6 people) from their group who provide first-hand knowledge and guidance about the Aboriginal heritage of the area. There are several types of Aboriginal heritage surveys:

- desk top study, a preliminary investigation of Aboriginal heritage;
- site identification survey;
- work area clearance survey; and
- site avoidance survey.

Aboriginal Heritage Survey Report means a report by a suitably qualified archaeologist, ethnographer, anthropologist or other heritage professional, that communicates the results of the Aboriginal heritage survey. Aboriginal heritage survey reports constitute a significant portion of the Register of Aboriginal Sites. Guidance about the type of information to be included in the various types of Aboriginal Heritage Survey Reports is available from the DAA's website.

Consultation means a process of enquiry and response between a land user and relevant Aboriginal people to provide information or assistance in identifying any need for site identification, heritage survey and/or land use activity proposal modification. Consultation should include details of proposed land use activity.

Disturbance means any activity which will physically alter the surface or ground of the land or waters.

Proposed activity means any planned activity on the land or water that may result in varying degrees of disturbance.

Native Title Claimant means the Aboriginal people who have lodged a native title determination application over a particular area of land and waters.

Native Title Holder means there has been a determination by the Federal Court that a named group of Aboriginal people hold the native title rights and interests over a particular area of land and/or waters.

Appendix 2 -Types of Aboriginal sites and landscape features which may contain a site

The following is an overview of the various types of sites that can be found in Western Australia. This list is not exhaustive.

Artefacts: An artefact site is a place where human activity is identifiable by the presence of a portable object/s (e.g., stone, glass, bone, shell) utilised or modified by Aboriginal people in relation to traditional cultural life past or present.

Fish Trap: A stone, wood, or other similar structure made by Aboriginal people for catching fish. Such structures are generally found on the coast of Western Australia, and in its lakes and rivers.

Man-made structure: The placement or arrangement, by Aboriginal people, of stone, wood or other material made into a structure for ceremonial or utilitarian purposes.

Mythological: A place that is connected to the great spirit ancestors, in their various manifestations, of the 'Dreamtime' which continues to be important and of special significance to persons of Aboriginal descent.

Repository/Cache: A place where cultural or utilitarian objects are/were taken, or stored, by Aboriginal people, either past or present.

Ceremonial: A place used for a formal act or series of acts prescribed by ritual, belief in a mythological manifestation, religious belief or observance, protocol or convention that is connected with the traditional cultural life of Aboriginal people past or present.

Grinding patches/Grooves: A place where grinding patches or grooves can be found. Grinding patches or grooves are smoothed areas or grooves on rock surfaces (non-portable) that have been created by grinding activity associated with food production such as seed milling, preparation of pigments, tool manufacture and/or maintenance and ritual.

Midden: A place where there is an accumulation of shell refuse that is derived from exploitation of a mollusc resource by Aboriginal people. Such sites may also contain artifacts, fireplaces, burnt shell and bones.

Painting: Places where Aboriginal people have painted on surfaces. Paintings (including daubings, drawings, stencils, prints) can be figurative or non-figurative markings or motifs on surfaces such as rocks, rock walls and trees at fixed locations that are produced by adding pigments and or mediums, such as ochre, blood, beeswax, animal fats, vegetable dyes, tree saps.

Skeletal material/Burial: A place where Aboriginal skeletal material is buried and/or where mortuary practices occurred.

Engraving: A motif (either figurative or non-figurative) on a rock surface produced by percussion or abrasion. Engravings are also often referred to as petroglyphs.

Historical: A place that has historical associations with Aboriginal people and may or may not contain physical evidence of those associations.

Modified or Scarred tree: A place with one or more tree(s), living or dead, that has been modified by Aboriginal people by removing the bark or wood resulting in the formation of a scar. This sort of modification was and is frequently done for the making of implements, tools or other materials that were used in traditional cultural practices.

Quarry: Places where there is evidence for the extraction of stone or ochre.

Landscape features, which possibly contain Aboriginal sites and should therefore be approached with care, include but are not limited to:

- (a) rock outcrops;
- (b) caves;
- (c) foreshores and coastal dunes; (d) ranges and hills;
- (d) areas of bio-geographical significance, such as natural wetlands;
- (e) permanent and semi-permanent waterholes, natural springs, gnamma holes, and watercourses;
- (f) some hill and mound formations; and
- (g) areas with potential archaeological deposit, such as rock shelters, caves, alluvial terraces, dune deposits and other relevant geo-morphological features.

The views of the relevant Aboriginal people are a key factor in identifying and assessing sites. Appropriately qualified persons such as anthropologists, archaeologists and historians can also provide valuable assistance.

Appendix 3 – Contact Details for the Relevant Aboriginal People

Information about the Aboriginal heritage for a particular area is best obtained through consultation with the relevant Aboriginal people. Whilst there is no definitive list of Aboriginal people who should be consulted for an area, the Committee suggests that the following people at least should be consulted:

- (a) determined native title holders*;
- (b) registered native title claimants;
- (c) persons named as informants on Aboriginal site recording forms held in the Register at Department of Aboriginal Affairs (DAA); and
- (d) any other Aboriginal people who can demonstrate relevant cultural knowledge in a particular area.

*When a determination of native title is made, the NTA requires the native title holders to establish a prescribed bodies corporate (PBC), also known as a registered native title body corporate. PBC's hold in trust, or manage, the native title rights and interests of the native title holders.

The following contact details are subject to change. To confirm contact details please use the website of the 'Office of the Registrar of Indigenous Organisations' (ORIC).

Organisation Type	Name	Contact Details
Prescribed Body Corporate	Bardi and Jawi Niiimidiman Aboriginal Corporation	Postal Address: 36 Pembroke Street, via, Broome WA 6725 Phone Number: 08 91923483
Prescribed Body Corporate	Buurabalayji Aboriginal Corporation	Postal Address: PO box 55, Onslow WA 6710 Phone Number: 08 91846876
Prescribed Body Corporate	Bunuba Dawangarri Aboriginal Corporation	Postal Address: PO Box 5451 Cable Beach WA 6726 Phone number: 0431 350 620
Prescribed Body Corporate	Jidi Jidi Aboriginal Corporation	Postal Address: PO Box 128, Meekatharra WA 6642 Phone Number: 0899812021
Prescribed Body Corporate	Karajarri Traditional Lands Association Aboriginal Corporation	Postal Address: Kimberley Land Council, 36 Pembroke Road, Broome WA 6725 Phone Number: 08 91940142
Prescribed Body Corporate	Kunin (Native Title) Aboriginal Corporation	Postal Address: PO Box 1375, Broome WA 6725 Phone Number: 0891936651
Prescribed Body Corporate	Miriuwung and Gajerrong #1 and #4	Postal Address: PO Box 2110,

These Guidelines and the Aboriginal Heritage Risk Matrix are for general assistance only. Land users should always obtain independent advice on the application of the AHA to their particular circumstances and if doubt exists the land user should contact the DAA.

	(NTPBC) Aboriginal Corporation	Kununurra WA 6743 Phone Number: 08 91664800
Prescribed Body Corporate	Mungarlu Ngurrarankatja	Postal Address: C/- Central Desert Native Title Services, 170 Wellington Street, East Perth WA 6004 Phone Number: 0894252000
Prescribed Body Corporate	Ngarluma Aboriginal Corporation	Postal Address: PO Box 263, Roebourne WA 6718 Phone Number: 08 9182 1351
Prescribed Body Corporate	Nyangumarta Karajarri Aboriginal Corporation	Postal Address: C/- Kimberley Land Council, PO Box 2145, Broome WA 6725 Phone Number: 08 91940124
Prescribed Body Corporate	Nyangumarta Warrarn Aboriginal Corporation	Postal Address: C/- Pilbara Native Title Services, 3 Brand Street, South Hedland WA 6722 Phone Number: 0891725433
Prescribed Body Corporate	Parna Ngururpa Aboriginal Corporation	Postal Address: C/- Central Desert Native Title Services Ltd, 170 Wellington Street, East Perth WA 6004 Phone Number: 08 94252000
Prescribed Body Corporate	Pila Nguru Aboriginal Corporation	Postal Address: PO Box 1014, Kalgoorlie WA 6430 Phone Number: 08 90371147
Prescribed Body Corporate	Tjamu Tjamu Aboriginal Corporation	Postal Address: Central Desert Native Title Services Ltd, 170 Wellington Street, East Perth WA 6004 Phone Number: 08 94252000
Prescribed Body Corporate	Tjurabalan Native Title Land Aboriginal Corporation	Postal Address: PO Box 280, Halls Creek WA 6770 Phone Number: 0891688988
Prescribed Body Corporate	Wanjina-Wunggurr (Native Title) Aboriginal Corporation	Postal Address: PO Box 821, Kununurra WA 6743 Phone Number: 0891682298
Prescribed Body Corporate	Wanparta Aboriginal Corporation	Contact Officer: Colin McKellar Postal Address: 3 Brand Street,

These Guidelines and the Aboriginal Heritage Risk Matrix are for general assistance only. Land users should always obtain independent advice on the application of the AHA to their particular circumstances and if doubt exists the land user should contact the DAA.

		South Hedland WA 6722 Phone Number: 0891725433
Prescribed Body Corporate	Western Desert Land Aboriginal Corporation: Jamukurnu-Yapalikunu	Postal Address: The Secretary, WDLAC, 4 Clive St, West Perth WA 6005 Phone Number: 0894869797
Prescribed Body Corporate	Wintawari Gurama Aboriginal Corporation	Postal Address: 8/18 Hedland Avenue, Karratha WA 6714 Phone Number: 08 24757467
Prescribed Body Corporate	Wyamba Aboriginal Corporation	Postal Address: 12 Pincombe Street, Carnarvon WA 6701 Phone Number: 08 99413267
Prescribed Body Corporate	Yanunijarra Aboriginal Corporation	Postal Address: PO Box 2145, Broome WA 6725 Phone number: 08 9194 0100
Prescribed Body Corporate	Yarnangu Ngaanyatjarraku Parna Aboriginal Corporation	Postal Address: PO Box 644, Alice Springs NT 0872 Phone Number: 08 89501711
Prescribed Body Corporate	Yawuru Native Title Holders Aboriginal Corporation	Postal Address: 6A Coghlan Street, Broome WA 6725 Phone Number: 08 91925155
Prescribed Body Corporate	Yindjibarndi Aboriginal Corporation	Postal Address: PO Box 111, Roebourne, WA 6718 Phone Number: 08 9182 1497
Prescribed Body Corporate	Yungngora Aboriginal Corporation	Postal Address: PO Box 601, Applecross WA 6953 Phone Number: 0418912952
Organisation Type	Name	Contact Details
Native Title Representative Bodies	Central Desert Native Title Services	Postal Address: 76 Wittenoom Street, East Perth WA 6004 Phone Number: 08 9425 2000
Native Title Representative Bodies	Goldfields Land and Sea Council Aboriginal Corporation	Postal Address: PO Box 10006 Kalgoorlie, WA 6433 Phone Number: 08 9091 1661
Native Title Representative	Kimberley Land Council	Postal Address: PO Box 2145,

These Guidelines and the Aboriginal Heritage Risk Matrix are for general assistance only. Land users should always obtain independent advice on the application of the AHA to their particular circumstances and if doubt exists the land user should contact the DAA.

Bodies		Broome WA 6725 Phone Number: 08 9193 6199
Native Title Representative Bodies	South West Aboriginal Land and Sea Council Aboriginal Corporation	Postal Address: PO Box 585 Cannington WA 6987 Phone Number: 08 9358 7400
Native Title Representative Bodies	Yamatji Marlpa Aboriginal Corporation	Postal Address: PO Box 3072 Hay St, East Perth WA 6892 Phone Number: 08 9268 7000

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Appendix 4 – Contact Details – Government Agencies with heritage and land management responsibilities

The following contact details are subject to change.

Agency	Contact Details
Department of Aboriginal Affairs	Postal Address: PO Box 3153, East Perth, Western Australia 6892 Phone number: 1300 651 077
Department of Housing	Postal Address: 99 Plain Street, East Perth, 6004 Phone number: 1800 093 325
Department of Lands	Postal Address: PO Box 1143, West Perth WA 6872 Phone number: 61 8 6552 4400
Department of Regional Development	Postal Address: PO Box 1143, West Perth WA 6872 Phone number: 08 6552 1800
Department of Mines and Petroleum	Postal Address: 100 Plain Street, East Perth, Western Australia 6004 Phone number:08 9222 3333
Department of Parks and Wildlife	Postal Address: 17 Dick Perry Avenue Technology Park, Western Precinct Kensington WA 6151 Phone number: 08 9219 9000
Department of Planning	Postal Address: Locked Bag 2506, Perth, Western Australia 6001 Phone number:08 6551 9000
Department of State Development	Postal Address: Level 7, 1 Adelaide Tce, East Perth, Western Australia 6004 Phone number:08 9222 0555
Department of Water	Postal Address: PO Box K822, Perth, Western Australia 6842 Phone number:08 6364 7600
Land, Approvals and Native Title Unit (Department of the Premier and Cabinet)	Postal Address: Locked Bag 3001, West Perth, Western Australia 6872 Phone number: 08 26552 5333
Main Roads	Postal Address: PO Box 6202,

These Guidelines and the Aboriginal Heritage Risk Matrix are for general assistance only. Land users should always obtain independent advice on the application of the AHA to their particular circumstances and if doubt exists the land user should contact the DAA.

	East Perth, Western Australia 6892 Phone number:138 138
Water Corporation	Postal Address: PO Box 100, Leederville, Western Australia 6902 Phone number:08 9423 7777
Western Power	Postal Address: GPO Box L921 Perth, Western Australia 6842 Phone number:131087

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Our Ref: s47F - personal
Your Ref: privacy
Enquiries:

8 April 2021

Gatsbys
s47F - personal

Dear Greg and Joy

FUNDING APPLICATION SUPPORT – RISE GRANT

On behalf of the Shire of Manjimup I have no hesitation in providing support for your application for funding to the RISE grant program for the Gatsbys Skyline Showcase of Entertainment and Arts project.

The development of your new business in Manjimup aligns with the Shire of Manjimup's transformational strategy to activate the Manjimup town centre after the recent completion of the \$30M capital investment into infrastructure revitalisation.

Your business is unique to Manjimup and the ability for you to attract and support high quality regional artists to your venue would be of significant social benefit to the local community. In addition the increased visitation to the town would create substantial economic benefits across the retail and hospitality sectors.

s47F - personal privacy



A: 37 - 39 Rose Street / PO Box 1 Manjimup WA 6251
T: (08) 9771 7777 F: (08) 9771 7771 A.B.N. 36 453 349 69
E: info@manjimup.wa.gov.au W: www.manjimup.wa.gov.au



s47F - personal privacy

9 April 2021
Greg & Joy Hamlyn

s47F - personal privacy

Dear Greg and Joy

Funding Application Support. Rise Grant

Absolutely happy to support your application for the Rise grant for Gatsbys .

s47F - personal privacy

had full confidence to recommend your venue to other artists for various functions for your guests.

This has continued with Gatsbys. The consultation with musicians, sound engineers and other venue owners to construct the best possible venue for both performers and audience clearly shows the highest level of awareness and respect for the industry.

Having been a working musician for forty years and played in numerous countries, I see this as an extremely exciting progressive venue for the area. That will support the artist community and help with the development of the regions tourism industry.

Sincerely yours,

s47F - personal privacy

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Fwd: Slashing at Augusta Kings Park and support for your project in Manjimup - Message (HTML)

File Message Help Tell me what you want to do

Ignore Delete Archive Reply Reply All Forward More Meeting

Create a task wi... Create an appoi... Invoices

To Manager Team E-mail Done

Reply & Delete Create New

Move OneNote Assign Mark Categorize Follow

Policy Unread Tags Up

Translate Related Find

Select Read Aloud Zoom

Insights

JH s47F - personal privacy

Fwd: Slashing at Augusta Kings Park and support for your project in Manjimup

To HAMLIN Joy

Document 6

CAUTION: This email originated from outside of DFES. Do not click links or open attachments unless you recognise the sender and know the content is safe.

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Thanks Joy I will have a look. On quick glance I've noticed an Aboriginal name of the ringtail. Not sure what or where the name came from but the Traditional name for western ringtail is "Gnuraren- said gnaa, naar or nurr with wren on end Said"Gnur-ren". Only minor but for us the language name and place names are really important to get right."Gnuraren"

I am also very happy to support you and Greg in bringing Traditional people into your project at Manjimup and will provide advice and connections where I can. Thanks for asking us and bringing our culture into your new venue. Wayne n Toni Webb

On Thu, 24 May. 2021, 11:31 am HAMLIN Joy s47F - personal

Hi Wayne and Toni
Contract machines are currently winding up and coming to a close for our operations and I'm hoping to get them to do a follow-up slash over the areas we opened up last year at Augusta Kings Park to maintain them.
Can you advise best practice around Western Ring Tail possums? I have the S8 attached but if there is an updated one, I'd love to have it ☺ We intend to do the burn in the south west corner of the area (approximately 2ha at the intersection of Donovan and the Hwy) this Autumn 2021 and if conditions allow, the area next to the Hospital that we missed last Spring (approx. 3 Ha).
Also was hoping you and Toni would provide us a written support email for the proposed venue in Manjimup. Would love you, Toni and Zac, as Wadandi Elder and Cultural Custodians, to have some input into the venue, provide us with art or pieces for display and contacts for performers over the period of the project (and hopefully grant).
Kind regards
Joy

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Restart Investment to Sustain and Expand (RISE) Fund

RISE Application Form

Application RISE1784 From Gregory Hamlyn & Joy Hamlyn

Form Submitted 18 Jun 2021, 4:06pm AEST

Restart Investment to Sustain and Expand (RISE) Program

COVID-19 is having unprecedented effects on communities in Australia and around the world, including on creative and cultural activity. To support the arts and entertainment sector to reactivate, this program provides finance to assist in the presentation of cultural and creative projects, activities and events, and to build confidence amongst investors, producers and consumers. This includes finance to assist with costs of rescheduling projects impacted by ongoing restrictions caused by outbreaks of COVID-19. This will support employment of artists and workers in the arts and entertainment sector and contribute to rebuilding Australia's economy, as well as enhancing community wellbeing and access to cultural experiences across Australia.

Guidelines

Before starting this application you should ensure that you have read and understood the Restart Investment to Sustain and Expand (RISE) [Guidelines](#).

We also recommend reading the [Frequently Asked Questions](#).

Privacy statement

The Department of Infrastructure, Transport, Regional Development and Communications will treat your personal information according to the [Privacy Act 1988](#) and the [Australian Privacy Principles](#). This includes letting you know:

- what personal information we collect
- why we collect your personal information
- who we give your personal information to.

Your personal information can only be disclosed to someone else for the primary purpose for which it was collected, unless an exemption applies.

The Australian Government may also use and disclose information about grant applicants and grant recipients under this grant opportunity in any other Australian Government business or function. This includes disclosing grant information on GrantConnect as required for reporting purposes and giving information to the Australian Taxation Office for compliance purposes.

We may share the information you give us with other Commonwealth entities for purposes including government administration, research or service delivery, according to Australian laws.

As part of your application, you declare your ability to comply with the *Privacy Act 1988* and the Australian Privacy Principles and impose the same privacy obligations on officers, employees, agents and subcontractors that you engage to assist with the activity, in respect of personal information you collect, use, store, or disclose in connection with the activity. Accordingly, you must not do anything, which if done by the department, would breach an Australian Privacy Principle as defined in the Act.

When to submit

You can make an application at any time between now and 30 September 2022 at 11:59pm (subject to allocation of funds). The program cannot fund any activity that has occurred before the execution of a Grant Agreement. Activities under this funding application can take a maximum of two years. Financial commitments cannot be made until execution of the grant agreement.

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Additional assessment recommendations may be made outside of these timeframes. Any updates to this indicative timing will be published at arts.gov.au.

Applicant Information

*** indicates a required field**

Eligibility

To receive funding from the RISE program your primary purpose must be the arts and entertainment, you must also:

- have an Australian Business Number (ABN)
- be registered for the purposes of GST (if applicable)
- have an account with an Australian financial institution
- comply with all regulatory, industry and legal requirements in relation to copyright, licensing and employment
- be located in any part of Australia
- provide a co-contribution to the activity

Please select the entity types relevant to your organisation: *

- an incorporated organisation
- a local government or local government owned entity
- a partnership
- a joint (consortia) application with a lead organisation
- a not-for-profit organisation
- an Aboriginal and/or Torres Strait Islander Corporation registered under the Corporations (Aboriginal and Torres Strait Islander) Act 2006
- a Sole Trader
- An organisation applying through an auspicing body

Is this an application for funding to reschedule a project, activity or event impacted by COVID-19? *

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information

Primary purpose

For the purpose of this program – arts and entertainment entities are organisations whose major source of revenue or hours worked are in activities that involve at least one of the following:

- the employment of cultural or creative workers*
- the operation of venues or facilities often used to exhibit or showcase creative and cultural talent
- the organisation of arts and entertainment activities.

*Creatives and support workers are those who work on the following cultural or creative activities (including in technical, administrative and production roles), for example:

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- Dance and physical performance
- Cultural and creative activities
- Literature and language
- Music
- Theatre
- Visual arts and craft

Is the primary purpose of your organisation arts and entertainment? *

Yes No

Applicant Organisation Name: *

Gregory Hamlyn & Joy Hamlyn

Must be the full legal name of the applicant organisation

Is your organisation part of a consolidated group? *

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information

Is your organisation currently at risk of insolvency or insolvent? *

Yes No

Certified financial statement proving solvency

You must provide a current financial statement proving solvency, this could include a recent balance sheet. This document must be certified by a CPA (or the Chief Executive Officer or Chief Financial Officer of your client organisation), Board or other relevant senior employee responsible for the business finances attesting to the current solvency of the organisation. Certification must be in the form of a [Commonwealth Statutory Declaration](#).

Upload your Statutory Declaration and financial statement (e.g. a balance sheet) here. The Statutory Declaration must be certified by a senior employee indicating that your organisation is currently solvent. *

Filename: Annual Tax Summary 2020.pdf

File size: 338.1 kB

Filename: Stat Dec_Hamlynn Solvent.pdf

File size: 33.2 kB

What is the total revenue of your company from 1 July 2020? If you operate on a calendar year, please provide a figure for the 2020 calendar year. *

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Is your organisation an Indigenous or Non-Indigenous organisation? *

Indigenous Non-Indigenous

Indigenous organisation: Any organisation where 50 per cent or more of its Board Directors are

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Aboriginal or Torres Strait Islander people.

Is your organisation a disability-led organisation? *

Yes No

Disability-led organisation: Any organisation where 50 per cent or more of its Board Directors identify as having disability

Please provide a brief outline of your organisation or group's history: *

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Reporting compliance

Do you have any outstanding reports, acquittals, or serious breaches relating to any Australian Government funding? *

Yes No

Applicant Details

* indicates a required field

Applicant details, including the lead organisation for consortia applications

In this section please provide the details of the organisation undertaking the project.

- Please note that if you receive funding, your contact details will be made available to the Minister for Communications, Urban Infrastructure, Cities and the Arts and other Members of Parliament.

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Applicant Website

ABN *

26 693 349 428

Information from the Australian Business Register	
ABN	26 693 349 428
Entity name	J & G HAMLYN
ABN status	Active
Entity type	Family Partnership
Goods & Services Tax (GST)	Yes
DGR Endorsed	No
ATO Charity Type	Not endorsed More information
ACNC Registration	No
Tax Concessions	No tax concessions
Main business location	6260 WA

Information retrieved at 7:30am yesterday

If, on the Australian Business Register (ABN Look Up) you identify as a 'Trust' please upload evidence of incorporation. This could be a certification of registration or equivalent.

No files have been uploaded

Organisation size

The following information will assist us to understand the size of your organisation. The size of your organisation will be considered in the context of the grant and activity.

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How many paid staff does your organisation employ? (expressed as full-time equivalent): *

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For part time staff, you can use decimal points e.g. someone who works two days per week would be represented as 0.4.

What is your organisation's annual turnover? (to the nearest \$10,000): *

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As defined as the total income you receive in the financial year in the course of running your business.

Did your Organisation receive the Australian Government's JobKeeper Payments?

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Project Overview

*** indicates a required field**

Eligible grant activities

Funding is available to support cultural and creative events or activities that, in the absence of this funding, would be substantially less likely to proceed (due to constrained availability of funding to the applicant as a consequence of COVID-19).

The program will fund high quality projects irrespective of scale in all art forms, including cross-art form projects, with the exception of screen-based activities, film and television production and interactive games. Eligible projects need to align clearly with the program objectives, outcomes and assessment criteria.

Activities must demonstrate that there is a funding need, contribute to job creation, support Australian artists or performers (or their work), provide experiences to audiences, be of a nature that is likely to be popular with Australian audiences and financial viability. Applications that clearly demonstrate and seek direct investment for significant employment opportunities for artists, managers, crew and other parts of the supply chain will be prioritised.

Type of activity

Which of the following types of activities best describes the activity for which you are seeking funding: *

- a cultural, creative event or activity, including performances, exhibitions, tours and online delivery
- cultural and creative programming and promotion
- a cultural, creative event or activity, including performances, exhibitions, tours, film festivals and online delivery
- a festival
- purchasing or leasing essential equipment for events, such as sound or lighting equipment
- development of COVID-safe infrastructure and protocols
- community outreach activities such as workshops

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capacity-building activities that link to the objectives and outcomes of the program and that therefore support an organisation to build long-term financial sustainability

Project & Activity dates

Please note that your project start date cannot commence before you receive funding. You have a maximum of 2 years to complete the activity.

Projects must start on or after 15 September 2022 to be considered for funding.

Project start date *

Project end date *

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What date will your activity become publicly accessible? *

What date will your activity stop being publicly accessible? *

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Artform

Which artform/s does your activity incorporate? *

- | | | |
|--|--|---|
| <input type="checkbox"/> Circus | <input checked="" type="checkbox"/> Design | <input checked="" type="checkbox"/> Opera and Musical Theatre |
| <input checked="" type="checkbox"/> Community Arts | <input type="checkbox"/> Digital Arts | <input type="checkbox"/> Puppetry |
| <input type="checkbox"/> Crafts | <input type="checkbox"/> Film | <input type="checkbox"/> Screen based art |
| <input type="checkbox"/> Cross artform | <input type="checkbox"/> Literature | <input checked="" type="checkbox"/> Theatre |
| <input checked="" type="checkbox"/> Cultural Heritage | <input type="checkbox"/> Multimedia | <input checked="" type="checkbox"/> Visual arts |
| <input checked="" type="checkbox"/> Dance/Physical Theatre | <input checked="" type="checkbox"/> Music | |

Select all that apply, including the primary artform.

What is the primary artform of your activity? *

Music

Areas of Focus

Does the project have a focus on Youth? *

Yes No

Does the project have a focus on Mental health / wellbeing? *

Yes No

Does the project have a focus on Tourism? *

Yes No

Does the project have a focus on Innovation? *

Yes No

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What is the primary area of focus? *

- Youth
- Mental health / wellbeing
- Tourism
- Innovation

Project title: *

Gatsbys Skyline Showcase of Entertainment and Arts

Short project description: *

G&J Hamlyn will showcase original artists in regional W.A, providing their venue - Gatsbys Skyline- with weekly shows throughout a 2 year period

Must be no more than 25 words.

Must be no more than 25 words and suitable for public release. Please note that should you be successful, this description will be used in media releases and will be published on the Office for the Arts website.

Detailed Project Description *

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Project Statistics

*** indicates a required field**

Does your project involve Aboriginal or Torres Strait Islander people or have a focus on Aboriginal or Torres Strait Islander culture? *

Yes No

Please tell us how your project will involve Aboriginal or Torres Strait Islander people or have a focus on Aboriginal or Torres Strait Islander culture. *

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Please upload evidence of consultation with the relevant Elders or Land Councils, the communities involved and any cultural awareness training or policies relevant to your project. (This could be your organisation's Reconciliation Action Plan (RAP), a letter from the community indicating wiliness to participate or a project cultural awareness guide etc)

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Please provide some projected statistical information on your project's team:

Please put '0' in any fields that are not relevant.

Number of artists that identify as Aboriginal and/ or Torres Strait Islander: *

Number of artists that identify as culturally and linguistically diverse: *

Number of artists that identify as persons with disability: *

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Number of other personnel that identify as Aboriginal and/or Torres Strait Islander: *
Number of other personnel that identify as culturally and linguistically diverse: *
Number of other personnel that identify as persons with disability: *

s47G - business information

s47G - business information

Is the project disability-led? *

Yes No

A disability-led project is defined as one in which people with disability themselves are leading the creative development process.

Please put '0' in any fields that are not relevant.

Number of female artists: * **Number of male artists: *** **Number of non-specific gendered artists: ***

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s47G - business information

Number of female other personnel: * **Number of male other personnel: ***

s47G - business information

Number of non-specific gendered other personnel: *

s47G - business information

Project team size:

s47G - business information

Volunteers

Number of volunteers. *

2

Must be a number.

Employment Statistics

Please provide employment statistics for your project. When selecting the employment status, please note:

- A short-term employee includes those whose employment includes entitlements.
- An independent contractor includes owners and managers of incorporated and unincorporated businesses, including sole-traders.

Example Job-type categories are:

- **Arts professionals** (actors, dancers, musicians)

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- **Media professionals** (artistic directors, presenters, authors)
- **Miscellaneous technicians and trades workers** (performing arts, gallery, museum technicians)

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Total employees

288

This number/amount is calculated.

Projected audience statistics

Gathering statistics about who will access, participate in or benefit from your project, helps us to measure the success of your project and the value of funding for the arts.

We will measure these statistics again in your final project report and acquittal.

Please complete any of the areas below that are relevant to your project.

Location and Participation

Please list the locations where your activity will take place. For multiple locations please enter in chronological order.

- **Attendance** means the number of people who will attend, visit or be in the audience for your project.
- **Participation** means the number of people that will actively participate in the project (other than the project artists and personnel) for example workshop participants or active audience participants.

Please put '0' in any fields that are not relevant. and a short comment in the **reason for not including statistics** box below the table.

Location name	Address	Projected Attendance	Projected Participation	Start date	End date
	Address Line 1, Suburb/Town, State/Province, Postcode, and Country are required.	Must be a number.	Must be a number.	If unknown, please indicate expected start date. Must be a date.	If unknown, please indicate expected end date. Must be a date.

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RISE Application Form

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Total Projected attendance at the project

s47G - business information

Total Projected participation in the project

s47G - business information

Criterion 1

*** indicates a required field**

The degree to which the grant will contribute to achieving the objectives and outcomes of the program.

This includes demonstrating a plan to develop and present cultural and creative events or activities.

How does your activity contribute to reactivating the arts and entertainment sector?

Please address how your activity will contribute to employment opportunities and the expected economic benefits of your activity for your organisation and other industries such as hospitality and accommodation. *

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Restart Investment to Sustain and Expand (RISE) Fund RISE Application Form

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Form Submitted 18 Jun 2021, 4:06pm AEST

s47G - business information

If you are successful, as part of your acquittal, you will be asked to provide statistics on the economic benefits of your activity on allied industries.

What types of audiences will benefit from your activity?

*

The project will deliver a number of qualitative benefits, including:

- Supporting the region’s economic recovery past-COVID-19: Through diversification, G and J Hamlyn, using the venue 'GATSBYS SKYLINE' will help support the recovery in the local tourism sector. Job opportunities within the accommodation and food services industry have been some of the most impacted as a result of the response to the pandemic. The job opportunities within this sector provided, will help support the transition in the local labour market.
 - Employment opportunities for musicians, hospitality and artists: The hospitality services, artists and music industry are often the most vulnerable when economic conditions deteriorate. A dedicated venue and project of this nature will strengthen the local economy.
- Community benefits: Gatsbys would provide a focal point for the community to host special celebrations and events. As such, it will contribute positively to community cohesiveness and facilitating strong relationships.

Must be no more than 150 words.

Creative partnerships

Do you have creative partners in this project? *

Yes No

Creative partners

Briefly outline the partnerships and collaborations which will contribute to your project.

You can add as many partners as you need by clicking the **add more** button at the bottom of this section.

Partner Name *

Partner Type *

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What outcomes will be achieved through this partnership? *

Is this a new creative partnership? *

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- Collaboration
- Mentoring
- Skills transfer
- Training
- Co-creation
- Curatorial
- Project management
- Other:

Yes No

What will be achieved through this partnership? *

s47G - business information

Partner Name *

Shire of Manjimup

Partner Type *

Community

What outcomes will be achieved through this partnership? *

- Collaboration
- Mentoring
- Skills transfer
- Training
- Co-creation
- Curatorial
- Project management
- Other:

Is this a new creative partnership *

Yes No

What will be achieved through this partnership? *

Marketing and support, offering guidance, financial assistance through reduced rental fees, and referrals through current Standard administration procedures.

The Shire of Manjimup have currently provided assistance in the form of technical support, planning developments and approvals, agreed rent waivers and a letter of support for the project from the CEO.

Must be no more than 50 words.

Partner Name *

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Partner Type *

Creative

What outcomes will be achieved through this partnership? *

- Collaboration
- Mentoring
- Skills transfer
- Training
- Co-creation
- Curatorial
- Project management

Is this a new creative partnership *

Yes No

What will be achieved through this partnership? *

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RISE Application Form

Application RISE1784 From Gregory Hamlyn & Joy Hamlyn

Form Submitted 18 Jun 2021, 4:06pm AEST

Other:

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Accessibility

It is important to us that Australia's high quality arts experiences are accessible to the whole community. One in every five Australians have disability. Many more do not identify but still experience barriers to access. Parents with prams often experience the same access barriers as wheelchair users. Older people with sight or hearing loss often experience the same barriers as people who are Deaf and/or blind/vision impaired.

For tips on how to increase the accessibility of your project or to assist you in thinking about this, visit [Arts Access Australia](#)

Tell us about how you plan to ensure your project is accessible, including to people with disability. Please complete the [Arts Access Australia Project Accessibility template](#) or provide a written response below.

Which of these actions will you complete? *

- (a) Upload a completed version of the Arts Access Australia Project Accessibility template
- (b) Type your response below

Accessibility plan *

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Criterion 2

* indicates a required field

Demonstrated expertise and capacity of the organisation to undertake the grant activity, including in a COVID-safe manner.

Work plan

The project work plan below should set out the key deliverables / milestones for your project (including consideration for COVID-safe protocols). If approved, the work plan will form part of your funding agreement. Depending on your project, milestones may have payments linked to the successful achievement of these outcomes.

Please list deliverables chronologically - in order from earliest to latest. Note the timeframe for your work plan must not exceed two years.

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Key Deliverables - task/ activity to be undertaken	Outcome - What will be achieved by this activity?	Planned date of completion
	Must be no more than 30 words.	Must be a date.

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Expertise

Demonstrated expertise and capacity of the organisation to undertake the grant activity.

You should demonstrate this through the following:

- prior experience in managing funds and/or acquitting government funding
- appropriate business or governance structures in place
- experience of personnel undertaking the activity.

Please detail the expertise and capacity of your organisation to undertake the grant activity. *

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Key personnel and artist details

Provide information on the key personnel and artists in your project team. You will be able to attach evidence of artist confirmation or willingness to participate from the artist or manager, for key participating artists and/or headline acts under supporting material at the end of this application.

Name	Role in the project	Brief description of experience	Confirmation
		Must be no more than 30 words.	Please attach confirmation documentation in supporting material.

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Risk management

Briefly identify the risks (including COVID-safe protocols) associated with the project and how you will manage and minimise those risks.

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Please address how your activity will be adapted to respond to COVID-19 public health requirements? Please consider both innovations and structural adjustments.

Risk	Consequence of the risk occurring	Likelihood of the risk occurring	Management approach
	Must be no more than 30 words.		Must be no more than 30 words.

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Criterion 3

*** indicates a required field**

Funding is available in the 2022-23 financial year. If successful, you must complete your activity within two years of the execution of the grant agreement. The following asks you to set out your budget for the activity. The budget needs to include remuneration details for artists, performers and other workers in accordance with industrial awards and agreements.

Budget

Please demonstrate financial viability of your grant activity

This includes providing a budget that shows how the grant funding will be expended, and outlines any other income that will be used to support delivery of the activity. You can apply for both a program grant and a Show Starter Loan. A combination of a program grant and

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Show Starter Loan cannot make up more than 50 per cent of the total budget of an activity or \$5 million, whichever is lesser.

Will your activities occur over 1 or 2 years? *

- 1
- 2

Did you apply for a Show Starter Loan? *

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Grant amount

Amount Requested *

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financial support you are requesting in this application?

If you are applying for under \$25,000 or over \$2,000,000, please provide a statement of justification.

Please provide financial information for year one of your budget expenditure

Other Income (excluding RISE grant funding)

Please outline the planned income from other sources for your activity for year 1 of your project, including co-investment from other sources, Commonwealth, state, territory or local government.

Applicants are encouraged to include a direct cash or in-kind contribution or funds from other grant programs towards the costs of the project in addition to any earned income such as ticket sales, beverages, merchandise, workshop and registration fees.

If you have applied for a Show Starter Loan, please include the breakdown of year 1 in this section.

Other income source	Amount	Cash or In-kind	Status
	Must be a dollar amount.		

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Total other income
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Grant Expenditure

The budget below should outline the items that grant funding would be spent on for year 1. If your application is successful, the *Expenditure of Grant Funds* budget will form part of the grant agreement. Figures must be **GST exclusive**.

- *Itemise expenses for the project including artist and project personnel fees*
- *If successful you cannot change how you spend your grant money without getting our formal approval.*

List below only those items that will be paid for with the grant (refer to the Guidelines or the Eligibility section at the beginning of this form for examples of eligible and ineligible activities). Also note the basis for calculations for budget items over \$100,000 should be provided, i.e. venue hire x 25 days, 15 performers x 12 weeks etc.

Expenditure item	Expenditure category	Amount
Must be a dollar amount.		
s47G - business information		
		Total: \$310,800.00

Total grant expenditure
 \$310,800.00
 This number/amount is calculated.

Other income expenditure (excluding RISE grant funding)

List below any expenditure that will be paid for with funds other than the grant for year 1.

If you have applied for a Show Starter Loan, please include the expenditure breakdown for year 1 in this section.

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Other expenditure item	Other expenditure category	Amount
		Must be a dollar amount.

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Total other income expenditure

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 s calculated.

Budget - Year 2

* indicates a required field

Please demonstrate financial viability of your grant activity

This includes providing a budget that shows how the grant funding will be expended, and outlines any other income that will be used to support delivery of the activity. You can apply for both a program grant and a Show Starter Loan. A combination of a program grant and Show Starter Loan cannot make up more than 50 per cent of the total budget of an activity or \$5 million, whichever is lesser.

Please provide financial information for year two of your budget expenditure

Other Income - year 2 (excluding RISE grant funding)

Please outline the planned income from other sources for your activity for year 2 of your project, including co-investment from other sources, Commonwealth, state, territory or local government.

Applicants are encouraged to include a direct cash or in-kind contribution or funds from other grant programs towards the costs of the project in addition to any earned income such as ticket sales, beverages, merchandise, workshop and registration fees.

If you have applied for a Show Starter Loan, please include the breakdown of year 1 in this section.

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Application RISE1784 From Gregory Hamlyn & Joy Hamlyn
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Other income source	Amount	Cash or In-kind	Status
	Must be a dollar amount.		

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Total other income - year 2

s47G - business

is calculated.

Grant Expenditure - year 2

The budget below should outline the items that grant funding would be spent on in year 2 of your project. If your application is successful, the *Expenditure of Grant Funds* budget will form part of the funding agreement. Figures must be **GST exclusive**.

- *Itemise expenses for the project including artist and project personnel fees*
- *If successful you cannot change how you spend your grant money without getting our formal approval.*

List below only those items that will be paid for with the grant (refer to the Guidelines or the Eligibility section at the beginning of this form for examples of eligible and ineligible activities). Also note the basis for calculations for budget items over \$100,000 should be provided, i.e. venue hire x 25 days, 15 performers x 12 weeks etc.

Expenditure item	Expenditure category	Amount
		Must be a dollar amount.

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		Total: \$310,800.00

Total grant expenditure - year 2

\$310,800.00

This number/amount is calculated.

Other Income Expenditure - year 2 (excluding RISE grant funding)

List below any expenditure that will be paid for with funds other than the grant for year 2:

If you have applied for a Show Starter Loan, please include the expenditure breakdown for year two in this section.

Other expenditure	Other expenditure category	Amount
		Must be a dollar amount.
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Total other income expenditure - year 2

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t is calculated.

Financial Balance & Supporting Documentation

* indicates a required field

Balance

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Restart Investment to Sustain and Expand (RISE) Fund RISE Application Form

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The following figures are calculated. The fields below show grant balance (grant amount requested minus total grant expenditure) and other income balance (total other income minus total other income expenditure).

The balances **must equal 0** before you can submit your application.

Grant balance (amount requested - total grant expenditure)

\$0.00

This number/amount is calculated.

Other income balance (total other income - total other income expenditure)

\$0.00

This number/amount is calculated.

Total project cost *

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Do you estimate that you will make a profit from this project? *

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What is your estimated net profit from this project? *

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How do you intend to spend your profit? e.g to reinvest in another project, to employ additional staff or to put on more performances. *

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Please provide evidence of funding need in the form of a statement or data about financial status.

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Please provide evidence of financial co-contribution to your activity. *

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Links to other support material

You may wish to upload or provide links to other supporting documentation. Examples of supporting documentation include evidence of artist confirmation or willingness to participate on the artist's or manager, letter of communication / industry support, website, media coverage, a video or images. Provide links, social media handles or upload documents, images etc.

Links to storage sites such as Dropbox, Google Drive or OneDrive cannot be accepted.

Select the **Add More** button to add extra rows.

Provide links or social media handles here,

or upload documents and images

Description

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[Redacted content area]

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Restart Investment to Sustain and Expand (RISE) Fund

RISE Application Form

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Certification

All below criteria must be confirmed.

I, the Applicant Contact, am authorised by my group/organisation to complete this application and certify that: *

- I acknowledge that the Department of Infrastructure, Transport, Regional Development and Communications may share this application with other Commonwealth entities or Ministerial appointed bodies established for the purposes of this program, for purposes including government administration, research or service delivery, according to Australian laws.
- I acknowledge that contact details and project information provided in this application may be disclosed to the Minister for Communications, Urban Infrastructure, Cities and the Arts and other Members of Parliament.
- To the best of my knowledge the statements made in this application are true.
- If my application is approved, I will be required to accept the terms of the funding agreement.
- If successful, I will only spend the grant funds in accordance with the approved budget.
- If successful, I will undertake the project as described in this application.
- I acknowledge that I cannot change the approved project or budget without prior approval and I will notify the Department as early as possible to seek approval for a variation if required.
- If successful, I will provide reports to the Department in accordance with the requirements of the funding agreement.
- If successful, I understand that project information may be published for reporting or promotional purposes.
- I do not have any perceived or actual conflicts of interest with this project to declare.
- I acknowledge that data contained in this application will be used by the Department of Infrastructure, Transport, Regional Development and Communications for analysis of the cultural and creative sector.

Date of Certification: *

07/06/2021

Must be a date

Links

- Yamatji Government Standard Heritage Agreement website information: <https://www.dplh.wa.gov.au/yamatji-heritage>
- South West Native Title Settlement website: <https://www.dplh.wa.gov.au/projects-and-initiatives/south-west-native-title-settlement>
- Noongar Standard Heritage Agreement website information: <https://www.dplh.wa.gov.au/projects-and-initiatives/south-west-native-title-settlement/noongar-standard-heritage-agreement>

Contact Details:

Yamatji Nation Heritage:

yamatjinationheritage@dplh.wa.gov.au

S.47F

S.47F

s47F - personal privacy

Gatsbys

Greg & Joy Hamlyn

s47F - personal privacy

Manjimup, WA 6258

Dear Greg & Joy

I am thrilled to throw my support behind your application for funding via the RISE Grant for reactivation of arts and performances at your new venue, Gatsbys.

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showcase our significant, professional local, regional and touring acts, that your venue will encourage to the region.

You have engaged with professional artists and performers as you have moved from the concept and development stage of your venture, giving us all great confidence in your ability to deliver top shelf, state of the art events and for you to be able to provide a wonderful venue that will support the careers of all who are able to perform there. I wish you all the best with the application.

Sincerely,

Gatsbys

Greg & Joy Hamlyn

s47F - personal privacy

Manjimup, WA 6258

Dear Greg & Joy

I write to express my unconditional support for your application for funding with the RISE grant program for the Gatsbys Skyline Showcase of Entertainment and Arts project. Working with you both over the past 6 plus months has highlighted the critical gap in the region that your venture will fill, by providing a high-quality venue for regional, local and touring artists to perform at.

At a time where artists are facing a considerable lack of support as the industry attempts to recover from the widespread impact of the Covid-19 pandemic, the funding available will make a very real economic impact to those artists you are wishing to showcase, whilst enabling you to offer a unique experience for customers, that will have inevitable positive flow on effects into the local economy and arts community.

I wish you every success and am more than happy to engage with the RISE team if they have the need for further information.

Sincerely,

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LETTER OF SUPPORT

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To Whom It May Concern,

I am writing in support of Greg and Joy Hamlyn's application to obtain financial assistance with facilitating live music at the new Manjimup venue Gatsby's.

I have worked closely with Greg and Joy over the last 7 years, during which time they have supported my career through booking both bands of mine and my colleagues for many private functions at Mudstone Spa Retreat, and owe much to them for their ongoing support and both the opportunities and industry professionals they have connected me with in that time.

Aside from being a full-time musician since 2014, I am also heavily involved in other aspects of the music and entertainment industry, from hosting a weekly radio show to directing a festival, I also have extensive experience as a live sound engineer, booking agent, marketing manager, studio producer and an educator, having presented lectures for APRA (Australian Performing Rights Association), WAM (West Australian Music) and more peak industry bodies.

Being this heavily involved in many aspects of the entertainment industry has shown me the importance which venues – and particularly live music venues – play in supporting communities, promoting culture and the arts, encouraging tourism and driving local economies.

Strings Attached: The West Australian Guitar Festival was launched in 2019 and attracted close to 8000 attendees to 100+ events over 3 days, all held in existing local venues throughout the Margaret River region. The event was estimated to have brought \$1.21 million to the local economy in its first year and was a huge boost to local businesses and arts workers emerging from a slow winter.

I'd like to highlight that in supporting live music in venues such as Gatsby's, we are also supporting local businesses, tourism, community spirit, mental health and far more than the jobs these venues create.

I am acutely aware of the challenges faced by live music venues over the last 12 months – a study by APRA-AMCOS showed the Australian music industry shrunk to 4% of its size pre-Covid – however, I strongly believe that through supporting this sector – especially in regional venues like Gatsby's – we can fast track the road to recovery for everyone.

Should you require any further information please do not hesitate to contact me.

Regards,

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Letter of confirmation
Joy Hamlyn
G and J Hamlyn – Family Partnership
S.47F
YEAGARUP WA 6260

Restart Investment to Sustain and Expand (RISE) Fund — RISE1784 — Gatsby's Skyline Showcase of Entertainment and Arts

To whom it may concern

As a Partner of G and J Hamlyn, I am committed to the Project 'Gatsby's Skyline Showcase of Entertainment and Arts'.

My primary role in the project will be as administrative, completing the business administration and finance components of the partnership and ensuing project including grant acquittals.

I have 26 years' experience in contract management, administration, implementation and acquittal of competitive government grants including Natural Resource Management (NRM) and Royalties for Regions (RfR) grants.

I have the expertise, software, hardware, knowledge and administrative skills to carry out the effective management and acquittal of the successful grant application.

Joy Hamlyn
Director: S.47G
Partner: G and J Hamlyn

Letter of confirmation
Greg Hamlyn
G and J Hamlyn – Family Partnership
s47F - personal
YEAGARUP WA 6260

Restart Investment to Sustain and Expand (RISE) Fund — RISE1784 — Gatsby's Skyline Showcase of Entertainment and Arts

To whom it may concern

As a Partner of G and J Hamlyn, I am committed to the Project 'Gatsby's Skyline Showcase of Entertainment and Arts'.

My primary role in the project will be as project manager, collating the musicians and performers and ensuring the delivery, timetables and timeframes for the acts. I will also complete the advertising, marketing and social media campaigns.

I have 20 years of experience as an industry professional and private business owner in contractor management, marketing and promotions, human resource and asset management. I have 10 years of hospitality and event management experience in both the private and government arenas.

I have the expertise, knowledge and leadership skills to carry out the effective management and running of the successful grant application.

Greg Hamlyn
Owner: s47F - personal
Partner: G and J Hamlyn