

CULTURAL HERITAGE MANAGEMENT PLAN

SOUTH32 WORSLEY ALUMINA

Cultural Heritage Management Plan

Business Blueprint



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This Cultural Heritage Management Plan acknowledges the traditional country of the Wilman, Wardandi, Binjareb/Pinjarup, Ganeang, Ballardong and Whadjuk people and South32 Worsley Alumina pays respect to Elders past and present.

This Cultural Heritage Management Plan recognises and respects the cultural heritage, lore, beliefs and relationship with the land and waters that these people hold.

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This Cultural Heritage Management Plan was developed by South32 Worsley Alumina with the assistance of:

Brad Goode and Associates, including contributions from the following:

- Mr Brad Goode – (Director / Anthropologist);
- Mr Grant Preller – (Consulting Anthropologist);
- Mrs Leah Mackie – (Research & Mapping Assistant); and
- the GKB Native Title Claim Group (NTCG) Working Party (historic).

In addition, during consultation with a sub-committee group from the Worsley Alumina and Gnaarla Karla Boodja Traditional Owner Group on Thursday 3rd June 2021 it was agreed by the Wilman people that any changes to this document will include consultation with the informants to the development of this plan. These informants include:

- Mr Joseph Northover
- Ms Lera Bennell
- Ms Shirley Viti
- Mr James Khan
- Mr Greg Thorn
- Ms Geri Hayden

This list may be expanded based on ongoing consultations, however people should not be removed.

As part of these consultations and in alignment with the South West Native Title Settlement it was agreed the terminology needs to change to better reflect the Wilman People going forward. Native Title Claimant Group (NTCG) will now be referred to as Informants (Wilman People).

DISCLAIMER

All of the information contained in this report is believed to be correct and accurate at the time it was recorded. The author does not take responsibility or accept any liability for errors or omissions contained in the report based upon information supplied by others.

Warning: This document may contain names or material that relates to deceased Aboriginal persons.

MAPPING

Datum Used: GDA 1994 MGA Zone 50. Handheld GPS Unit Garmin 64ST (+/- 10m)

1 RESPONSIBILITIES AND ACCOUNTABILITIES

1.1 RESPONSIBILITIES AND ACCOUNTABILITIES

This Cultural Heritage Management Plan (CHMP) has been designed as a 'live' document, intended for distribution within South32 Worsley Alumina (Worsley Alumina), its personnel, contractors and subcontractors, to set out Worsley Alumina's approach to, and allocation of responsibilities in respect of, managing and protecting Aboriginal cultural heritage.

Through the provision of this CHMP and associated work procedures, Worsley Alumina will ensure the provision of relevant information and data in relation to Aboriginal cultural heritage, as well as clear processes to enable appropriate management of Aboriginal cultural heritage.

The following roles have direct responsibility for this CHMP:

- Vice President Operations (VPO) of Worsley Alumina; and
- Principal Heritage Advisor and Lead Corporate Affairs of Worsley Alumina.

Specific responsibilities and accountabilities are as follows:

VPO	<p>The VPO for Worsley Alumina has the overall accountability for ensuring that all aspects relating to the management of Aboriginal cultural heritage are properly executed and that there are no breaches of any company policy, legislation or regulations.</p> <p>The VPO must be kept abreast of all issues and activities regarding Aboriginal cultural heritage, consultation with Informants and any other aspect of Worsley Alumina's operations that may relate to impacts on Aboriginal cultural heritage.</p>
Lead Corporate Affairs	<p>The Lead Corporate Affairs is accountable for management of the relationship with:</p> <ul style="list-style-type: none"> • the Informants; • relevant Representative Bodies. <p>They are also responsible for providing regular briefings on Worsley Alumina's activities.</p>
Principal Heritage Advisor	<p>The Principal Heritage Advisor is accountable for providing technical advice, support and guidance to the VPO with regard to Aboriginal cultural heritage and native title matters.</p> <p>The Principal Heritage Advisor is accountable for management of the relationship with:</p> <ul style="list-style-type: none"> • the Department of Planning, Lands and Heritage (DPLH) and other government agencies for Aboriginal cultural heritage; <p>The Principal Heritage Advisor supports the Lead Corporate Affairs in the management of liaison with:</p> <ul style="list-style-type: none"> • the Informants; • relevant Representative Bodies; • with regular briefings on Worsley Alumina's activities.

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Worsley Alumina	<p>It is the responsibility of Worsley Alumina to ensure this CHMP and associated work procedures are properly implemented across its operations so that potential risks of impact to Aboriginal cultural heritage are properly managed and mitigated.</p> <p>Worsley Alumina must provide all relevant personnel, contractors and subcontractors with this CHMP and associated work procedures, as well as details of the location and extent of all known Aboriginal cultural heritage prior to ground disturbing activities being conducted and will set up contractual structures to ensure that all personnel, contractors and subcontractors act in accordance with these documents.</p> <p>Worsley Alumina is also responsible for ensuring appropriate training needs are identified with regards to protection of Aboriginal cultural heritage and to provide training to relevant personnel or teams to mitigate the risk of impact to Aboriginal cultural heritage sites. Worsley Alumina must also consider provision of appropriate cultural awareness training for personnel, contractors or subcontractors undertaking key or supporting engagement roles.</p>
Personnel, Contractors and Subcontractors	<p>Prior to commencing work at Worsley Alumina sites, all personnel, contractors and subcontractors must undergo an induction to ensure they are aware of their responsibilities under an Aboriginal cultural heritage and awareness induction to ensure that they are aware of their responsibilities under:</p> <ul style="list-style-type: none"> • the <i>Aboriginal Heritage Act</i> (WA) and the <i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984</i> (Cth) (and any amendment or replacement of such legislation); • regulations and guidelines; • international laws and standards; • Worsley Alumina company policy, and • Worsley Alumina procedures to mitigate risks of impact to Aboriginal cultural heritage. <p>Roles and activities that require personnel, contractors or subcontractors to undertake ground disturbing activities will be incorporated into a training needs analysis to determine if further specific training is required to ensure a thorough understanding is provided to mitigate the risk of impact to Aboriginal cultural heritage. This includes procedures that:</p> <ul style="list-style-type: none"> • ensure that relevant approvals are in place prior to ground disturbing activities being undertaken; • ensure any Aboriginal Sites or Objects identified on Worsley Alumina land are: <ul style="list-style-type: none"> ○ not accessed by any personnel or machinery; and ○ not impacted without proper approvals; • ensure that Aboriginal cultural heritage values are respected; and • ensure the role and processes for working with Heritage Monitors and Cultural Monitors are understood and respected.
Informants	<p>Wilman People (and others) will be encouraged to work with Worsley Alumina to assist Worsley Alumina in meeting its obligations under this CHMP. Specifically, the representatives involved in activities defined in this CHMP or associated activities must comply with all Worsley Alumina plans, procedures, specifications and instructions as provided to them by Worsley Alumina and all applicable regulatory requirements as required by relevant legislation, standards or codes of practice. Informants will be responsible for ensuring their members comply with Worsley Alumina's occupational health and safety and regulatory requirements.</p>

1.2 CONTACT DETAILS

For further information relating to any information contained within this CHMP, please contact:

Principal Heritage Advisor or Lead Corporate Affairs

PO Box 344, Collie, WA 6225

Telephone: +61 8 9734 8311 or 1800 555 958

Email: worsleycommunity@south32.net

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2 BACKGROUND, PURPOSE AND SCOPE

2.1 BACKGROUND

Worsley Alumina's operations are located on the Darling Plateau, which forms the south-western margin of the Great Plateau of Western Australia (see Figure 1). The operations consist of bauxite mining and alumina refining activities with supporting infrastructure.

The Boddington Bauxite Mine administration office is located 15 km from the Boddington town site in the Hotham River Catchment. Mining operations currently take place within the Primary Bauxite Area on both state forest and private property on the eastern edge of the Darling Range in and surrounding the Saddleback and Marradong Timber Reserves.

Crushed bauxite is transported 51 km by a two-flight cable belt conveyor system from Boddington Bauxite Mine to the Worsley Alumina refinery approximately 20 km north-west of Collie. Raw materials and products are transported by rail and shipped through the Port of Bunbury, 45 km to the south west.

Worsley Alumina currently operates in accordance with environmental approval instruments Ministerial Statement (MS) 719, MS751 and EPBC Approval 2004/1566.

As at October 2021, Worsley Alumina is in the process of finalising a referral under section 38 of the Environmental Protection Act 1986 (WA) to extend its current mining operations. Aboriginal cultural heritage has been identified as a key factor for consideration in the Public Environmental Review for the proposal.

2.2 INTENT

The intent of this CHMP is to provide Worsley Alumina with a clear framework for managing Aboriginal cultural heritage risks in its operations in consultation with relevant Informants and in accordance with the requirements of applicable legislation, regulations, guidelines and international standards.

2.3 RESULTS/BENEFITS

Outcomes of this CHMP and associated work procedures will provide the following results/benefits:

- ensure that Aboriginal cultural heritage management strategies are compliant with statutory requirements of the relevant regulatory framework (see Schedule 1) along with any applicable Heritage Agreement/s;
- provide a strategic approach to the management of Aboriginal cultural heritage located within the Worsley Alumina operating areas, including:
- providing a clear overview of roles and responsibilities for stakeholders, including Worsley Alumina, relevant Representative Bodies, and relevant Informants;
- setting out procedures and processes for initiating Aboriginal cultural heritage assessments, managing ground disturbing activities, and undertaking salvage of Aboriginal cultural heritage as may be required;
- recording and summarising areas where previous heritage surveys have been conducted and the location and description of Aboriginal sites and objects contained within Worsley Alumina's operational footprint; and
- providing guidance on procedures and protocols relating to the engagement of the Informants to assist with and provide input to the management of Aboriginal cultural heritage.

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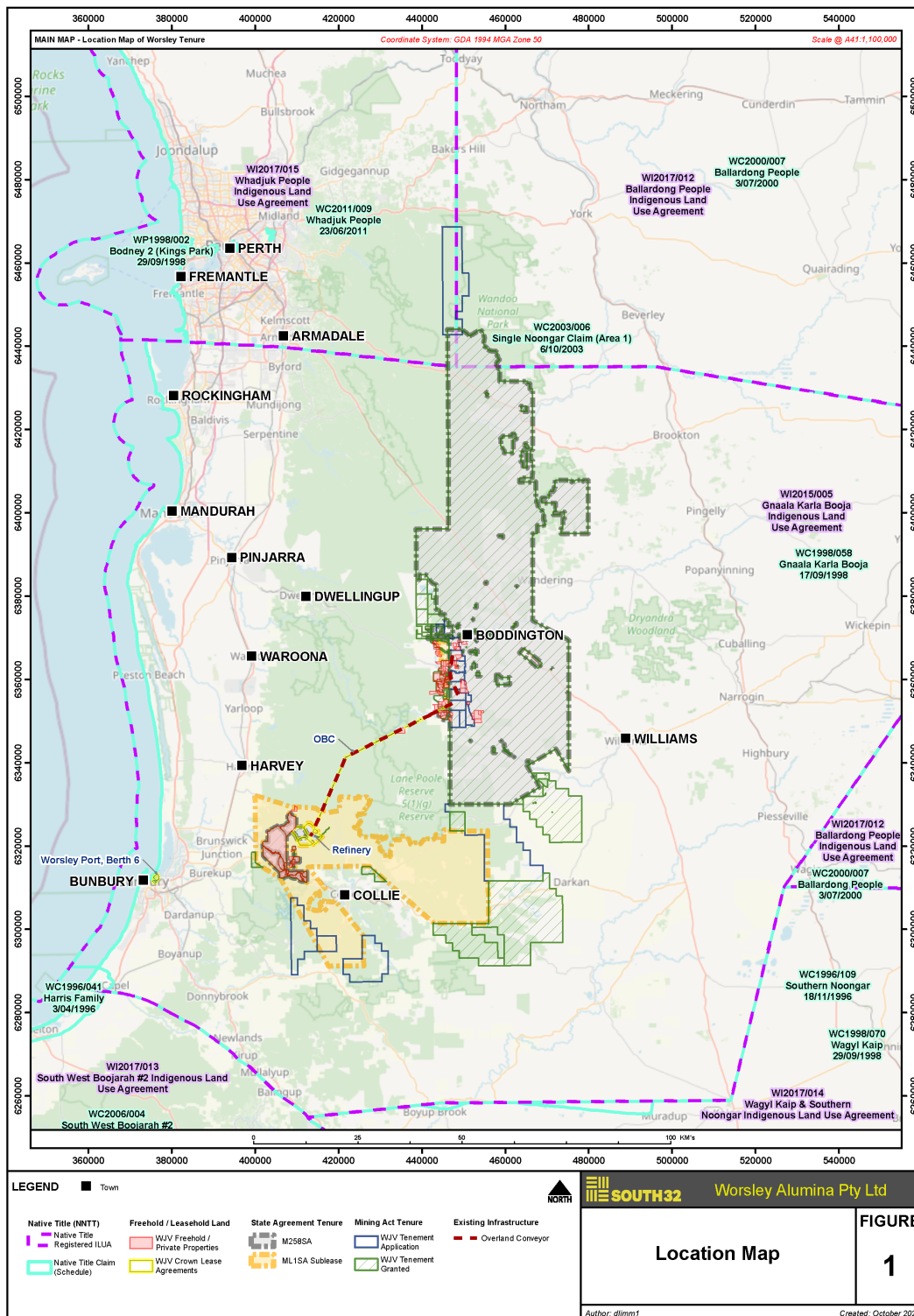


Figure 1 Location of the South32 Cultural Heritage Management Plan Area

Deployed XX XXX XXXX
Revalidate XX XXX XXXX
Author Katrina Naylor

Owner Manager HSERT
WAPL Business Blueprint
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2.4 TARGETS

It is a target of this CHMP and associated work procedures that Worsley Alumina will assess and manage Aboriginal cultural heritage in consultation with the appropriate Informants and, where possible, to avoid adverse impacts to Aboriginal cultural heritage or where avoidance is not possible, to mitigate, minimise and manage impacts to Aboriginal cultural heritage.

2.5 SCOPE

The scope of this document includes the whole Worsley Alumina operation, including exploration, mining, bauxite refining and port activities.

3 NATIVE TITLE IN WORSLEY ALUMINA OPERATING AREA

3.1 OVERVIEW

Worsley Alumina's operations fall within the area of the three native title claims, being the Gnaala Karla Booja (GKB) native title claim, the Ballardong People native title claim and the Whadjuk People native title claim (see details in Figure 1). The GKB, Ballardong People and Whadjuk People are each party to the South West Native Title Settlement, the terms of which are captured in separate Indigenous Land Use Agreements (ILUAs) entered into between each of the NTCGs and the State of Western Australia.

The South West Native Title Settlement is the most comprehensive native title agreement negotiated in Australian history and comprises of the full and final resolution of all native title claims in the South West of Western Australia in exchange for a settlement package. It is designed to:

- provide the Noongar people with:
 - long-term benefits; and
 - options for developing Noongar interests including opportunities for the WA Government and Industry to work in partnership with the Noongar people to improve economic, social and cultural outcomes for the Noongar community; and
- resolve native title and remove all 'future act' obligations across the south west for the WA Government and land users.

A fundamental component of the South West Native Title Settlement is the recognition of the Noongar people as the traditional owners of the south-west region of Western Australia. As traditional owners of the land on which Worsley Alumina operates, these people have the right to determine heritage protection and management in the area.

Table 1 Representative Body contact details for relevant NTCG

	Gnaala Karla Booja WC1998/058	Ballardong People WC2000/007	Whadjuk People WC2011/009
Applicants	<ul style="list-style-type: none"> Mr Franklyn Nannup, Mr Derrick Smith, Mr Harry Narkle, Mr Joseph Northover, Mr Joseph Walley, Mr Mervyn Abraham, Mr Peter Michael, Ms Barbara Corbett-Stammner Ms Lorraine Bellotti 	<ul style="list-style-type: none"> Reg Yarran (Jnr) Murray Yarran Fay Slater Carol Holmes Reg Hayden Allan Jones Winnie McHenry Doug Nelson 	NTC applicants: <ul style="list-style-type: none"> Clive Davis Noel Morich Nigel Wilkes Trevor Nettle Dianne Wynne
Current Representative Body	South West Aboriginal Land & Sea Council (SWALSC) Lv 2, 100 Royal Street EAST PERTH WA 6004 Ph. (08) 9358 7400		

3.2 SOUTH WEST NATIVE TITLE SETTLEMENT TRANSITIONAL ARRANGEMENTS

The South West Native Title Settlement ILUAs were conclusively registered on 27 January 2021 and commencement of the Settlement occurred on 25 February 2021. Each of the agreement groups, facilitated by SWALSC, are currently working on the establishment of regional corporations to act as the representative bodies for each of the groups which are expected to be established in 2022.

The regional corporations will be a key conduit for engagement with a range of relevant stakeholders including government, non-government and the private sector.

3.3 STAKEHOLDER CONSULTATION

Over the course of its operations, Worsley Alumina has undertaken consultation with the GKB NTCG Working Party regarding the identification and management of Aboriginal cultural heritage values associated with Worsley Alumina's operations, which to date have been primarily concentrated in the GKB NTC area. Recent consultations have included the development of this CHMP and associated work procedures as an agenda item at the following meetings:

- Thursday 4th March 2021;
- Thursday 3rd June 2021; and
- Tuesday 21 September 2021.

The intention of these consultations was to discuss and record the preferred practices of the Informants regarding the management of Aboriginal cultural heritage values associated with Worsley Alumina's operations in the GKB NTC area with the aim of avoiding or minimising impacts. Comments received from the Informants have been incorporated into this CHMP where reasonably practicable.

As Worsley Alumina's operations have been concentrated in the area of the GKB NTC to date, it has not yet actively engaged with the Ballardong and Whadjuk People. However, as its operations expand, it will seek to engage with the Ballardong and Whadjuk People on the terms of this CHMP.

4 ABORIGINAL CULTURAL HERITAGE PRINCIPLES

4.1 OVERVIEW

Worsley Alumina acknowledges and respects the cultural values, heritage, laws, lore and traditions of Aboriginal and Torres Strait Islanders of the lands and waters on which it operates and recognises that Aboriginal and Torres Strait Islanders have a distinct spiritual connection with landscapes, waterways and rivers and that their cultural values, traditions, lore and customs are an integral part of their identity which is passed down to future generations.

This CHMP provides a framework for the development of Worsley Alumina-specific strategies and work procedures for the management of Aboriginal cultural heritage and is particularly relevant where there is likelihood for:

- an Aboriginal Site or Object to be impacted by an activity;
- an activity is proposed that has potential to breach any company policy, legal obligation or international standard regarding Aboriginal cultural heritage;
- an activity is proposed that has potential to breach any Heritage Agreement commitments; and/or
- an activity is proposed that has potential to breach any recommendations from consultations with the NTCG that relate to Aboriginal cultural heritage management.

4.2 KEY MANAGEMENT OBJECTIVES

The *Aboriginal Heritage Act 1972* (AHA) protects all Aboriginal cultural heritage in Western Australia, whether or not registered with the Department of Planning Lands and Heritage (DPLH). This includes the preservation and protection of any:

- Site with cultural value to Aboriginal people (under section 5 of the AHA); or
- Object that is of significance to Aboriginal people (under section 5 & 6 of the AHA); or
- Places that have historical, anthropological, archaeological or ethnographic interest.

The DPLH recommends a precautionary approach be adopted where there is a risk that an Aboriginal site or object may be impacted by a proposed activity. In line with this, Worsley Alumina has adopted the following key management objectives:

Objective 1: Engage with Noongar People to identify Aboriginal sites and objects in areas where ground disturbing activities are proposed and assess risks and potential impacts;

Objective 2: Engage with Noongar People to implement strategies and procedures to mitigate, minimise and manage impacts to Aboriginal sites and objects. Worsley Alumina will work to obtain Free, Prior and Informed Consent from Noongar people for any unavoidable impacts to heritage values as a result of its operation, including ongoing engagement to mitigate the impact as much as possible; and

Objective 3: Ensure Worsley Alumina's Cultural Heritage Management Plan is properly implemented.

In line with these objectives, Worsley Alumina commits to certain processes and activities described in more detail in Table 2.

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Table 2 Key management objectives

Objective 1: Identification of Sites and Objects in areas where ground disturbing activities are proposed					
Ref#	Activity	Objective	Potential Impacts/Risks	Reporting/ Evidence	Responsibility
1.1	Archaeological and ethnographic Heritage Surveys conducted prior to any new ground disturbing activities	To identify Aboriginal Sites and Objects in areas where ground disturbing activities are proposed	Ground disturbing activities in unsurveyed areas may result in Aboriginal Sites and Objects of significance being impacted	Heritage Survey conducted prior to ground disturbing activities All ground disturbing activities are reviewed to ensure that Heritage Surveys have been completed prior to approval	Principal Heritage Advisor; Lead Corporate Affairs Principal Heritage Advisor; Lead Corporate Affairs; Applicable Department / Contractor Managers
1.2	Aboriginal Sites and Objects identified	To identify Aboriginal Sites and Objects in areas where ground disturbing activities are proposed	Ground disturbing activities in unsurveyed areas may result in Aboriginal Sites and Objects of significance being impacted	NTCG consulted to identify specific Sites and Objects with high cultural significance Relevant personnel are advised of location and boundary of Sites or Objects in the vicinity of proposed activities Boundary of specific restricted zone delineated and logged in LandAssist if required	Principal Heritage Advisor; Lead Corporate Affairs; Applicable Department / Contractor Managers
		To ensure Aboriginal cultural heritage values are not impacted, restricted places are not accessed by the wrong people and that propriety ritual is conducted where required	Sites and Objects with specific cultural values may be impacted and/or accessed without correct propriety ritual being conducted by NTCG Representatives	NTCG recommendations and management requests noted and properly implemented	
		Ensure that Worsley Alumina and the NTCG are in agreement on the location and boundaries of Sites and Objects	Risk that the proposed ground disturbing activity results in a breach of section 17 of the AHA	Boundary of specific restricted zone delineated and logged in LandAssist if required	
		Ensure that the relationship between Worsley Alumina and the NTCG is maintained	Risk that unauthorised impact to Sites and Objects will adversely affect	No unauthorised activity within places considered to be culturally significant to the NTCG	

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Objective 1: Identification of Sites and Objects in areas where ground disturbing activities are proposed

Ref#	Activity	Objective	Potential Impacts/Risks	Reporting/Evidence	Responsibility
		Facilitate a constructive working relationship between Worsley Alumina and the NTCG	relationships with the NTCG	NTCG engaged for ground disturbing activities where Site or Object is at risk	
1.3	Aboriginal cultural heritage survey data is added to Worsley Alumina's GIS database and LandAssist	Ensure that ground disturbing activities are not conducted in any area where a Site or Object will be impacted	<p>The location sites and objects are not assessed when ground disturbing activities are approved</p> <p>Sites and objects may be impacted without proper authorisation</p> <p>Risk that the proposed ground disturbing activity results in a breach of section 17 of the AHA</p> <p>Areas that have not been assessed by Aboriginal cultural heritage surveys are not included in the ground disturbing activities approval process</p>	<p>GIS database and LandAssist to be updated after each Aboriginal cultural heritage survey</p> <p>Monthly update of DPLH Register</p> <p>Annual audit of GIS and LandAssist data to ensure that it is up to date</p> <p>GIS database and LandAssist to be updated</p>	Principal Heritage Advisor; Worsley Alumina's GIS Coordinator

Objective 2: Implement strategies to manage or protect Aboriginal Sites and Objects

Ref#	Activity	Objective	Potential Impacts/Risks	Reporting/Evidence	Responsibility
2.1	Follow Management of Ground Disturbing Activities and Newly Identified Cultural Material Procedure to assess risks to Aboriginal cultural heritage prior to ground disturbing activities commencing	To identify Aboriginal Sites and Objects in area where ground disturbing activities are proposed	Ground disturbing activities in unsurveyed areas may result in Sites and Objects being impacted	Approved ground disturbing activities do not result in impact to any site or object without proper authorisation	Principal Heritage Advisor; Lead Corporate Affairs
2.2	Design and / or relocate any proposed ground disturbing activities away from areas where sites and objects have been identified to be at risk of being impacted unlawfully	To minimise unnecessary risk of impacts to Aboriginal Sites and Objects	Ground disturbing activities located near to Sites or Objects have a higher potential to cause impact	Proposed infrastructure or activities relocated away from Sites and Objects at risk	Site Manager; Principal Heritage Advisor; Lead Corporate Affairs

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Objective 2: Implement strategies to manage or protect Aboriginal Sites and Objects					
Ref#	Activity	Objective	Potential Impacts/Risks	Reporting/Evidence	Responsibility
2.3	Engage Heritage Monitors to oversee activities that have a likelihood to cause impact to any Aboriginal Site or Object of significance	Ensure that activities do not breach authorised ground disturbance boundary	Impact to a Site or Object without proper authorisation will result in breach of s17 and an offence under the AHA.	NTCG consulted to identify specific Sites and Objects with high cultural significance	Principal Heritage Advisor; Lead Corporate Affairs; Applicable Department / Contractor Managers
		Ensure that ground disturbing activities are not conducted in any area where a Site or Object will be impacted		Relevant personnel are advised of boundary of Sites or Objects in the vicinity of proposed activities	
		Ensure that ground disturbing activities do not result in a breach of section 17 of the <i>Aboriginal Heritage Act 1972</i>		Boundary of specific restricted zone delineated and logged in LandAssist if required	
		Ensure that Worsley Alumina and the NTCG are in agreement on the location and boundaries of Sites and Objects		Boundary of specific restricted zone delineated and logged in LandAssist if required	
		Facilitate a constructive working relationship between Worsley Alumina and the NTCG	Risk that impact to Site or Object will adversely affect Worsley Alumina's relationship with the NTCG	NTCG engaged for activities where Site or Object is at risk	
2.4	Ensure that management recommendations for specific Aboriginal Sites and Objects are implemented	To ensure that specific cultural values are not impacted	Sites and Objects with specific cultural values are not impacted or accessed without correct propriety ritual being conducted by NTCG Representatives	NTCG recommendations and management requests noted and properly implemented	Principal Heritage Advisor; Lead Corporate Affairs; Applicable Department / Contractor Managers
		To ensure that restricted places are not accessed by the wrong people	Sites and Objects with specific access restrictions have cultural ramifications if these protocols are breached		
		To ensure that propriety ritual can be conducted as necessary	Cultural ramifications may result if certain propriety ritual associated with certain Sites and Objects are not followed		

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Objective 2: Implement strategies to manage or protect Aboriginal Sites and Objects					
Ref#	Activity	Objective	Potential Impacts/Risks	Reporting/Evidence	Responsibility
2.5	Delineate boundaries of Aboriginal Sites and Objects where ground disturbing activities have a potential to cause impact	Ensure that risks associated with ground disturbing activities are assessed for potential to impact Sites and Objects	Ground disturbing activities in unsurveyed areas may result in Aboriginal Sites and Objects of significance being impacted	Ground disturbing activities include advice on the location and distance of proposed activities from Sites and Objects; Potential risks from activities are assessed and addressed	Principal Heritage Advisor; Lead Corporate Affairs; Applicable Department / Contractor Managers
		Ensure that personnel involved in ground disturbing activities are able to identify areas/boundaries that cannot be impacted		Signage, fencing and/or flagging	
				Site personnel working in the area are made aware of Site location and measures for protection	
2.6	Training provided to Worsley Alumina personnel and contractors to ensure that Management of Ground Disturbance Activities and Newly Identified Cultural Material Procedure will be followed	That personnel understand the Management of Ground Disturbance Activities and Newly Identified Cultural Material Procedure	Impact to a Site or Place without proper authorisation may result in breach of s17 and an offence under the AHA.	Training records	Worsley Training Team; Principal Heritage Advisor; Lead Corporate Affairs; Applicable Department / Contractor Managers
		To ensure that an offence under s17 of the <i>Aboriginal Heritage Act 1972</i> is not committed as a result of Worsley Alumina's activities		Incident Reports	
		That personnel do not enter Sites without proper authorisation		Area audited as per agreed auditing and inspection schedule	
2.7	s18 process as last resort for Aboriginal Sites or Objects that cannot be avoided	To ensure that an offence under s17 of the <i>Aboriginal Heritage Act 1972</i> is not committed as a result of Worsley Alumina's activities	Impact to a Site or Object without proper authorisation will result in breach of s17 and an offence under the AHA.	Ministerial Approval obtained prior to disturbance	Principal Heritage Advisor; Lead Corporate Affairs; VPO Informed

Objective 3: Ensure Worsley Alumina's Aboriginal Cultural Heritage Management Plan is implemented					
Ref#	Activity	Objective	Potential Impacts/Risks	Reporting/Evidence	Responsibility
3.1	Worsley Alumina has a robust system to manage Aboriginal cultural heritage, CHMPs and policies to support an effective	To ensure that procedures associated with the management of Sites and Objects can be consistently applied	Bit-piece processes and procedures that are not aligned and consistent in approach may result in compliance and	Procedures between different departments are integrated and support compliance	Worsley Alumina Senior Management; Principal Heritage Advisor; Lead Corporate Affairs

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Objective 3: Ensure Worsley Alumina's Aboriginal Cultural Heritage Management Plan is implemented					
Ref#	Activity	Objective	Potential Impacts/Risks	Reporting/Evidence	Responsibility
	and sustainable compliance function	across all Worsley Alumina operations areas	management systems not being followed	to company procedures	
			Aboriginal cultural heritage management systems should provide guidance to personnel on how to address and manage risks associated with impacting Sites and Objects	Development of CHMPs applicable to all Worsley Alumina operations areas	
		To be able to measure the effectiveness of management processes and procedures in relation to Aboriginal cultural heritage	Management systems that cannot be measured effectively risk being problematic to implement	Site specific Aboriginal cultural heritage management sub-plans are developed for each new area not covered in the scope of the existing CHMP	
3.2	Ground disturbing activities comply with Management of ground disturbing activities and Newly Identified Cultural Material Procedure	To assess whether ground disturbance procedures are effective in reducing impacts to Sites and Objects	Failure to follow ground disturbing procedures increases likelihood of Sites or Objects being impacted	Ground disturbing activities are being followed per ground disturbing activities procedures Approved ground disturbing activities do not result in impact to any Aboriginal Site or Object without proper authorisation	Principal Heritage Advisor; Lead Corporate Affairs; Applicable Department / Contractor Managers
3.3	Worsley Alumina's incident management procedures address and deter non-compliance with the CHMP	Heritage Incidents are objectively assessed, properly investigated and are reported appropriately To ensure that an offence under s17 of the <i>Aboriginal Heritage Act 1972</i> is not committed as a result of Worsley Alumina's activities That factors causing impact to a Site or Object are reviewed and properly addressed	Incidents and non-compliance with procedures relating to Aboriginal cultural heritage must be managed appropriately to ensure that an offence is not committed under the <i>Aboriginal Heritage Act 1972</i>	All heritage related incidents are managed appropriately Heritage Incidents are properly reported to all relevant external stakeholders such as DPLH and the Representative Body Heritage Incidents are managed appropriately	Principal Heritage Advisor; Lead Corporate Affairs; Applicable Department / Contractor Managers

5 PROTECTION OF ABORIGINAL CULTURAL HERITAGE

5.1 ACKNOWLEDGEMENT OF ABORIGINAL CULTURAL HERITAGE VALUES IN AREA

Worsley Alumina operations are located within the boundaries of the GKB, Ballardong and Whadjuk NTC and in an area with significant cultural value. A high-level overview of Aboriginal cultural heritage identified in the area of Worsley Alumina's operations, along with a list of reports and surveys conducted to date is set out at Schedule 2. Full details can be found in LandAssist.

5.2 TRAINING AND INDUCTIONS

Training and induction programs facilitate the understanding personnel have of their responsibilities and increase their awareness of the management and protection measures required to reduce potential impacts on Aboriginal cultural heritage.

Worsley Alumina will ensure that, based on a training needs analysis, all relevant personnel (including employees, contractors and subcontractors) engaged in Worsley Alumina operations undergo Aboriginal cultural heritage induction and training relevant to their role, developed with the assistance of the relevant NTCG.

The induction program may cover matters including:

- cultural awareness;
- types of Aboriginal cultural heritage sites and guides on how to identify them;
- the significance of Aboriginal cultural heritage values within Worsley Alumina's operations area;
- obligations under the CHMP and associated work procedures, including:
 - responsibilities regarding the protection and management of Aboriginal cultural heritage;
 - procedures for reporting new Aboriginal cultural heritage Sites and Objects; and
 - procedures for escalation of incidents and issues;
- relevant obligations under the regulatory framework, including the AHA, as well as international standards for engagement with Indigenous peoples; and
- Worsley Alumina's internal requirements relating to managing ground disturbing activities in line with the expectations and agreement with the relevant Informants.

5.3 RECORDING ABORIGINAL CULTURAL HERITAGE

The DPLH maintains the Register as a record of Sites, Places and Objects of significance to which the AHA applies with restrictions placed on what can be done to the land where Aboriginal Sites or Objects are present. Under section 15 of the AHA, any person who has knowledge of any thing or place to which the AHA applies or might reasonably be suspected to apply also has an obligation to report it to the Registrar.

The Register categorises places reported to be of importance and significance to Aboriginal people into separate categories as follows:

Registered Sites

Registered sites have been assessed by the ACMC as meeting the definition of section 5 of the AHA and are fully protected under the law.

Impacts to land that contains a registered 'Site' requires a section 18 Notice should Worsley Alumina wish to use the land that contain these sites.

Other Heritage Places (Lodged)

'Other Heritage Places' is the second category of places contained upon the Aboriginal Sites and Places Register.

Other Heritage Place (Stored Data / Not a Site)

These types of places include reported places 'Lodged' and awaiting ACMC assessment, and places where the information has been assessed but there is 'Insufficient information' to make a final determination under section 5 of the AHA but there is enough information to warrant these places temporary protection in law.

Impacts to land that contains 'Other Heritage Place' that is 'Lodged' requires a section 18 Notice should Worsley Alumina wish to use the land that contain these places.

Within the category of 'Other Heritage Places' the final category is 'Stored Data.' Such places have been assessed by the ACMC but fail to meet the definition of section 5 of the AHA. Places in this category are not sites under the AHA and are not protected in law.

Land users have no further legal requirements for such places should they wish to use the land unless further information is reported which would lead to such a place being reassessed as a site in terms of the definition of section 5 of the AHA.

Details of all currently known Sites and Objects have been logged by Worsley Alumina in LandAssist. Worsley Alumina will ensure that all newly-identified Aboriginal cultural heritage identified in the course of its operations is promptly recorded in sufficient detail in LandAssist to assist in subsequent management decisions and reported to the Register as required.

5.4 GROUND DISTURBING ACTIVITIES AND HERITAGE SURVEYS

5.4.1 Overview

Under section 17 of the AHA, a person who excavates, destroys, damages, conceals or in any way alters any Aboriginal Site or Object commits an offence, unless he or she acts with the authorisation of the Registrar under section 16 or the consent of the Minister under section 18.

All land users who wish to use land for a purpose which might contravene section 17 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 or Object. Due diligence may involve one or more of the following:

- assessing the landscape where an activity is to take place;
- assessing the proposed activity and the potential impact on the landscape;
- searching the Register;
- consulting with the relevant Aboriginal people / Informants;
- agreeing to an Aboriginal cultural heritage survey; or
- other Aboriginal cultural heritage management strategies.

If at any time, it is likely that proposed activities will in any way impact on a registered Aboriginal Site or Object then the activity should cease immediately and the land user should contact DPLH and the relevant Representative Body if consent under section 16 of 18 has not been granted to impact the site.

Sites identified at Worsley Alumina as requiring protection are managed as protected areas in accordance with the existing Protected Area Procedure (01013619).

5.4.2 Worsley Alumina Ground Disturbance Management Processes

Worsley Alumina has implemented ground disturbance management work procedures and processes for a number of reasons, including a statutory requirement under the AHA to ensure that Aboriginal Sites and Objects are not impacted.

As a part of its processes, Worsley Alumina has undertaken a number of previous Aboriginal cultural heritage surveys by Heritage Professionals and the GKB in respect of ground disturbing activities for various stages of Worsley Alumina's operations. When planning ground disturbing activities, previous reports should be considered as a first step to determining any further or additional

heritage management and assessment requirements. Where the ground disturbing activities the subject of previous surveys change, surveys should be revisited and updated and the relevant NTCG should be briefed.

In addition, Worsley Alumina also requires processes in place to ensure that all other statutory approvals have been obtained for all areas where ground disturbing activities are undertaken that have been surveyed.

As such, the recommendations detailed in any reports or assessments should be clearly understood and implemented during the early planning for activities to ensure enough lead time to obtain necessary approvals and to implement conditions from consents once given. A minimum six to twelve month period should be allowed for such process.

5.5 HERITAGE SURVEYS

5.5.1 General

In line with the Managing Ground Disturbing Activities and Newly Identified Cultural Material Procedure (200000496) and Heritage Surveys Procedure (200000497), prior to undertaking ground disturbing activities, Worsley Alumina must ensure that the relevant area has been appropriately surveyed for Aboriginal cultural heritage. If the area to be developed has not been previously assessed or the assessment is dated (i.e. each area will need to be assessed based on its time since survey, previously discovered matters and in consultation with informants to determine if it is considered dated), or incomplete, then a new Aboriginal cultural heritage survey must be undertaken before any ground disturbing activities are undertaken.

Industry standard generally contemplates two stages of survey, namely an inspection of the land by a team of archaeologists accompanied by Informant assistants, followed by a follow-up inspection by the ethnographic team, usually comprised of an anthropologist and senior Representatives from the relevant Informants and, if approved by the relevant Informants, the VPO, the Principal Heritage Advisor and/or the Lead Corporate Affairs.

5.5.2 Heritage Agreements

Worsley Alumina is bound to comply with its obligations under any Heritage Agreement which it has entered into in respect of specific processes for Aboriginal cultural heritage surveys.

As a key part of the South West Native Title Settlement, a standardised NSHA was developed to streamline heritage processes within the South West Native title area and is broadly endorsed by the DPLH as due process in regard to heritage matters in the South West settlement area. It includes a framework for addressing Aboriginal cultural heritage management obligations, and the conduct of Aboriginal cultural heritage surveys, where required, facilitating compliance with the AHA and *Aboriginal Heritage Regulations 1974* where a planned land-use activity may impact an Aboriginal Site or Object.

To date, Worsley Alumina:

- has entered into a Noongar Alternative Heritage Agreement (NAHA) (on substantially similar terms to the Noongar Standard Heritage Agreement (NSHA)) with SWALSC for and on behalf of the GKB NTCG in respect of the following tenements:
 - E70/3302;
 - E70/3304;
 - E70/3305;
 - E70/3306;
 - E70/3307;
 - E70/3456;
 - E70/3457;
 - L70/211; and
- Has entered into a NSHA with SWALSC for and on behalf of the GKB Agreement Group in respect of the following tenements:

- L70/223 and
- L70/210
- is proposing to enter into a whole of project Heritage Agreement with SWALSC for and on behalf of the GKB NTCG substantially on the same terms as the NAHA in respect of that part of its operations which fall within the boundaries of the GKB native title claim.

Although these agreements have been or will be entered into with SWALSC on behalf of the GKB NTCG, the agreements require SWALSC to assign its rights under the agreement to a regional corporation if the regional corporation is appointed by the Noongar Boodja Trustee as the regional corporation for land and waters including land and waters within the agreement area.

Should Worsley Alumina seek any additional tenure in areas subject to the Ballardong People and Whadjuk People's native title claims, it will be required to enter into similar heritage agreements.

5.6 CARRYING OUT OF GROUND DISTURBING ACTIVITIES

Following appropriate surveying and before any ground disturbing activities begin near a registered Site, the Site must be identified and flagged in accordance with the Managing Ground Disturbing Activities and Newly Identified Cultural Material Procedure (200000496) and the Protected Areas Procedure (01013619).

Protecting a registered Site may include erecting temporary barriers or fences on advice from a Worsley Alumina representative. Access to registered Sites will be restricted to essential personnel and contractors to ensure avoidance of Sites during activities.

5.7 ENGAGEMENT OF ABORIGINAL CULTURAL HERITAGE MONITORS

Worsley Alumina is committed to the engagement of appropriately skilled and certified Aboriginal Cultural Heritage Monitors as one aspect of its broader Aboriginal cultural heritage risk management strategy.

In line with DPLH Heritage Monitoring Guidelines and cultural monitor agreement, Worsley Alumina will engage up to two Heritage Monitors for any ground disturbing activities where:

- ground is being disturbed for the first time; and
- where there is risk that previously unidentified cultural values may be unearthed or impacted by these ground disturbing activities.

In addition to the above, where a review of the Aboriginal cultural heritage landscape has identified ethnographic sites where Cultural Rituals will also be required, Worsley Alumina will engage:

- two Cultural Monitors to conduct rituals and to supervise all works that:
 - alter or disturb ground for the first time within ethnographic sites such as Mokine Hill; or
 - are likely to impact the riparian zone and waters within ethnographic sites such as the Hotham River; and
- two appropriately skilled and certified archaeological monitors for works where:
 - ground disturbance occurs where artefact sites are located; or
 - in the opinion of a Heritage Professional, previously unidentified cultural material has a likelihood of being found.

Aboriginal Cultural Heritage Monitors responsibilities include:

- conducting of rituals to mitigate potential impacts that proposed ground disturbing activities may cause
- identifying archaeological material that may be unearthed in areas as a result of ground disturbing activities;
- providing Aboriginal cultural heritage advice whilst ground disturbing activities are underway;
- overseeing initial ground disturbing activities in areas where impact to Aboriginal Cultural Heritage Sites may potentially occur;
- relocating Objects that are likely to be impacted by Worsley Alumina's operating activities where DPLH approvals are in place or where no approvals are required.

Regard should be had to the Aboriginal Heritage Monitoring Procedure (200000488) in respect of the engagement of Heritage Monitors.

5.8 INADVERTENT DISCOVERIES

Due to the dynamic nature of the landscape, which is constantly changing as a result of erosion, flooding and operations related ground disturbance, there is always a likelihood that newly identified material may be found. If surface or buried Aboriginal cultural heritage material or material suspected of having Aboriginal cultural heritage value is uncovered, the Management of Ground Disturbing Activities and Newly Identified Cultural Material Procedure (200000496) must be followed.

Should human remains be found within Worsley Alumina's operations, the Managing Finds of Skeletal Material Procedure (200000492) must be followed.

5.9 HERITAGE INCIDENTS

If Worsley Alumina personnel, contractors, sub-contractors or Informants (including Heritage Monitors) cause impact to, or become aware of impact caused by Worsley Alumina's activities, to any Aboriginal Site or Place, the Managing Heritage Incidents Procedure (200000493) must be followed.

5.10 IMPACTS TO AND SALVAGE OF CULTURAL MATERIAL

5.10.1 Overview

The AHA provides for certain processes which provide consent to a land user to undertake acts which are otherwise prohibited under section 17, including:

- under section 16 of the AHA, a person can apply to the Registrar for authorisation to enter upon and excavate an Aboriginal Site or to examine or remove anything on an Aboriginal Site; and
- under section 18, an 'owner of land' (which includes a tenement holder), may apply for ministerial consent to use land in a way which may impact on an Aboriginal Site via a section 18 Notice.

Consent may also be given by the Registrar under regulation 10 of the *Aboriginal Heritage Regulations 1974* (WA) for emergency works or works that are unlikely to alter heritage values of an Aboriginal Site. If Worsley Alumina wish to undertake activities within a Protected Area or Aboriginal site and that those activities are unlikely to alter the cultural values of that Site, then application should be made in writing to the Registrar requesting that consent under Regulation 10 is issued.

5.10.2 Salvage of Objects

For instances where Worsley Alumina has obtained consent from the Minister under s 18 of the AHA or authorisation from the Registrar under s 16 of the AHA, salvage of Objects may be undertaken in accordance with the conditions of any such consent and based on a methodology developed by a qualified archaeologist in consultation with the relevant Informants and in accordance with the Salvage of Cultural Material Procedure (200000490).

To obtain authorisation from the Registrar under section 16, a completed application form and detailed project plan must be submitted to the Registrar. The process for obtaining consent under s 18 is outlined in section 5.15.

5.11 IMPACTS TO SITES

Where Sites or impact to Sites cannot be avoided, the process for submitting a section 18 Notice is set out below. However, Worsley Alumina acknowledges the current reform landscape in respect of the AHA and the section 18 Notices process.

- The VPO determines that an area of land is required for a specific purpose that requires full use of the Land;
- Worsley Alumina to notify the relevant Representative Body in accordance with any applicable Heritage Agreement;

- following consultation with the relevant Informants, Worsley Alumina to provide the Representative Body with formal notification about the proposed section 18 Notice;
- Worsley Alumina submits the section 18 Notice to the DPLH with required information, including Aboriginal cultural heritage survey reports and any other supporting information;
- DPLH will provide the relevant Representative Body with a formal notification that a section 18 notice has been lodged;
- DPLH will provide any site informants listed to be associated with the Aboriginal Site proposed to be impacted with a formal notification that a section 18 Notice has been lodged;
- 1 – 2 months following the submission, the section 18 Notice is assessed by the ACMC who ensure that they have:
 - identified all Sites on the land;
 - determined the significance of those Sites; and
 - documented the effects upon this significance;
- the ACMC then makes a recommendation to the Minister;
- within 30 days of the ACMC meeting, the Minister makes a decision and provides Ministerial Consent for (or not) Worsley Alumina to use the Land for the specific purpose, subject to certain conditions;
- Worsley Alumina to implement any conditional actions outlined in the Minister's letter of consent to use the land; and
- Worsley Alumina to coordinate salvage and/or mitigation as required and report back to DPLH and the Representative Body at the end of the activity or purpose for which consent was granted.

Prior to submitting any such notice, Worsley Alumina will work to obtain the free, prior and informed consent of the impacted Aboriginal people

The section 18 process generally takes 6 – 9 months to secure full land access, from the initial recording stage to the final alteration of Sites.

To date, Worsley Alumina has obtained three section 18 consents to impact registered Aboriginal Sites, details of which are set out in Schedule 3.

6 ENGAGEMENT

6.1 OVERVIEW

Worsley Alumina recognises the importance of building mutually beneficial relationships with Traditional Owners. The operation engages regularly with the GKB NTCG and other stakeholders to discuss Aboriginal cultural heritage management and a range of other matters important to Aboriginal people. Through its community investment program, Worsley Alumina will look to invest in initiatives that help develop Aboriginal people and communities, and protect Aboriginal cultural heritage.

6.2 CULTURAL AWARENESS

Worsley Alumina is committed to working with Informants to facilitate programs that increase awareness of cultural values associated with the Worsley Alumina's operational area.

Worsley Alumina will seek to provide training to all Worsley Alumina personnel, contractors and subcontractors (based on a training needs analysis) to increase their cultural awareness as well as their understanding of Aboriginal cultural heritage. Where possible, such training will be developed in partnership with relevant Aboriginal people / Informants.

In respect of the GKB native title claim boundary, Worsley Alumina has established memorial plaques at the main administration building as well as at the top of Mokine Hill acknowledging the significance of the area to Traditional Owners.

Additional cultural awareness projects will be developed as Worsley Alumina operations progress and will include the delivery of cultural awareness training programs presented by the relevant NTCG Representatives.

6.3 EMPLOYMENT AND CONTRACTING

In respect of employment and contracting, Worsley Alumina has committed to:

- the engagement of Informants as Heritage Monitors in accordance with the DPLH, Guidelines for the Engagement of Heritage Monitors and Cultural Monitors; and
- Worsley Alumina has developed an indigenous Participation Plan which is primarily focused on developing employment and procurement opportunities for Aboriginal people and business.

The engagement of local Noongar people is one approach in terms of relationship building but also presents an opportunity in the diffusion of respect and awareness of Aboriginal people's values for the land throughout the workforce. An outcome of direct engagement will minimise the risk of accidental Heritage Incidents through informal awareness of heritage values.

7 GRIEVANCE MECHANISM

Worsley Alumina will make available and regularly review, our community complaints and other "Speak Up" processes so that NTCG know, trust and can use them to provide feedback, complaints or concerns. In no circumstances will Worsley Alumina restrict an individual from speaking out about Aboriginal cultural heritage. Access to the South32 "Speak Up" Policy (South32's global "whistleblower policy") is available via the South32 website ([South32 - Speak Up Policy](#)).

8 AUDITING, REPORTING AND REVIEW

8.1 AUDITING

Auditing of this CHMP and associated procedures will be incorporated into the Worsley audit schedule. Audits on approvals documentation will be undertaken annually at a minimum and this will be reported within the internal and external reporting mechanisms as required. During annual reviews of the CHMP, an audit will be undertaken on the effectiveness and will incorporate Traditional Owner Input.

8.2 REPORTING

Formal reporting to South32 corporate and within Worsley Alumina is being designed and is expected to require monthly internal report with collection of company wide information to be reported within the South32 Annual reporting suite.

8.3 REVIEW OF THIS CHMP

Worsley Alumina is committed to conducting activities in a responsible manner and aims to implement best practice management of Aboriginal cultural heritage. This commitment means Worsley Alumina will review this CHMP annually and more often as required.

Reviews will address matters such as the overall design and effectiveness of the CHMP and associated work procedures, progress in performance expectations, changes in risks, changes in business conditions, and any relevant emerging issues.

9 DEFINITIONS, TERMS AND ABBREVIATIONS

Term	Description
Aboriginal Cultural Heritage	means the tangible and intangible elements that are important to the Aboriginal people of the State, and are recognised through social, spiritual, historical, scientific or aesthetic values, as part of Aboriginal tradition and includes the following: <ul style="list-style-type: none"> (i) an area (an Aboriginal place) in which tangible elements of Aboriginal cultural heritage are present; (ii) an object (an Aboriginal object) that is a tangible element of Aboriginal cultural heritage; (iii) a group of areas (a cultural landscape) interconnected through tangible or intangible elements of Aboriginal cultural heritage; (iv) the bodily remains of a deceased Aboriginal person (Aboriginal ancestral remains), other than remains that are buried in a cemetery where non-Aboriginal persons are also buried or remains that have been dealt with or are to be dealt with under a law of the State relating to the burial of the bodies of deceased persons
Aboriginal Heritage Monitor or Heritage Monitor	means a person who undertakes monitoring of activities related to Worsley Alumina's operations.
ACMC	means the Aboriginal Cultural Material Committee.
Activity Notice	has the meaning in the applicable Heritage Agreement.
AHA	means the Aboriginal Heritage Act 1972 (WA).
Anthropologist	means a duly qualified independent consultant anthropologist engaged to conduct a Heritage Survey or provide specialist advice relating to cultural anthropology.
Archaeologist	means a duly qualified independent archaeologist engaged to conduct a Heritage Survey or provide specialist advice relating to cultural archaeology.
CHMP	Cultural Heritage Management Plan sometimes also referred to as an Aboriginal Heritage Management Plan.
Cultural Monitor	means persons appointed to conduct rituals and oversee spiritual matters within the relevant area.
DPLH	means the Department of Planning, Lands and Heritage.
GKB	means the Gnaala Karla Booja (native title claim WC1998/058).
GKB NTC Working Group	means the working group of members of the GKB nominated from time to time.
Ground Disturbing Activities	means any activity proposed to be done by Worsley Alumina in Worsley Alumina operating areas that is not a Minimal Impact Activity.

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Term	Description
Heritage Agreement	means a heritage agreement entered into between Worsley Alumina as agent for the Worsley Alumina Joint Venture and a NTCG and includes: (a) any NAHA; (b) any NSHA; and (c) the proposed heritage agreement to be entered into with SWALSC as agent for and on behalf of the GKB NTCG.
Heritage Incident	refers to a situation where an Aboriginal Site or Object has been impacted by Worsley Alumina's activities.
Heritage Professional	means either an archaeologist or anthropologist brought in to assess and provide advice on newly identified cultural material.
Heritage Survey	means a survey carried out in accordance with the AHA, the <i>Guidelines for Aboriginal Heritage Assessment in Western Australia 1994</i> (as amended from time to time) and any Heritage Agreement (as applicable).
ID	refers to a discrete identification reference number for DPLH reports, Sites and Places included on Register.
ILUA	means Indigenous Land Use Agreement.
Informant	Knowledge holders / Aboriginal persons who are custodians of the land in which Worsley operates
Minimal Impact Activity	means any activity proposed to be done by Worsley Alumina in Worsley Alumina operating areas that involves minimal or no ground disturbance, including: (a) walking, photography, filming; (b) aerial surveying and magnetic surveys; (c) use of existing tracks and water courses; (d) environmental monitoring; (e) water and soils sampling; (f) fossicking using hand held instruments; (g) spatial measurement; (h) scientific research, using hand held tools; (i) cultivation and grazing in previously cultivated/grazed areas; (j) maintenance of existing paths, walls, fences, roads, tracks, bridges, public infrastructure (e.g. electrical, water, sewage) and community utilities within the existing footprint and adjacent service areas; (k) feral animal eradication, weed, vermin and pest control, vegetation control and fire prevention; but excluding construction of fences, infrastructure and clearing of native vegetation; and (l) light vehicular access and camping using existing tracks and involving no clearance of vegetation.
Minister	unless specified to be another, refers to the Minister for Aboriginal Affairs
NTCG	means a Native Title Claim Group that has been registered under the <i>Native Title Act 1993 (Cth)</i> by the National Native Title Tribunal in respect of an area of land and waters.
NAHA	means a Noongar Alternative Heritage Agreement.
NSHA	means the Noongar Standard Heritage Agreement.
NTC	means the Native Title Claimants of a NTCG.
Object	means objects to which the AHA applies by operation of section 6 of the AHA, including objects that are not on the Register.

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Term	Description
Place or Aboriginal Place	means an Aboriginal place described in section 5 of the AHA, including places that are not in the Register.
Register	means the "Register of Aboriginal Sites" also referred to as the "Register of Aboriginal Places and Objects" maintained by the DPLH.
Registrar	means the Registrar of Sites.
Representative or Representatives	shall mean such member or members of the NTCG that had been identified by the NTC, each of whom shall have traditional knowledge, rights and interests in accordance with the laws and customs of the Native Title Party who has authority to speak for a particular area within the Survey Area for which a Heritage Survey is required.
Representative Body	means the relevant representative body or regional corporation for the relevant NTCG, which as at the date of this CHMP for each of the GKB, Ballardong People and Whadjuk People NTCG is SWALSC.
Section 18 Notice	means a notice provided to the Minister for Aboriginal Heritage under section 18 of the AHA, requesting permission to excavate, destroy, damage or alter an Aboriginal site.
Site Avoidance Survey	means a Heritage Survey conducted by a survey team over a Survey Area which broadly defines the boundaries of Aboriginal Sites or areas that contain Aboriginal Sites.
Site Identification Survey	means a Heritage Survey conducted by a survey team over a Survey Area which establishes of exact locations, detailed documentation, description and spatial extent of Aboriginal Sites within the Survey Area.
Site or Aboriginal Site	means a Place to which the AHA applies by operation of s 5 of the AHA, including sites that are not in the Register or a "significant Aboriginal area" as defined in the <i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984</i> .
SLK	Straight Line Kilometre
Survey Area	means the area specified in respect of which a Heritage Survey is to be conducted.
SWALSC	means the South West Aboriginal Land and Sea Council.
Worsley Alumina	means South32 Worsley Alumina Pty Ltd.

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10 REFERENCES

20000498	Aboriginal Heritage Monitoring Procedure
20000497	Aboriginal Heritage Surveys Procedure
200000490	Salvage of Cultural Material Procedure
200000496	Management of Ground Disturbing Activities and Newly Identified Cultural Material Procedure
200000492	Managing Finds of Skeletal Material Procedure
200000493	Managing Aboriginal Heritage Incidents Procedure
01013619	Protected Area Procedure
Speak Up Policy	South32 Code of Business Conduct (Speak Up Policy)
	<i>Aboriginal Heritage Act 1972</i>

11 DOCUMENT CONTROL

Reviewer Circulation

Role	Name	Endorsed	Date
General Manager – Mine and Materials	Anna May Fauconnier	✓	11 Oct 21
General Manager - Refinery	Julius Thomas	✓	17 Oct 21
Lead Corporate Affairs	Mark Worthington	✓	27 Oct 21
Manager Health, Safety, Environment, Risk & Training	Dale McAtee	✓	22 Oct 21
Principal Cultural Heritage (Corporate)	Damien Piro	✓	22 Oct 21
Approvals Manager	Claire Reid	✓	11 Oct 21

Approval Circulation

Role	Name	Approved	Date
Vice President Operations	Erwin Schaufler	✓	19 Jan 22

Schedule 1: Regulatory Framework

1 Regulatory Framework Applicable to this CHMP

A high-level overview of specific legislation and guidelines relevant to this CHMP is set out in Table 3 below.

Table 3 Relevant regulatory Documents / Legislation, Guidelines and Regulations

LEGISLATION / DOCUMENT	RELEVANCE	AUTHORITY
COMMONWEALTH LEGISLATION		
Native Title Act 1993	Provides for the recognition and protection of native title and aims to establish ways in which future dealings affecting native title may proceed and to set standards for those dealings	Federal Court of Australia and the National Native Title Tribunal (NNTT)
STATE LEGISLATION		
Aboriginal Heritage Act 1972	Protection of all Aboriginal heritage sites in Western Australia, whether or not they are registered with the department or not.	DPLH
Aboriginal Heritage Regulations 1974	Developed to provide additional guidance to the AHA. Key section includes Regulation 10.	DPLH
Coroners Act 1996	An Act to establish the office of State Coroner, to provide for a State coronial system to inquire into Western Australian deaths	Coroner's Court of Western Australia
GUIDELINES		
Aboriginal Heritage Due Diligence Guidelines (2013)	To assist land users to ensure that all aspects of potential risk of impacting Aboriginal Sites are considered, and that reasonable steps are applied to avoid and minimise damage to Aboriginal Sites.	Guideline published by the DPLH
Guidelines for the Engagement of Aboriginal Heritage Monitors (2015)	To provide Government agencies with guidance on the engagement of Aboriginal Heritage Monitors	Guideline published by the DPLH
Guidance Statement No. 41: Assessment of Aboriginal Heritage (2004)	Statement considers 'Aboriginal heritage' as a relevant environmental factor in circumstances where the heritage values are linked directly to the physical and biological attributes of the environment, and when the protection and management of those attributes are threatened as a result of a proposed development.	Guideline published by the Environmental Protection Authority in accordance with the Environmental Protection Act 1986

2 Reform to AHA - Aboriginal Cultural Heritage Bill 2020

In September 2020, the DPLH released the *Aboriginal Cultural Heritage Bill 2020* for public consultation. The Bill seeks to replace the AHA and modernise Western Australia's heritage regime. The primary objectives of the Bill are to:

- recognise:
 - the fundamental importance of Aboriginal cultural heritage to Aboriginal people;
 - that Aboriginal people have custodianship over their heritage;
 - the value of Aboriginal cultural heritage to Aboriginal people and the wider community;
- recognise, protect and preserve Aboriginal cultural heritage;
- provide a clear framework for the management of activities that may harm Aboriginal cultural heritage to provide balanced and beneficial outcomes for Aboriginal people and wider Western Australian community; and
- promote the appreciation of western Australia's Aboriginal cultural heritage.

The key features of the Bill include:

- an updated definition of Aboriginal cultural heritage;
- recognition of Aboriginal custodianship and control of cultural heritage;
- a new directory of Aboriginal cultural heritage;
- the establishment of the Aboriginal Cultural Heritage Council and Local Aboriginal Heritage Services in order to enable Aboriginal voices;
- protection of areas of outstanding significance;
- the introduction of a tiered land use approval system and agreements between the parties in order to manage activities that may cause harm to Aboriginal cultural heritage;
- stronger compliance and enforcement mechanisms;
- increased rights of review and improved transparency;
- introduction of statutory guidelines to be prepared by Council; and
- introduction of transitional provisions for the period the ACMC will operate while the Aboriginal Cultural Heritage Council is being established.

In May 2021, the WA government suggested the Bill would be introduced in the second half of 2021.

3 International Standards

Worsley Alumina's approach is also guided by the following international standards:

- International Finance Corporation Performance Standards (specifically Standards 7 and 8);
- International Council on Mining and Metal 10 Principles and International Council on Mining and Metal Position Statement on Indigenous People and Mining;
- ILO Convention No. 169 on Indigenous and Tribal Peoples;
- United Nations Declaration on the Rights of Indigenous Peoples;
- United Nations Guiding Principles on Business and Human Rights;
- United Nations Educational, Scientific and Cultural Organization Convention Concerning the Protection of the World Cultural and Natural Heritage;
- UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage; and
- Australia ICOMOS Charter for Places of Cultural Significance (Burra Charter).

Schedule 2: Cultural Heritage in Worsley Alumina operating areas

1 Overview

Worsley Alumina's operations are located within the GKB, Ballardong People and Whadjuk People native title claim boundaries and an area of significant cultural value.

In the local Boddington area, subject to the GKB native title claim, research has revealed that Mt Saddleback (Mokine) is a regionally important mythological site of sacred significance to the Nyungar community. Nyungar oral history identifies Mokine Hill as created by powerful ancestral beings during the Dreaming and is a known creation place located on a regional songline that includes all the major hills and water courses in Boddington through to Mundijong/Armadale, Mt Cooke, and extends through to Pumphreys Bridge at Wandering. Mokine Hill has also been reported to be associated with rainmaking and male initiation ceremonies and is the home of mischievous small hairy spirit beings called *Mummeries* and a powerful *Janak* or devil spirit that punishes wrongdoers for transgressions to Indigenous Law.

Consistent with broader mythological Nyungar beliefs associated with waterways, the Hotham River is considered to be a site of mythological significance due to its association with the Rainbow Serpent or Waugal. The significance of the Hotham River has been reported by the Nyungar community with several mythologies recorded whereby the water serpent emerged from the ground at Pumphreys Bridge near Wandering and travelled west, creating the river and other prominent landscape features at Boddington (ibid). Similar mythology is also associated with 34 Mile Creek, which was believed to have been created by the *Dukatj*, a dugite spirit.

The Hotham River and 34 Mile Creek have also been recorded to be significant in terms of customary use with a number of historical camps and ceremonial grounds located along its embankments (ibid). These creeks are significant food and medicinal sources and would have been used extensively in the past by family groups as they travelled through their country.

Archaeologically, the Boddington region has a wide variety of sites and places including artefacts/scatters, quarries, grinding patches that include grooves, engravings, modified trees and burials. The quantity and array of sites provides evidence that the Boddington area would have been well populated for millennia.

2 Summary of Reports of Surveys Conducted Across Worsley Alumina Operating Areas

Author, Year, Report Title	Type	Purpose
Worsley Alumina Pty Ltd, [ND] Boddington Gold Mine Section 18 Application Aboriginal Heritage Act 1972 - 1980 [Report ID 21425]	Ethno	Mining
Pearce, R.H. 1981, Worsley Alumina Project: Survey for Aboriginal Sites [Report ID 104095]	Arch & Ethno	Mining
Pearce, R.H. 1984, Survey for Aboriginal Sites (Water Supply Dam Impoundment Area) [Report ID 104068]	Arch	Mining
Centre for Social Research 1997a and 1997b, Western Australia Regional Forest Agreement Aboriginal Consultation Project Vol. 1 and Vol. 2, Nov. 1997 [Report ID 102073]	Ethno	Academic
Centre for Social Research 1997a and 1997b, Western Australia Regional Forest Agreement Aboriginal Consultation Project Vol. 1 and Vol. 2, Nov. 1997 [102074]	Ethno	Academic
Barefoot, M. [ND] The Harmony Engravings: Rock Art in Australia's South West, Boddington Area, Western Australia, February 1997. Preliminary Report. [Report ID 103911]	Arch	Academic

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Author, Year, Report Title	Type	Purpose
Yates, A. [ND] Report on an Aboriginal Survey at Boddington Gold Mine [Report ID 105486]	Arch Ethno	& Mining
Reynolds, R. 2002, Report on Boddington Field investigations: Oct-Dec 2002 [Report ID 20247]	Ethno	Mining
Yates, A. and Goode, 2008, An Archaeological and Ethnographic Survey of the Tullis Bridge Weir Cable Trench and Three Drill Site Locations on Boggy Road, Boddington [Report ID 23797]	Arch Ethno	& Mining
Hart, T. 2008, Hotham River Site Recording Form Additional Information Section 4 Aboriginal Consultation Process [Report ID 23825]	Ethno	Academic
Cecchi, J.B. 2011, Report on an Archaeological Survey of MRWA Pinjarra Williams Road (SLK 0-67) and Bannister Marradong Road (SLK 0-22) Upgrade Works [Report ID 27033]	Arch	Roads
O'Connor, R. and E. 2011, Ethnographic Survey of Pinjarra Williams Road and Bannister Marradong Roads [Report ID 27036]	Ethno	Roads
Yates, A. 2012, Preliminary Report on an Aboriginal Site Survey of the Proposed Residue Disposal Area Option 1 Saddle Back Farms North Bannister [Report ID 24138]	Arch Ethno	& Mining
Sleep, et al. (Waru Consulting Pty Ltd) 2012, Verification of 17 Heritage Sites Near Boddington Bauxite Mine Boddington [Report ID 200019]	Arch	Mining
Yates, A. 2013a, Report of an Aboriginal Heritage Survey of the Proposed D6 Dam, Hotham Farm, Boddington [Report ID 24139]	Arch Ethno	& Mining
Yates, A. 2013b, Report of an Aboriginal Heritage Survey of the Proposed Hedges Dam Pipeline, Hotham Farm, Boddington [Report ID 27872]	Arch Ethno	& Mining
Yates, A., Hart, T. [ND] Report Of An Aboriginal Heritage Survey Of The Proposed D6 Dam, Hotham Farm, Boddington [Report ID 200546]	Arch Ethno	& Mining
Yates, A. 2014, Report of an Aboriginal Heritage Survey of the Proposed D5 Dam, Hotham Farm, Boddington, April 2014 [Report ID 24260]	Arch Ethno	& Mining
Goode, B. 2015, An Aboriginal Heritage Survey of a Section of the Pinjarra Williams Road, between Marradong and Quindanning - 67.5 to 91.68 SLK, in Western Australia [Report ID 28231]	Ethno	Roads
Goode, B. and Huxtable, L. 2015, An Ethnographic Aboriginal Heritage Survey of Mt Saddleback (Mokine) in the Shire of Boddington, Western Australia [Report ID 200315]	Ethno	Mining
Dortch, J. [ND] Indigenous heritage of the Peel - Harvey Region: a review of previous research and archival data for phase 1 of the Peel Cultural Landscape Assessment Project [Report ID 22366]	Arch Ethno	& Academic
Macri, V. [ND] Report of an Archaeological survey of a Section of the Pinjarra Williams Road, between Marradong and Quindanning - 67.5 to 91.68 SLK in Western Australia [Report ID 28267]	Arch	Roads
Mattner, J. [ND] Assessment of 10 Registered Heritage Sites Saddleback Mining Area Boddington Bauxite Mine [Report ID 28498]	Arch	Mining

Author, Year, Report Title	Type	Purpose
Corsini, S. [ND] Archaeological Inspection Report DIA Heritage Site ID 5252 Quindanning Farms 01 [Report ID 28699]	Arch	Academic
Quartermaine, G. [ND] Report on an Archaeological Survey for Aboriginal Sites Boddington Gold mine - Survey Extension. [Report ID 103251]	Arch	Mining
Pearce, R.H. [ND] Worsley Alumina Joint Venturers Bauxite/Gold Operation - Survey for Aboriginal Sites. [Report ID 104069]	Arch	Mining

3 Types of Sites and Places in Worsley Alumina Operations Area

Sites and Places identified in the region include:

- Archaeological sites – places where cultural material remains associated with past Aboriginal land use. These include paintings, engravings, grinding patches/stones, quarries, artefact scatters.
- Anthropological sites – places of spiritual importance and significance to Aboriginal peoples. These include:
 - Ethnographic sites - places of importance to Aboriginal people (for religious or other reasons). Such places may have no distinguishing characteristics that alert non-Aboriginal people to their existence.
 - Ceremonial - places that have been used for ceremonial purposes. Although such sites can sometimes be identified by the presence of stone arrangements or modelling of the ground surface, many can only be located through consultation with people who have either direct or indirect knowledge of such sites.
 - Mythological - sites generally encompass some natural feature, such as a hill or waterway, which is considered significant to contemporary Aboriginal people.
 - Burials - generally difficult to identify unless explicitly distinguished by some sort of marker, are known to family and/or community members, or have been recorded in a documentary or oral format.

Examples of Sites identified to date and recorded in LandAssist include:

- rock shelter;
- artefacts, scatter, engraving quarry;
- grinding patches and grooves;
- skeletal material / burial;
- mythological sites;
- ceremonial camp;
- historical camp;
- historical hunting place;
- water source;
- man-made structure;
- plant resource;
- natural feature;
- modified tree;
- lizard trap;
- ochre;
- named place.

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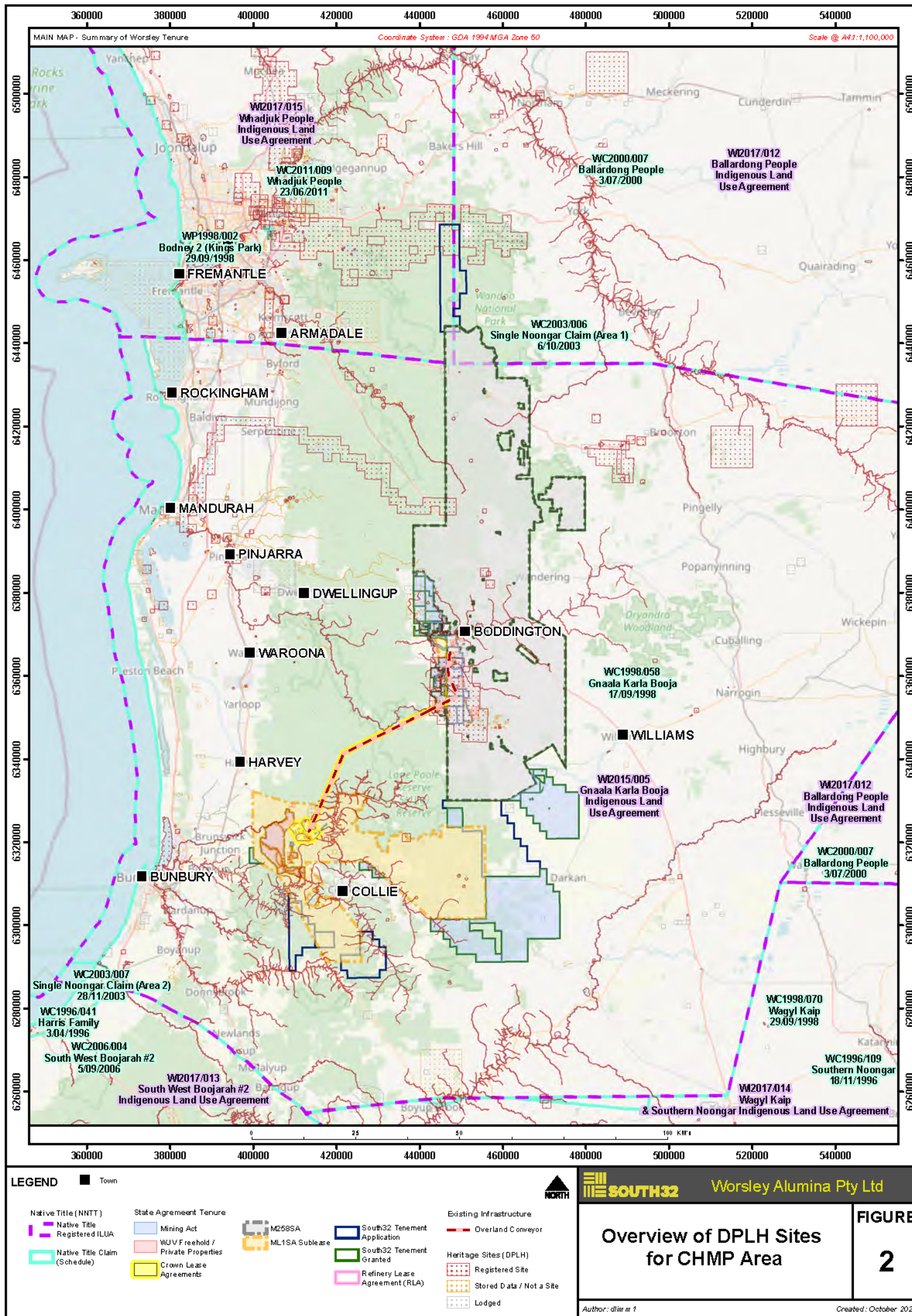


Figure 2 Overview map of DPLH Sites and Places in relation to CHMP area.

Schedule 3: Consents under S18 of the AHA

Worsley Alumina has received three consents from the Minister of Aboriginal Affairs to use the land for specific activities within Sites and Places.

DPLH Ref:	Ref 34-65280
Date:	21/03/2016
Area Description:	Portions of Mining Lease M258SA and Mineral Lease ML1SA
Purpose:	Mining and associated infrastructure and rehabilitation
Sites listed on Consent:	ID 17214 Mt Saddleback (Mokine)
Special Conditions of Consent:	Consent holder does not mine or enter the area above the 560m contour on both peaks of Mt Saddleback.

DPLH Ref:	Ref 34-67837
Date:	30/09/2016
Area Description:	Mining tenements ML258SA, M70/114, M70/115, M70/116 and additional land parcels as listed
Purpose:	Exploration, mining, rehabilitation and agricultural activities
Sites listed on Consent:	<ul style="list-style-type: none"> • ID 4165 Quindanning Forest 22; • ID 5182 Hull Gully; • ID 5255 Quindanning Farms 04; • ID 15126 The Harmony Engravings; • ID 17214 Mt Saddleback (Mokine)
Special Conditions of Consent:	<ul style="list-style-type: none"> • Manage all archaeological heritage sites and places under a heritage management plan; • Provide written (compliance) report to Registrar within 60-days of the completion of purpose. • Provide a written report to the Registrar within 60 days of the completion of the Purpose, advising whether and to what extent the purpose has been impacted on all or any Sites located on the Land. The final report should include a detailed description of: <ul style="list-style-type: none"> a. what extent the Purpose has impacted any Aboriginal Site on the Land; b. where any Aboriginal Site has been impacted, whether such Site has been partially or wholly impacted by the Purpose, and the level, effect and type of any such impact – preferably by the provision of photographs taken before and after the impact; and c. the results and findings of any monitoring of ground disturbing works associated with the Purpose.

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DPLH Ref:	Ref: 34-68443
Date:	21 March 2016
Area Description:	PINs 1281569 and 1281572; Harris River State Forest PINs 546806, 546810 and 550904; Wellington National Park Reserve Number R46213 PINs 11796408, 11796409 and 11796428; Coalfields Highway Road Reserve PIN 11625447; Gastaldo Road Reserve PIN 11528933; Worsley Back Road PIN 11525700; Hamilton Road Reserve PINs 11525708 and 11527511; Wellington Dam (Water) PIN 553605; Lot 0 on Plan 1994 PIN 553595; Lot 304 on Plan 402144 PIN 12152310; Lot 104 on Plan 5854 PIN 11629317; Lot 105 on Plan 5853 PIN 11629318; and Lot 100 on Deposited Plan 402144 PINs 12152296, 12152297, 12152299 and 1215307
Purpose:	South32 Worsley Alumina Pty Ltd Wellington Dam Pipeline
Sites listed on Consent:	ID 16713 Collie River Waugal
Special Conditions of Consent:	<p>Engage two nominated members of the Gnaala Karla Booja Native Title Claim group for any ground disturbance activities where those activities intersect with DAA 16713 (Collie River Waugal).</p> <p>Provide a written report to the Registrar within 60 days of the completion of the Purpose, advising whether and to what extent the purpose has been impacted on all or any Sites located on the Land. The final report should include a detailed description of:</p> <p>what extent the Purpose has impacted any Aboriginal Site on the Land;</p> <p>where any Aboriginal Site has been impacted, whether such Site has been partially or wholly impacted by the Purpose, and the level, effect and type of any such impact – preferably by the provision of photographs taken before and after the impact; and</p> <p>the results and findings of any monitoring of ground disturbing works associate with the Purpose.</p>

Several general conditions of consent that relate to management and reporting have also been imposed on Worsley Alumina under the consents, including:

- notice that DPLH will conduct routine audits on compliance with conditions of consent;
- advice that failure to comply with conditions of consent may constitute an offence under s55 of the AHA;
- recommendation that the consent holder should inform personnel it engages of:
 - obligations under the AHA;
 - obligations in relation to skeletal material.

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