

ABORIGINAL
LAND SERVICES

*If you look after Country,
Country will look after you.*

Archaeological and Ethnographic Site Identification Heritage Survey of BlueScope's Project NeoSmelt, Patterson Road, Rockingham

FINAL REPORT

- Prepared for: GKB Impact and BlueScope Future Technologies
- Prepared by: Aboriginal Land Services Pty Ltd
- Prepared on: 03 November 2025
-
- Project Reference (Internal): ALS2535
- Project Reference (GKB Impact): HER.1819
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WARNING

Aboriginal and Torres Strait Islander peoples are advised that this report may contain names and/or images of people who have died.

ACKNOWLEDGEMENT OF COUNTRY

ALS acknowledges the Traditional Custodians of Whadjuk and Binjareb Country and their ongoing cultural and spiritual connection to the land.

We extend our respect to their Elders, past and present, who serve as leaders, knowledge holders, and mentors for the next generation. We honour those who have gone before us, as well as those who continue to advocate for the preservation of Aboriginal cultural heritage.

DOCUMENT INFORMATION

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The Noongar Consultants involved in this heritage survey work have consented to the use of their information in this report for the purposes of advising BlueScope on Aboriginal cultural heritage site identification and management.

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KEY ROLES AND STAKEHOLDERS

- The following roles, as defined under the NSHA, are referenced in this report. A full glossary of terms and acronyms is provided in Appendix B.

Aboriginal Heritage Service Provider GKB Impact Pty Ltd (GKB Impact)

Noongar Consultants Members of the Regional Corporation or Noongar persons who have been identified by the Regional Corporation as persons who can speak about the Activity area. In this instance, those people outlined below.

Principal Aboriginal Heritage Consultant Aboriginal Land Services Pty Ltd (ALS)

Proponent BlueScope Future Technologies Pty Ltd (BlueScope)

Regional Corporation Gnaala Karla Booja Aboriginal Corporation (GKBAC)

As the nominated Aboriginal Heritage Service Provider for Gnaala Karla Booja Aboriginal Corporation (GKBAC), the representative for the Whadjuk and Binjareb Traditional Owners, GKB Impact Pty Ltd (GKB Impact) engaged Aboriginal Land Services Pty Ltd (ALS) to conduct the desktop due diligence assessment as requested in the Activity Notice issued on 18 July 2025.

Contact details for the survey participants are provided in Appendix A of this report.

The following personnel were directly involved in the survey:

GNAALA KARLA BOOJA ABORIGINAL CORPORATION:

Noongar Consultants

Candice Bell	Lesley Pickett
Gail Wynne	Martin Ugle
Darren Thorne Snr	Louise Ward
Greg Haywood	

ABORIGINAL LAND SERVICES:

Emma Dennis – Anthropologist	Julia Weller – Archaeologist
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BLUESCOPE FUTURE TECHNOLOGIES PTY LTD:

Renelle Thorpe – NeoSmelt Planning and Approvals Lead	Caleb Leeming – NeoSmelt Manager Operations and Readiness
Michiel Freislich – NeoSmelt Project Director	Sally Blechynden – BlueScope Health and Safety

REPORT FORMAT

This report follows the Department of Planning, Lands and Heritage’s Guidelines for preparing Aboriginal heritage reports and the NSHA reporting requirements.

AUTHORSHIP

This report was written by Emma Dennis (Anthropologist, Busselton) and edited by Dr Carly Monks (Archaeologist, Fremantle). The GIS data and maps were produced by Julia Weller (Operational Support Consultant – GIS, Fremantle).

LANGUAGE & SPELLING

This report contains references to Noongar/Nyungar dialect and clan names, place names, and words for plants, animals, and beings. As Noongar is a traditionally oral language now represented in written form, there is no single universally agreed standard for spelling and the spellings adopted here may not reflect the preferred forms of all Noongar people associated with this work. For consistency, this report primarily uses spellings that are accepted by relevant Aboriginal Corporations and government agencies; where these are not available, we have drawn on published examples by Indigenous authors or the stated preferences of the Noongar Consultants engaged in the survey and consultation. Where more than one spelling is in common use, both forms are provided in the first instance, followed by the more widely recognised version.

COORDINATE CAPTURE

All coordinates captured during the survey were obtained with a Garmin hand-held GPS and a Samsung Active Tab3 tablet, using the GDA94 datum. All grid references are projected in MGA Zone 50, unless otherwise stated. Dependent on external conditions, these units afford an optimal spatial accuracy of ± 5 m. Data captured in GDA94 will also be provided to BlueScope in GDA2020.

DISTRIBUTION OF COPIES

VERSION	DATE ISSUED	MEDIA	ISSUED TO	COMMENTS
V1.0	03/11/2025	PDF	GKB Impact and GKBAC	Draft for GKB review
V1.1	01/12/2025	PDF	GKB Impact and GKBAC	Final for circulation

EXECUTIVE SUMMARY



Project NeoSmelt

Archaeological and
Ethnographic Site
Identification Survey

DATE

15 October 2025

BlueScope Future Technologies Pty Ltd (BlueScope) intend to develop Project NeoSmelt, an electric smelting furnace (ESF) pilot plant (the Activity), on land in the City of Rockingham, within the Gnaala Karla Booja (GKB) Indigenous Land Use Agreement (ILUA) area (WI2015/005).

As the nominated Aboriginal Heritage Service Provider for Gnaala Karla Booja Aboriginal Corporation (GKBAC) and the Whadjuk and Binjareb Traditional Owners, GKB Impact Pty Ltd (GKB Impact) engaged Aboriginal Land Services Pty Ltd (ALS) to undertake an archaeological and ethnographic site identification heritage survey over the Project NeoSmelt Activity Area.

The heritage survey was undertaken with the endorsement of GKBAC, the peak Aboriginal cultural heritage organisation and representative body for the Traditional Owners and Country described in the document.

The heritage survey was undertaken on 15th October 2025, by seven Noongar Consultants and two ALS Heritage Consultants, with the assistance of four BlueScope representatives.

The Noongar Consultants were selected by the GKBAC as the appropriate knowledge holders for the Activity area.

SUMMARISED RESULTS

The summarised results of Aboriginal heritage survey are as follows:

Project NeoSmelt, Patterson Road, Rockingham

- **No (0) Department of Planning, Lands and Heritage (DPLH) Registered Sites** are located within the Activity area;
- **No (0) Lodged DPLH heritage places** are located within the Activity area;
- **No (0) Historic DPLH heritage places** are located within the Activity area;
- **No (0) previously unreported heritage places** were identified; and
- **No (0) isolated artefacts** were identified within the Activity area.

SUMMARY OF ADVICE AND RECOMMENDATIONS

BlueScope is advised that:

- 1) The Activity area has been archaeologically and ethnographically assessed subject to the survey limitations outlined in this report, and no aspects of the Activity Program as outlined in the Activity Notice are likely to breach the AH Act, subject to the following recommendations developed by the Noongar Consultants on survey.
- 2) No previously unreported cultural heritage places or isolated artefacts were identified during the survey undertaken in the Activity area.
- 3) The Noongar Consultants have reviewed and assessed the location of the Project NeoSmelt Activity area and were satisfied that further consultation with GKBAC could proceed subject to the recommendations provided below, which would mitigate the risk of disturbing or impinging on any cultural heritage values present within the Activity area.

- Recommendation 1** It is recommended that BlueScope engage GKB-nominated Traditional Owners as cultural monitors to be present during ground disturbance work within the boundaries of the Project NeoSmelt Activity area to mitigate the risk of disturbance to sub-surface material.
- Recommendation 2** It is recommended that all employees and contractors of BlueScope working within the Project NeoSmelt Activity area be made aware of the purpose of cultural monitors participating in the proposed works.
- Recommendation 3** It is recommended that BlueScope provide GKBAC with a copy of their existing Chance Find Procedures and brief their contractors and cultural heritage monitors on Stop Works and Chance Finds Procedures.
- Recommendation 4** It is recommended that BlueScope undertake to salvage the *boorack/balga* trees that will be impacted by the proposed ground disturbance and vegetation clearance works within the Project NeoSmelt Activity area.
- Recommendation 5** It is recommended that BlueScope undertake to provide opportunity for seed collection to be completed in collaboration with GKBAC prior to clearing processes occurring within the Project NeoSmelt Activity area.
- Recommendation 6** It is recommended that BlueScope exclude the remnant native vegetation on eastern side of the Project NeoSmelt Activity area from any clearing associated with the project footprint.
- Recommendation 7** It is recommended that BlueScope develop a robust and long-term employment and training strategy to ensure opportunities for Noongar people are provided in line with BlueScope’s First Nations Engagement Framework.
- Recommendation 8** If BlueScope proposes to alter the scope of works or to expand their program of works, either in size or scale, beyond what was subject to the heritage survey, further consultation of GKBAC is required prior to commencement of works.

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1 PROJECT INTRODUCTION



Project NeoSmelt

Archaeological and
Ethnographic Site
Identification Survey

DATE

15 October 2025

BlueScope Future Technologies Pty Ltd (BlueScope) intend to develop an Electric Smelting Furnace (ESF) pilot plant (the Activity), within the Gnaala Karla Booja (GKB) Indigenous Land Use Agreement (ILUA) area (WI2015/005), in the South West region of Western Australia (Map 1). The Project NeoSmelt Activity area is located on part of Lot 9008 on Plan 421725 off Patterson Road in the Rockingham Industrial Zone, in the City of Rockingham (Map 2) and is currently owned by Development WA.

Whadjuk and Binjareb people maintain their traditional rights and responsibilities as custodians of this Country, and hold knowledge of cultural practices, values, and heritage relating to it. As the nominated Aboriginal Heritage Service Provider for Gnaala Karla Booja Aboriginal Corporation (GKBAC) and the Binjareb Traditional Owners, GKB Impact Pty Ltd (GKB Impact) engaged Aboriginal Land Services Pty Ltd (ALS) to undertake an archaeological and ethnographic site identification heritage survey over the Activity area.

BlueScope proposes to lease the land from Development WA to build a pilot plant that utilises Direct Reduced Iron technology with ESF capability to process Pilbara iron ores while significantly reducing greenhouse gas emissions. BlueScope is a joint venture between five companies, which have made the commitment to be operating at net zero by 2050. The current processes used for steel production within Western Australia are not viable production processes to achieve target net zero by 2050. BlueScope is proposing to build the pilot Project NeoSmelt smelter to conclusively demonstrate the capabilities of ESF, as part of their commitment to demonstrate how this technology can support net zero targets.

ALS undertook an archaeological and ethnographic heritage assessment of the proposed Activity area on the 15th of October 2025. The field survey was undertaken with seven Noongar Consultants and two ALS heritage consultants, with the assistance of four BlueScope representatives.

The Noongar Consultants were selected by GKBAC as the appropriate knowledge holders for the Activity area.

1.1 SCOPE OF WORKS

BlueScope currently operates projects in eastern Australia and seeks to set up a Direct Reduced Iron (DRI) technology with ESF capability in Western Australia, located within the Rockingham Industrial Zone around 46 km southwest of Perth, in the state's South West. The Project NeoSmelt pilot construction design currently covers only a portion of the entire area to be surveyed. The current project plan is to contain all construction and ground disturbance within an 11 to 12 ha envelope in western portion of the identified Activity area on Lot 9008 Patterson Road, and along a 40 m wide corridor running 700 m east of the Lot 9008, along Ward Road to the Water Corporation compound on Alumina Road.

The proposal is operating in two phases. Phase 1 – Feasibility and Preconstruction, with assessments, approvals, and preliminary construction plans, is currently underway. Phase 2 – Post Final Investment is the actual construction phase, which is planned when all approvals are in place, and a final construction plan is developed.

The anticipated timeline for delivery of Project NeoSmelt is:

- Seeking approvals through to July 2026.
- Investment funding approval and lease of Lot 9008 Patterson Road from Development WA, July-September 2026.
- Trapping/relocation of native fauna; rubbish removal; salvage of *boorack*/balga; earthworks and

construction, September 2026.

- Operations commencing 2028.

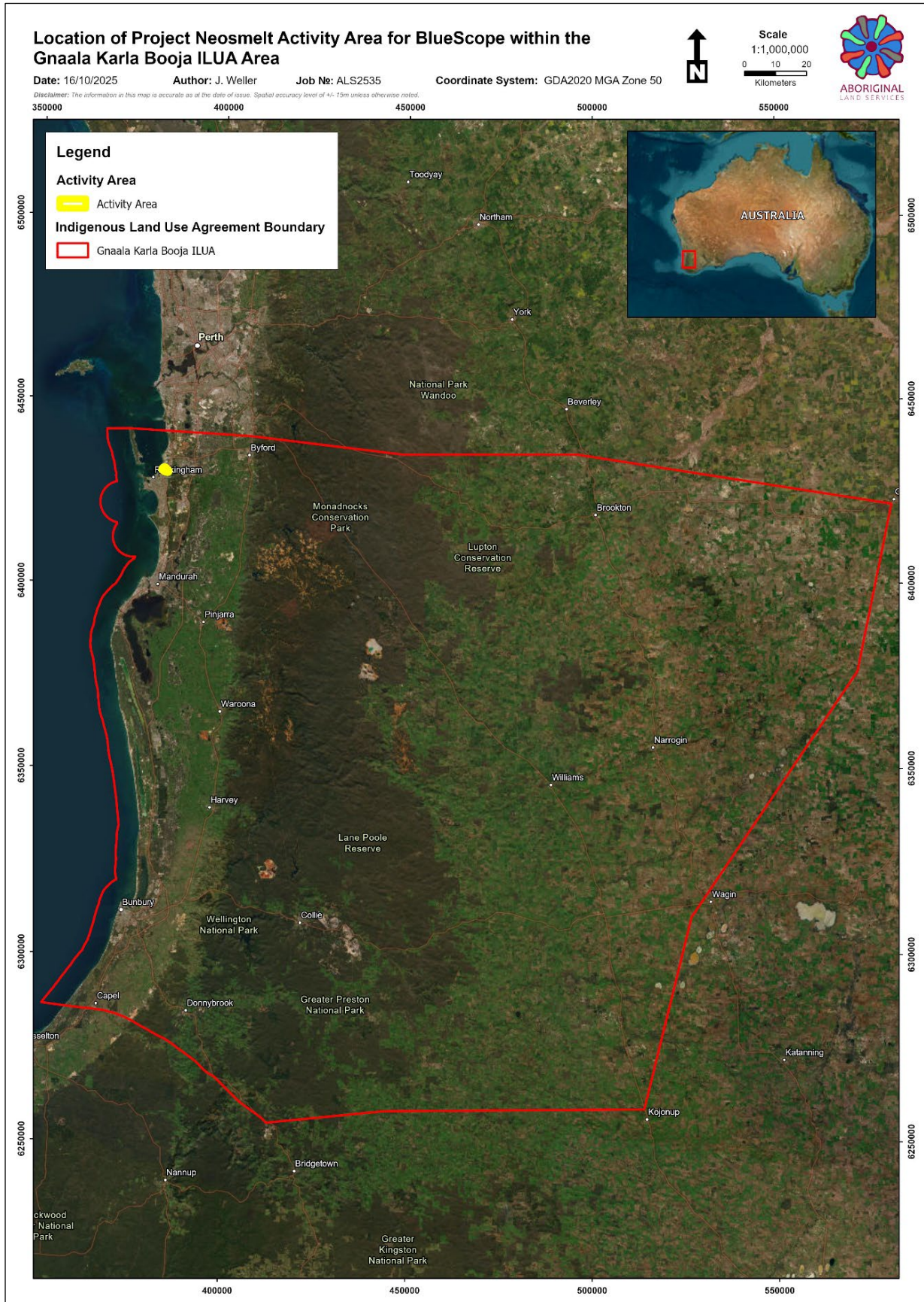
The construction of the pilot plant will involve:

- The complete clearing of all vegetation and high-level ground disturbance works within an 11 to 12 ha envelope across the western portion of Lot 9008 Patterson Road, (demarcated as Activity Area, Map 3).
- Low level ground disturbance for linkage of a water supply source from the Water Corporation plant on Alumina Road along an approximate 25 m corridor to Lot 9008 Patterson Road (Map 3).
- Minimal disturbance to the eastern section of Lot 9008 Patterson Road, where the Activity area exists. This section of Lot 9008 Patterson Road is largely regrowth bushland and includes semi-mature tuart (*Eucalyptus gomphocephala*) trees. BlueScope’s proposal accounts for this area to be protected from ground disturbance activities, with a buffer included between the construction area for the Project NeoSmelt pilot plant (demarcated as Neosmelt TEC Patch Buffer 68929, Map 3).

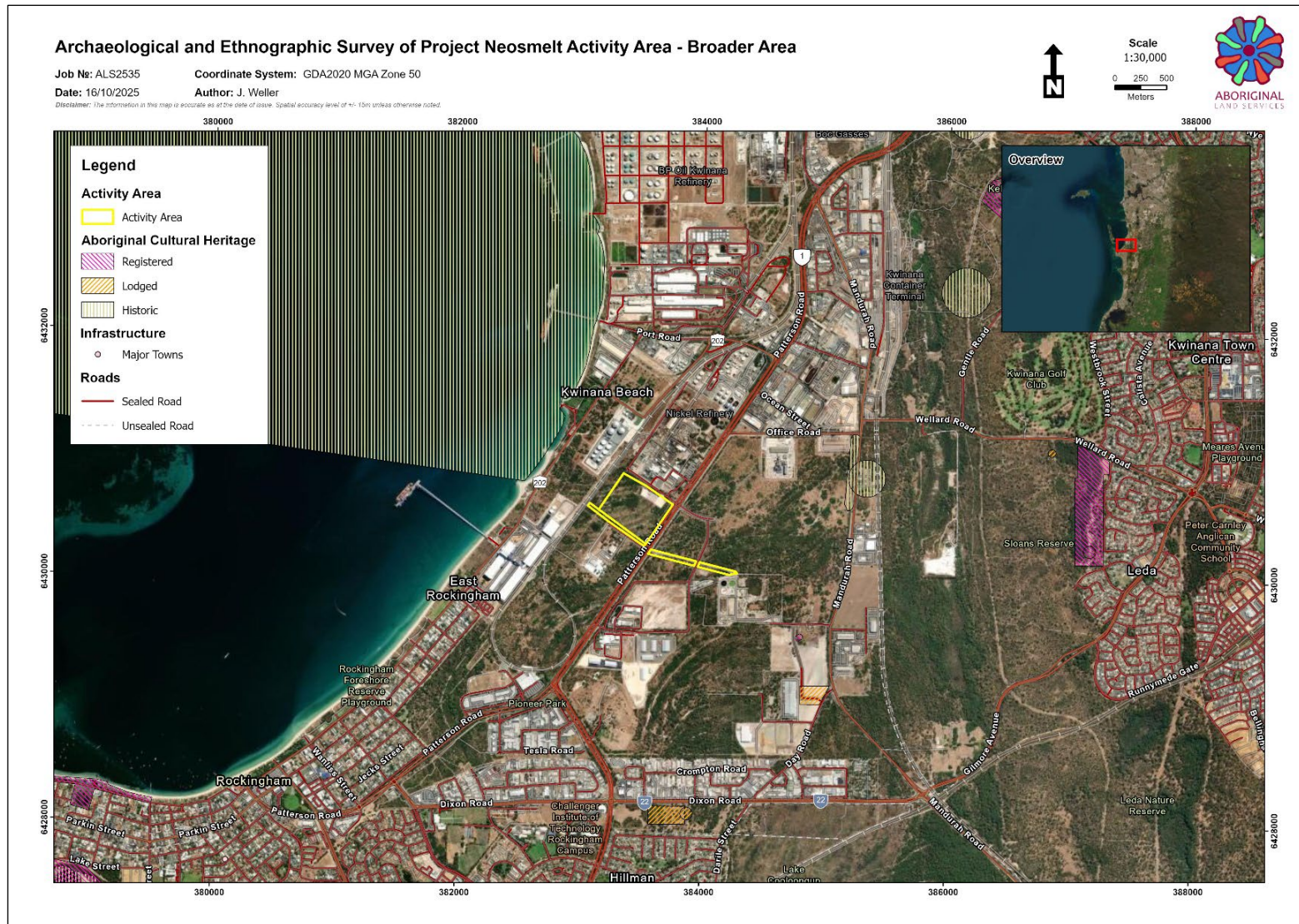
The proposed Project NeoSmelt pilot program is planned to be of sufficient capacity to clearly demonstrate ESF capability without having to replicate the project again, with a 10-year production period. The production goals for Project NeoSmelt are of non-commercial quantities (approximately 40 000 tons per year) comparative to commercial smelts (over 300 000 tons per year). The production process works in two phases. First, direct reduction creates a crude product which undergoes further refinement at the second phase. The second phase consists of separating impurities to produce pure iron using the electric smelting furnace. The final product will be exported to steel processing plants in the east of Australia. BlueScope is currently investigating avenues with cement companies to incorporate to use the waste product, or slag, into cement products.

• 1.3 SURVEY LIMITATIONS

- Dense coverage of endemic and non-endemic plant species across the entire proposed Activity area, with exception of the vehicle tracks and the cleared parking area adjacent to Patterson Road, made ground visibility extremely low, typically <10%, making archaeological inspection of much of the Activity area impractical. Additionally, ALS was notified of an itinerant resident living within the eastern section of the proposed Activity area. As part of the JHA, it was decided that this area would be avoided. For full details of the survey methodology and limitations, see Section 5 of this report.



Map 1: Location of BlueScope's Project NeoSmelt Activity area for within Gnaala Karla Booja ILUA determination area (WI2015/005).



Map 2: Overview map showing BlueScope's Project NeoSmelt Activity area within the Rockingham Industrial Estate.

Archaeological and Ethnographic Survey of Project Neosmelt Activity Area - Overview

Job No: ALS2535 Coordinate System: GDA2020 MGA Zone 50

Date: 22/10/2025 Author: J. Weller

Disclaimer: The information in this map is accurate as at the date of issue. Spatial accuracy level of +/- 15m unless otherwise noted.



Scale
1:4,000
0 50 100
Meters



Map 3: BlueScope's Project NeoSmelt Activity area, Lot 9008 Plan 421725, Rockingham.

2 LEGISLATIVE CONTEXT

The following section briefly summarises the relevant legislation and guiding principles that may relate to the Activity area. Information contained within this report has been developed in consideration of the amended *Aboriginal Heritage Act 1972* (WA) (the AH Act), the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (Cwlth) (the ATSIHP Act), the *Environmental Protection Act 1986* (WA) (the EP Act), and their respective regulations and guidelines.

2.1 ABORIGINAL HERITAGE ACT 1972

Under section 17 (s17) of the *Aboriginal Heritage Act 1972* (WA), it is an offence to disturb an Aboriginal site without prior written Ministerial consent to do so under s16 or s18 of the AH Act. This applies regardless of whether an Aboriginal site is registered.

Under s5 of the AH Act, an Aboriginal site is defined as:

- a) *Any place of importance where persons of Aboriginal descent have left any object, or have used, in conjunction 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 is, or was, associated with Aboriginal people and which is of historical, anthropological, archaeological or ethnographical importance to the State; and*
- d) *Any place where objects to which the AH Act applies are stored.*

Heritage assessments of proposed development areas are conducted to identify the location and extent of sites so that they can be appropriately managed in accordance with the legislative requirements of the AH Act.

The Department of Planning, Lands and Heritage (DPLH) maintains a Register of Aboriginal sites and Aboriginal heritage places (the Register), which can be accessed through the Aboriginal Cultural Heritage Inquiry System (ACHIS). Sites and heritage places may fall into three categories:

- **Registered**, where a site has been assessed by the Aboriginal Cultural Heritage Committee (ACHC) as meeting the definition of an Aboriginal site under s5 of the AH Act;
- **Lodged**, where information about an Aboriginal heritage place has been provided to the DPLH’s Registrar of Aboriginal Sites (the Registrar), but which has not yet been assessed by the ACHC under s5 of the AH Act; or
- **Historic**, where a place has been assessed by the ACHC as not meeting the definition of an Aboriginal site under s5 of the AH Act, or where a place was previously on the register but no longer exists.

The AH Act protects all Aboriginal sites, including those about which the DPLH does not hold information, and those which have yet to be assessed by the ACHC. It is therefore recommended that lodged places be treated as sites under the AH Act in order to avoid any potential breaches.

The Aboriginal Heritage Act 1972 Guidelines (DPLH, 2023, p. 1) note that:

It has been unlawful to harm Aboriginal heritage for more than 50 years. A person who excavates, destroys, damages or conceals or in any way alters any Aboriginal site commits an offence. It is also an offence to alter, damage, remove, destroy, conceal or deal with in a manner not sanctioned by relevant custom, or assume possession, custody or control of any object on or under an Aboriginal site.

2.2 ENVIRONMENTAL PROTECTION ACT 1986

The *Environmental Protection Act 1986* (WA) (the EP Act) provides for “the prevention, control and abatement of pollution and environmental harm, for the conservation, preservation, protection, enhancement and management of the environment and for matters incidental to or connected with the foregoing”. The Environmental Protection

Authority (EPA) operates under this legislation to meet this objective through a series of core functions, including conducting Environmental Impact Assessments of the potential environmental impacts of, and alternatives to, ‘significant proposals, proposals of a prescribed class, strategic proposals and land-use planning schemes’ (EPA, 2023a, p. 2).

Section 3(1) of the EP Act defines ‘environment’ as:

Environment, subject to subsection (2), means living things, their physical, biological and social surroundings, and interactions between all of these.

Section 3(2) of the EP Act states that:

In the case of humans, the reference to social surroundings in the definition of environment in subsection (1) is a reference to aesthetic, cultural, economic and other social surroundings to the extent to which they directly affect or are affected by physical or biological surroundings.

In accordance with this, the EPA must ‘consider social surroundings to the extent which they directly affect or are affected by physical and biological surroundings’ (EPA, 2023b, p. 2). The consideration of Aboriginal cultural heritage as a component of social surroundings has been explicitly addressed by the EPA for over twenty years (EPA, 2004). While protection of sites with social and heritage significance is the remit of the AH Act, the EPA recognises that the EP Act ‘can, in some instances, complement the AH Act, for example, in cases where actual physical protection of the environment is required to protect sites of heritage significance’ (EPA, 2004, p. 2). Under the EP Act the EPA ‘can also give attention to matters of a social nature, such as traditional hunting activities’ and other culturally significant social factors (EPA, 2004, pp. 2–3) ‘to ensure ... that the changes to the biological and physical environment resulting from the proposed development do not adversely affect matters of heritage significance to Aboriginal people’ (EPA, 2004, p. 4).

2.3 THE ABORIGINAL AND TORRES STRAIT ISLANDER HERITAGE PROTECTION ACT 1984

Aboriginal cultural heritage is also protected under the ATSIHP Act; federal legislation that is intended to complement relevant state/territory legislation. The ATSIHP Act provides a mechanism for Aboriginal and Torres Strait Islander people to make applications for the protection of places or objects of particular significance, where they consider insufficient protection has been provided under relevant state/territory legislation. Under the ATSIHP Act, the Commonwealth Minister for the Environment and Water can make a declaration to protect an area or object for a specified period of time (DCCEEW, 2023).

2.4 PROTECTION OF ABORIGINAL HUMAN REMAINS

Aboriginal human remains are protected under both the AH Act and the ATSIHP Act. In addition, the discovery of potential human remains requires that the following people are informed:

- the state coroner or local police under section 17 of the *Coroners Act 1996* (WA)
- the Registrar of Aboriginal sites (Registrar) under section 15 of the AH Act.
- the Commonwealth Minister for the Environment and Water under section 20 of the ATSIHP Act¹.

¹ Under DPLH guidelines it is the responsibility of the Registrar to ensure the Commonwealth Minister for the Environment and Water is notified in accordance with legal requirement under the ATSIHP Act.

3 SURVEY AREA

The Project Neosmelt Activity area is located at Lot 9008 (Plan 421725), on Patterson Road, Rockingham, within the Gnaala Karla Booja ILUA area (Map 1), in the South West region of Western Australia. The Activity area is located on Binjareb and Whadjuk Country, and covers 19.9 ha of land encompassing the industrial lot and a corridor to existing Water Corporation facilities to the east of Patterson Road (Map 2).

3.1 GNAALA KARLA BOOJA ABORIGINAL CORPORATION

Six individual Indigenous Land Use Agreements (ILUAs) make up the South West Native Title Settlement (the Settlement), the largest native title settlement in Australian history. Each area has a corresponding ILUA: Yued, **Gnaala Karla Booja**, Karri Karrak (South West Boojarah #2), Wagyl Kaip Southern Noongar, Ballardong and Whadjuk. While each of these ILUA areas relates to one or more Noongar language groups, each ILUA area is represented by one corresponding Noongar Regional Corporation. This is illustrated in Map 4, below.

Gnaala Karla Booja Aboriginal Corporation (GKBAC) represents and manages the Gnaala Karla Booja (GKB) ILUA area and represents four Noongar language or dialectical groups: **Binjareb/Pinjarup, Wilman, Ganeang, and Wardandi** (Gnaala Karla Booja Aboriginal Corporation (GKBAC), 2024).

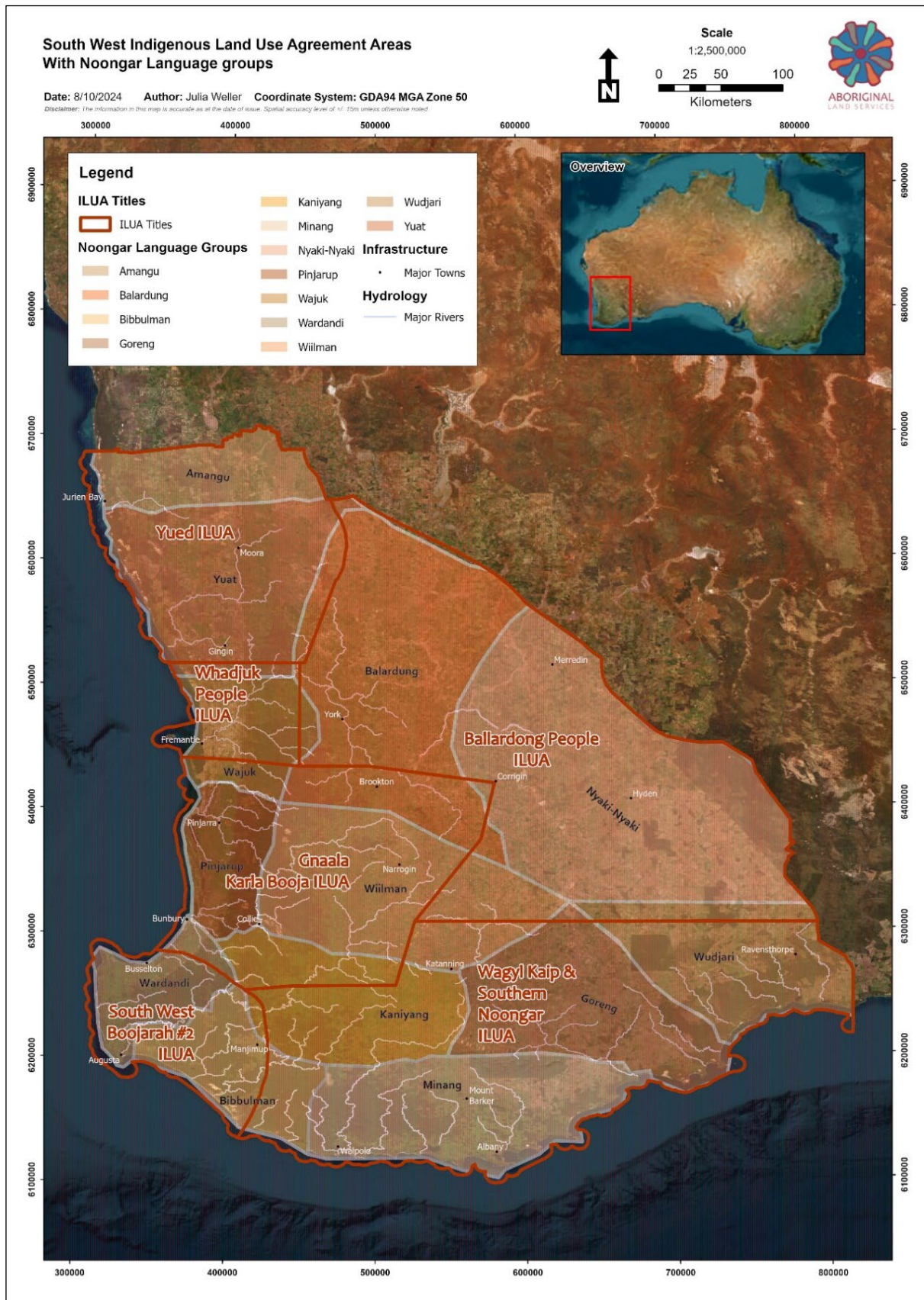
Gnaala Karla Booja, literally translating to ‘Our Fire Country’, extends from Garden Island and Kwinana in the north-west, to Corrigan in the east, before travelling in a south-westerly direction towards Kojonup. From Kojonup, the boundary extends west towards Greenbushes, then north-west beyond Capel into the ocean. The GKB ILUA boundary then transitions north along the coast, terminating due west of Byford over Kwinana and Garden Island. As such, the GKB ILUA area features a large stretch of coastline in the southwest of Western Australia including Yalgorup National Park, as well as large swaths of native forests and woodlands further inland.

The GKB ILUA area is currently administered and managed under the ILUA, which was entered into on 17 October 2018 with the Federal Court (WI2015/005). Previously, the GKB ILUA area was administered under a Native Title Claim (WC1998/058), granted in 1998 by the Federal Court (WAD 6274/1998 – Federal Court number). This claim was originally lodged on 17 September 1998 by the Noongar Land Council on behalf of Gnaala Kaala Booja applicants (National Native Title Tribunal, 2024). This application was amended twice and passed the registration test under s190A of the Native Title Act 1993 on 3 March 1999 (National Native Title Tribunal, 2024).

This Native Title Claim was active until 2021, when Gnaala Karla Booja nominated Traditional Owners entered into the South West Settlement Claim (WCD2021/010) with other Noongar Nations. The act of entering this overarching claim rendered the original Native Title Claim established in 1998 void (National Native Title Tribunal, 2024).

The South West Settlement Claim (also known as *Bennell v State of Western Australia*) affected the following Native Title Claims and Noongar Nations that signed onto the joint agreement:

- Harris Family (WC1996/041)
- Southern Noongar (WC1996/109)
- Yued (WC1997/071)
- Gnaala Karla Booja (WC1998/058)
- Wagyl Kaip (1998/070)
- Ballardong People (WC2000/007)
- Single Noongar Claim (Area 1) (WC2003/006)
- Single Noongar Claim (Area 2) (WC2003/007)
- South West Boojarah #2 (WC2006/004)
- Wagyl Kaip – Dillon Bay (WC2007/001); and
- Whadjuk People (WC2011/009)



Map 4: Map showing the intersection between customary boundaries and ILUA boundaries.

In signing onto the joint claim, these respective Noongar Nations with their associated Native Title Claims agreed to extinguish their Native Title rights to their respective Native Title Claim areas (“Bennell v State of Western Australia [2021] FCA 1508,” 2021). As such, the official decision handed down by the Federal Court was that Native Title does not exist in the claim area.

The following excerpts come from the Court Order for the determination decision for the South West Settlement Claim (WCD2021/010) and explain the reasoning behind the extinguishment of Native Title rights:

Court notes that: (C). Since 2009, the First to Eleventh Applicants, the South West Aboriginal Land and Sea Council and the **State** of Western Australia have engaged in negotiations for the full and final settlement of all claims by the Noongar people under the Native Title Act 1993 (Cth) (**NTA**). These negotiations resulted in the authorisation, execution, and registration of six Indigenous Land Use Agreements (**Settlement ILUAs**) which make up the **South West Native Title Settlement**.

(D). Each Settlement ILUA relates to a separate area (each, an **Agreement Area**): the Agreement Area is the area defined in Sch 1 of each Settlement ILUA and shown in a map contained in Sch 2 of each Settlement ILUA. Together the six Agreement Areas comprise the **Settlement Area**. Pursuant to cl 6.2 of each Settlement ILUA, all native title rights and interests in relation to the relevant Agreement Areas were surrendered to the State on 13 April 2021 (i.e. native title was surrendered in respect of the whole of the Settlement Area on that date). Further, cl 6.3 of each Settlement ILUA envisages that consent orders will be made for a determination that native title does not exist in relation to each Agreement Area.

(I). The parties acknowledge that the effect of the making of the Determination is that native title will not exist in relation to the Determination Area.

Reasons for Judgement (6). The decision to divide the Settlement Areas into six distinct regions, broadly co-extensive with the Underlying Noongar Applications, with one Settlement ILUA for each registered claim area, was undertaken to ensure that the rights of Noongar people to speak for Noongar Country properly respected the many different estates existing within Noongar society and country. The division of the Settlement Area gave assurance to people that a person’s family’s country could not be interfered with by someone with no connection to it: *McGlade (No 2)* (“Bennell v State of Western Australia [2021] FCA 1508,” 2021).

As such, the ILUA that GKBAC holds (WI2015/005) has superseded their official Native Title Rights, however, it provides GKBAC with additional and ongoing management and community opportunities, as well as greater control over the activities that occur within the GKB ILUA area.

This ILUA (and those of the other Noongar Nations mentioned above) binds State Government Departments and certain State Government agencies to enter into a Noongar Standard Heritage Agreement (NSHA) “when an Aboriginal heritage survey is required in the Settlement Area and a pre-existing heritage agreement does not already exist. [...] [While] the NSHA was primarily developed for use by the WA Government and industry, [...] other land users are encouraged to consider using the NSHA if their planned activity is within the Settlement Area and presents a potential impact to Aboriginal heritage.” (Government of Western Australia, 2024). The negotiation of a NSHA prior to any ground disturbance works provides GKB-nominated Traditional Owners with critical information regarding the nature of these works and therefore allows GKB-nominated Traditional Owners to make informed decisions regarding the projects occurring on their Country.

3.2 CULTURE, COUNTRY, & COMMUNITY CONTEXT

- Whadjuk and Binjareb Noongar people are part of a network of Noongar people who have lived in southwestern Australia for over 45,000 years, connected by shared social, ceremonial, and trade relationships (Balme, 2014; Dortch, 2002). Whadjuk and Binjareb people form part of the Western Australian Southwest Noongar Nations. These Noongar Nations maintain a strong connection to Country, and each have their own customs, beliefs, and traditional practices still utilised today to ensure knowledge of Country is passed on to the younger generations and that the overall health of Country is maintained.

The dialectal land boundaries (as mapped by Tindale, 1974) for Whadjuk Country sit over the current placement of Perth City and includes present-day towns and suburbs such as Jarrahdale, Mundijong and Baldivis in the South; Woottating, Flynn and Bakers Hill in the east; Eglinton, Muchea and Morangup in the North, and all the way to the coastline on the West, inclusive of Garden Island off the coast. By comparison, the Whadjuk ILUA placement (which covers the majority of Whadjuk Country) includes the current placement of Perth City and includes present-day towns and suburbs such as, Spearwood and Armadale in the South; Woottating, Wundowie and West Toodyay in the east; Two Rocks and Coondle in the North, and all the way to the coastline on the West, inclusive of Rottne Island off the coast.

Binjareb Country follows the coastline from Bunbury in the south to Rockingham in the north, extending east towards Mount Cooke, then south towards Collie. It is located within the GKB ILUA area, and is bordered by Whadjuk Country to the north, Wilman Country to the east and Ganeang Country, Bibulman/Piblemen Country and Wardani Country to the south.

Binjareb Noongar people are also known as the Bilyidar ('river') people. At the time of European settlement, Binjareb people were made up of three family groups with main camps in what are now the Mandurah, Pinjarra, and North Dandalup areas (Katijin, 2010). The contemporary towns and cities of Mandurah, Pinjarra, Dwellingup, Harvey, Collie and Bunbury all lie within Binjareb Country.

Traditional boundaries are broadly guided by the dialectical boundaries identified by Tindale (Harben and Collard, 2005; Tillbrook, 1983; Tindale, 1974) but it must be recognized that prior to European colonization Noongar territorial boundaries were fluid and have since been heavily affected by colonial encroachment. For Noongar people in Whadjuk and Binjareb Country, the central colonisation development of the city and on the *Derbal Yerrigan* (Swan River) caused catastrophic disruption to traditional Aboriginal society. The river was a conduit for people, along with diseases such as measles and tuberculosis, which had devastating impacts on the Aboriginal population. As with other regions, Noongar families suffered displacement and fragmentation as draconian policy saw children taken from their families to local missions (Delmege, 2005; Harben and Collard, 2005; Kidd, 1997).

Whadjuk and Binjareb people, and the wider Noongar community, recognise and work with six seasons *Bunuru*, *Djeran*, *Makaru*, *Djilba*, *Kambarang* and *Birak*, traditionally maintaining cultural responsibility for areas and sharing resources with neighbouring Noongar *moort* (family) (Harben and Collard, 2005; Tillbrook, 1983).

Noongar People feel a deep cultural responsibility as the custodians of *Booja* (Country) to foster and maintain a relationship with the land, protect it and care for it. To Noongar People, the land is not separate from themselves and a strong connection to Country is therefore integral to their identity. It is upheld with the passing down of cultural knowledge and practices, through on country learning and/or oral learning or storytelling. A strong connection to country supports a strong sense of cultural connection, belonging and continuity (SWALSC, 2025b).

3.3 LANDSCAPES AND WATERWAYS

Binjareb and Whadjuk Country encompasses a variety of landscapes and waterways of the coastal plain and the ranges of the Darling Scarp, including the Swan Coastal Plain (SWA) and Jarrah Forest (JAF) Interim Biogeographic Regionalisation for Australia (IBRA) bioregions (Thackway and Cresswell, 1995). These landforms hold a great deal of significance to Noongar people as they form part of 'Dreamtime' or Creation stories, as well as being key landscape markers.

Water sources play a crucial role in Noongar culture, not just for their role as a subsistence source, but for being intrinsically tied to the very creation of the world as the Noongar people know it. One of the primary geographic features of Noongar Country is the *Derbal Yerrigan*/Swan River (DPLH ID 3536) which drains into the Indian Ocean near Fremantle. Although not located directly within the Gnaala Karla Booja ILUA area, the Swan River is a place of high mythological significance to the Noongar Nations of the southwest of Western Australia. Both the Swan and

Canning Rivers are believed to have been created by the Rainbow Serpent or *Waugal*, a Creation being. The *Waugal* created the creeklines, waterholes, lakes, and valleys while on its journey to the ocean, and many First Nations people believe that permanent watersources contain a resting *Waugal* that usually bears the same name as the site it is associated with (Hughes-Hallett, 2010; Kingsford, 1982; Shaw and Martin, 2011). As such, water sources continue to play a crucial role in Noongar culture, not just for their role as a subsistence source, but for being intrinsically tied to the very creation of the world as the Noongar people know it.

Noongar Elder, Noel Nannup, summarises the interconnectedness of Noongar people and Country thus:

“Both prior to colonisation and today, the Southwest region hosts a myriad of faunal and botanical resources. Of particular significance are resources gathered along permanent water sources. The knowledge and use of various plants and animals by the Gnaala Karla Booja people that occupy the region is indicative of the inherent ongoing connection they have to country. Reflecting the importance of health, safety, and survival of the Gnaala Karla Booja people and their environment, people, water, plants, and animals form part of the order of all forms of cultural and spiritual life.” (Noel Nannup - A Nyoongar perspective on spirituality, 2011)

Swan Coastal Plain

The Swan Coastal Plain is typified by a low-lying landscape covered with woodland, featuring a complex series of seasonal wetlands. This bioregion covers an area of approximately 15,257 km² and extends across a 30 km wide strip adjacent to the Indian Ocean and west of the Darling Scarp, running from the city of Perth to Cape Naturaliste in the south (Thackway and Cresswell, 1995).

The ground surface within the Swan Coastal Plain varies, but includes colluvial and aeolian sands, alluvial river flats, and coastal limestone. The plain rises to the east to duricrusted Mesozoic sediments dominated by Jarrah (*Eucalyptus marginata*) woodland (Thackway and Cresswell, 1995). Outwash plains, once dominated by *Acacia obesa*-marri woodlands and melaleuca shrublands, are extensive only to the south and paperbark trees (*Melaleuca raphiophylla*) can typically be found in swampy areas (Thackway and Cresswell, 1995). Heathlands and/or Tuart (*Eucalyptus gomphocephala*) woodlands can be found situated over areas featuring limestone, while various banksia spp. or tuart tend to dominate the sandy soils (Thackway and Cresswell, 1995).

Prior to European settlement, the Swan Coastal Plain comprised a series of freshwater wetlands, the majority of which have been drained, filled, or cleared since 1832 (O’Brien et al., 2016). Extant Swan Coastal Plain wetlands, estuary systems, and waterways of significance to the Whadjuk people include: Swan River (DPLH ID 3536), Canning River (DPLH ID 3538), North Lake and Bibra Lake (DPLH ID 3709), Lake Monger (DPLH ID 3788), Hersman Lake (DPLH ID 3585), Lake Joondalup (DPLH ID 3740) and Lake Claremont (DPLH ID 3762), among others, as well as the coastline along this stretch of land itself. Water sources are of high cultural and spiritual significance to Noongar people as they are often associated with specific creation stories. The health of these waterways also often directly reflects the health of these creation spirits, and therefore the health of Country and the Noongar people as a whole (Barber and Jackson, 2011).

To the south, the Leschenault and *Djilba*/Peel-Harvey Estuaries are important features of Binjareb Country, fed by several major, culturally significant river systems that cross the coastal plain from the Darling Scarp. Between the two estuaries lies the Yalgorup Coastal Plain, formed on a limestone platform of Pleistocene age shaped by a dune ridge and adjacent shore and overlain by the Safety Bay Sands of the Quindalup Dunes (Damara WA Pty Ltd, 2009).

The Leschenault Estuary is an ecologically significant landscape; home to dolphins and an important migratory route for many species (DWER, 2024). The Peel-Harvey Estuary is the largest and most complex estuarine system in the

South West and forms a key part of the Peel-Yalgorup wetland system. The wetland system is important for waterbirds and waders, regularly supporting more than 20,000 birds (DWER, 2024b).



Figure 1: Example of remnant native vegetation in the western section of Project NeoSmelt Activity area.

Jarrah Forest

The Northern and Southern Jarrah Forest IBRA bioregions cover an area of approximately 45,063 km² and are located east of the Swan Coastal Plain and Warren bioregions. The Murray River lies within this bioregion along with the peaks of the Stirling Ranges, although the ranges themselves fall outside of Whadjuk ILUA area. The Jarrah Forest present within these bioregions exists within a warm Mediterranean environment, typified by hot dry summers and cold wet winters (Thackway and Cresswell, 1995). It should be noted that the Noongar Peoples have a much broader understanding of the seasons and the cyclic changes their Country goes through than the basic categories *Wadjelas'* (Westerners) apply to three-month block increments of time, and that words such as 'summer' and 'winter' do not do justice to this wealth of knowledge surrounding seasonal changes.

The ground surface and vegetation present within the Jarrah Forest bioregion features a "duricrusted plateau of Yilgarn Craton characterised by jarrah-marri forest on laterite gravels and, in the eastern part, by marri-wandoo woodlands on clayey soils. Eluvial and alluvial deposits support *Agonis* shrublands. In areas of Mesozoic sediments, jarrah forests occur in a mosaic with a variety of species-rich shrublands" (Thackway and Cresswell, 1995).

The jarrah and marri forests have long held a high significance to Noongar people. Some of the forests located on within Whadjuk Country include parts of the Helena National Park, Korung National Park, Beelu National Park, Avon Valley National Park, Jarrahdale State Forest, Midgegooroo National Park, Walyunga National Park, Julimar State Forest and Yanchep National Park, among others. These forested areas provide a wealth of natural resources and materials that have been used for the subsistence, cultural prosperity, and lore and spirituality of Noongar people both in past times and into the present.

Many of the sites of significance for the Whadjuk and Binjareb Traditional Owners within the jarrah forest are located adjacent to or along the waterways that shape the landscape. The importance of waterways and water

sources to Noongar people has previously been stated and cannot be underestimated.

The Darling Ranges/Darling Scarp is also a key natural feature situated within the Jarrah Forest bioregion, stretching north-south along the eastern extent of Binjareb Country. Ranges, as well as the peaks of particular mountains or hills, often hold a great deal of significance as they can be a part of Dreamtime or creation stories, or may have been key markers in the landscape that people utilised to navigate in past times. To Noongar people, the Darling Scarp – which covers a significant area of Whadjuk and Binjareb Country – represents the body of the *Waugal*. During the *Nyitting* (Dreaming) the *Waugal* created the curves and the contours of the hills and gullies of the Scarp. The *Waugal* is central to Noongar custodianship of the land as the spirit slithered over the land creating the *bilya* (rivers), *pinjar* (swamps and lakes), and *ngamma* (waterholes) (SWALSC, 2025). The headwaters of several significant rivers connected to the *Waugal* are situated in the elevated landscape of the Darling Scarp in Whadjuk and Binjareb Country, and many of the people identify as *Bilyagul* (river people). In this way the major rivers of the region form a part of the identity of the individuals and families – they take their identity from the rivers (Applied Archaeology Australia, 2011).

The natural vegetation of the Darling Scarp is predominantly jarrah-marri forest, characterised by jarrah (*Eucalyptus marginata*) and marri (*Corymbia calophylla*), with bullich (*Eucalyptus megacarpa*) and blackbutt (*Eucalyptus patens*) in the valleys. The Darling Range ghost gum (*Eucalyptus laeliae*) is endemic to the western slopes of the scarp, heath is found on granite outcrops, and low banksia woodlands grow on sand sheets. Native mammals in the region include the quenda (*Isodon fusciventer*), chuditch (*Dasyurus geoffroii*), woylie (*Bettongia penicillata ogilbyi*), and brush-tailed phascogale (*Phascogale tapoatafa wambenger*). Quokka (*Setonix brachyurus*) and western ringtail possum (*Pseudocheirus occidentalis*) are often restricted to riparian areas (A Biodiversity Audit of Western Australia's 53 Biogeographical Subregions in 2002, 2003).

3.4 WHADJUK AND BINJAREB CULTURE AND CONNECTION TO COUNTRY

Whadjuk and Binjareb people maintain a strong connection to Country, with oral histories and lore forming a key mechanisms used to maintain and transmit cultural knowledge. Lore stories speak of the connection between Country and the Noongar Peoples, and of how the Country was originally created by spirit beings. Noongar Elder, Noel Nannup, speaks of how Noongar spirituality is intrinsically tied to Country by saying:

“Noongar spirituality lies in the belief of a cultural landscape and the connection between the human and spiritual realms. Everything in our vast landscape has meaning and purpose. Life is a web of inter-relationships where maam and yok (men and women) and nature are partners, and where kura (long ago, the past) is always connected to yey (present). Through our paintings, music, and koroboree/kobori (dance) we are paying respect to our ancestral creators, and at the same time, strengthening our belief systems. Noongar connection with nature and boodja (country) signified a close relationship with spiritual beings associated with the land. We express this through our caring for boodja and observing Noongar lore through an oral traditional of story-telling. Noongar spirituality is one of many kaartdijin (knowledge) systems within Aboriginal Australia, and like other knowledge systems, there is diversity in our Noongar interpretations.” (SWALSC, 2024c)

The beliefs, stories, and customs surrounding the *Nyitting* are of a high cultural significance to the Noongar people and are intrinsic to Noongar spirituality:

“The Nyitting or Dreaming means ‘cold,’ ‘cold time’ or ‘ancestral times.’ Noongar people know it as the Creation time. It is the time before time when spirits rose from the earth and descended from the sky to create the land forms and all living things. Nyitting stories laid down the lore for social and moral order and established cultural patterns and customs. Our Noongar Elders have the ability to comprehend the knowledge and to maintain it in an unchanging way. Noongar creation stories can vary from region to region, but they are part of the connection between all living things.”
(Ralph Winmar, cited in Winmar, 1996)

During the *Nyitting* (Dreaming) the *Waugal* created the curves and the contours of the hills and gullies of the Darling Scarp. The *Waugal* is central to Noongar custodianship of the land as the spirit slithered over the land creating the *bilya* (rivers), *pinjar* (swamps and lakes), and *ngamma* (waterholes) (SWALSC, 2024b). The headwaters of several significant rivers connected to the *Waugal* are situated in the elevated landscape of the Darling Scarp in neighbouring Wilman Country, crossing Binjareb Country before entering inlets, estuaries, and the ocean. Water sources are of high cultural and spiritual significance to Binjareb people as they are often associated with specific creation stories. The health of these waterways also often directly reflects the health of these creation spirits, and therefore the health of Country and Noongar people as a whole (Barber and Jackson, 2011).

Before European colonisation dissected Country and blocked movement and access, Binjareb and Whadjuk people (and other Noongar groups) held traditional systems of movements along the waterways, between the coast and the uplands. Tributaries formed social areas for ceremony, gathering, and specialised hunting areas. Waterways are part of the movement corridors between lowlands, middle valleys and uplands (Applied Archaeology Australia, 2013).

With extensive river systems at the heart of their country, Binjareb Noongars were accomplished fishing peoples, using *gidgees*, nets and *mungahs* (traps made of stone and wicker), to secure their catches. They hosted an annual gathering of hundreds of people from surrounding areas, centred around the Barragup fish *mungah*. Due to the abundance of fish and the prolonged periods of social interaction, sites in Binjareb Noongar country were important centres of communication, with ceremonies occurred during gatherings, including the exchange of *karla/kaarl* (fire), ‘marriage’ preparation and betrothal observance, initiation ceremonies, education exchange, recreational activities and other public demonstrations of etiquette which cemented social bonds and conferred status and responsibility. Binjareb Noongars would also trade hunting and ceremonial items such as the strong and straight throwing *gidjee-borryl* (quartz edged spear) (Katijin, 2010).

3.5 CULTURALLY SIGNIFICANT SITES AND PLACES

There are many culturally significant sites and places located within the GKB ILUA area, and many are situated along major landscape features and permanent water sources such as rivers, creeklines, lakes, peaks, and prominent hills.

Sites of particular importance within Whadjuk Country include *Derbal Yerrigan* – the Swan River (DPLH ID 3536), *Galup* – Lake Monger (DPLH ID 3788), *Karta Koomba* – Kings Park Waugal (DPLH ID 3704), *Dyarlgarro Beeliar* – Canning River (DPLH ID 3538), Ancestral Owl Stone (DPLH ID 26057), and *Wadjemup* – Rottneest Island (DPLH ID 20862). There are countless sites of a high cultural and spiritual significance to the Whadjuk People—these are but a few and operate in a vast web of cultural features, landscape, and connection to Country.

The two major rivers situated within Whadjuk Country, the *Derbal Yerrigan* (Swan River) and *Dyarlgarro Beeliar* (Canning River) have provided and continue to provide an abundance of resources and cultural meanings for Whadjuk Noongar people. The Avon River, which extends 208 km from its headwaters near Wickepin in the Wheatbelt, becomes the *Derbal Yerrigan* at Walyunga National Park resulting in a combined length of 280 km, with

the Dyalgarro Beeliar/Canning River extending for 110 km from its headwaters in the Darling Scarp to its confluence with the Derbal Yerrigan at Melville Water (DBCA, 2025).

A significant spiritual site connected to the waterways is a bend in the *Derbal Yerrigan* near the contemporary suburb of Success Hill (DPLH ID 3757), where the *Waugal* resides (SWALSC, 2025). The *Waugal*—the representation of living water—is a serpent that created the Swan and Canning Rivers. It carved out the curves and contours of hills and gullies and created the lakes and springs of the south-west as it meandered to the sea. The *Waugal* is central to Noongar culture and beliefs and is revered as it gave life to Noongar Country by bringing water to the landscape through waterways referred to as “the veins of life” (F. Winwood, pers. comm., Jan 20, 2025).

Guildford was a location where corroborees were performed due to its ideal location along the Helena River – a *moort bidi* (family track/travel highway). The areas surrounding Success Hill, including Guildford and Pyrton sit on a meeting place of two Noongar tribes where the Swan and Helena Rivers meet. West of the Swan River is known as Yellagonga’s country and East is Weeip’s country (SWALSC, 2025).

Within Binjareb Country, significant sites include the Barragup Mungah (DPLH ID 3314), a fish weir on the Serpentine River and important meeting point for Noongar Peoples from the Swan, Peel, and Darling Ranges areas, and the Pinjarra Massacre Site (DPLH ID 3786).

The Pinjarra Massacre Site is of very high significance to the Noongar community as it is an important part of their history. It is a rare site memorialising the violent conflicts between Noongar people and European settler-colonists in the early years of the Swan River Colony. The Pinjarra Massacre is not just an event of the past, for Noongar people it is an event that symbolises the ongoing processes of colonisation (Bird et al., 2022).

Presently, not every culturally significant site or place is recorded or likely yet identified. Culturally significant places include a mixture of spiritual/mythological spaces such as rivers, *Waugal* resting places or creation storylines, and resource or landscape history spaces such as camps, lookouts, ceremonial grounds, burials or hunting places. Places where historical events occurred are also of significant cultural value. Although many of these sites may not be accessible or usable in the same way as they once were, they have no less value to Noongar Peoples and in many cases are still visited and utilised in a contemporary context.

Whadjuk and Binjareb Traditional Owners, and Noongar People more broadly, understand the whole Country as a site rather than as discrete cultural places or objects scattered throughout the landscape. Country constitutes a cultural landscape, where everything has meaning and purpose, and where Noongar spirituality breathes through the connection between the human and spiritual realms (Nannup, 2011).

3.6 COMMON ABORIGINAL CULTURAL HERITAGE SITE TYPES

The Whadjuk and Binjareb Noongar people have been the Traditional Custodians of the land described in this document for more than 40,000 years (Turney et al., 2001). Through this time, the cultural landscape has grown and evolved with the culture and people. As a highly urbanised/developed part of Noongar Country, a vast number of cultural sites and places have been identified and recorded from the many years of occupation and custodianship both contemporary and pre-dating colonisation.

Common site types found on Whadjuk and Binjareb Country include water sources; culturally modified trees, particularly in the Jarrah Forest bioregion; granite outcrops—natural features in the landscape that were used as meeting points, trading posts, camp sites for hunting parties, and lizard traps; and artefact scatters.

Artefact scatters are the material remains of past Noongar people’s activities. Scatter sites usually contain stone artefacts, although other material such as shell, ochre, or animal bone may be present. On Binjareb Country, artefact scatters include materials such as quartz, dolerite and, less commonly, chert. Artefact scatters are found wherever Noongar occupation occurred and tend to be prevalent around freshwater sources such as rivers and streams—places where Noongar family groups made their campsites. Artefact scatters may also be found in areas

where erosion or disturbance has exposed older land surfaces.

Ethnographic sites form a key element for capturing the intangible heritage within the broader cultural landscape of Binjareb Country. These sites are captured and expressed through Creation stories, traditional ecological knowledge, ethno-botanical knowledge and other evidence of continuous use and connection Noongar people have to a place and cultural features.

There are approximately 1192 Aboriginal heritage sites currently recorded with DPLH within Whadjuk Country. Of these 1192 sites, only 430 are registered. 524 sites are recorded as historic, with the remaining 238 categorised only as lodged sites within the Department of Planning, Lands and Heritage (DPLH) Register of Aboriginal Sites. The majority of these sites are classified as artefact scatters. Of the 1192 recorded sites, 709 (59.58%) are classified as, or include artefact scatters. Other common site types include burials, sub-surface cultural material deposits, water sources, camps, ritual/ceremonial spaces, Creation/Dreaming Narrative places, and culturally modified trees.

Within Binjareb Country, there are currently 716 Aboriginal heritage sites recorded and captured in the DPLH's Register of Aboriginal Sites within Binjareb Country. Of these sites, only 143 (19.97%) are Registered, with a further 304 Lodged heritage places (sites that have been recorded but not yet assessed under the AH Act) and 269 Historic heritage places (sites that have been destroyed, or were assessed as not meeting the criteria of an Aboriginal Site under the AH Act, and have thus been moved to the historic or archival register).

Artefact scatters are the material remains of past Noongar people's activities. Scatter sites usually contain stone artefacts, although other material such as shell, ochre or animal bone may be present. On Whadjuk and Binjareb Country, artefact scatters include materials such as quartz, dolerite and, less commonly, chert. Artefact scatters are found wherever Noongar occupation occurred and tend to be prevalent around freshwater sources such as rivers and streams – places where Noongar family groups made their campsites. Artefact scatters may also be found in areas where erosion or disturbance has exposed older land surface.

Artefact scatters make up a large percentage of all recorded sites within Whadjuk and Binjareb Country due to preservation bias, and sample bias. Preservation bias refers to the impact of time on the presence of sites and artefacts. Noongar people have historically and contemporarily used many tools created with impermanent materials such as plant and animal products like timber, bark, resin, skin, bone, and sinew. These materials have a short preservation lifespan by comparison with stone.

Ethnographic sites form a key element for capturing the intangible heritage within the broader cultural landscape of Noongar Country. These sites are captured and expressed through creation stories, traditional ecological knowledge, ethno-botanical knowledge and other evidence of continuous use and connection Noongar people have to a place and cultural features.

These sites recorded are not a complete representation of Whadjuk and Binjareb Country but reflect the sampling bias of sites identified in the locations where heritage survey work has been undertaken, with heritage surveys registered with the DPLH having been undertaken on Noongar Country. As most of the listed sites were recorded as part of archaeological and ethnographic heritage surveys and associated research for industry areas within Whadjuk and Binjareb Country, the information above is not final and may be added to in future.

• 3.7 LEGACY POST-CONTACT

- The Swan River Colony was officially designated as a British colonial settlement in 1829, with Perth as its administrative centre. Early contact between Aboriginal people and European settlers had mixed outcomes (Berndt and Berndt, 1979). Some interactions were positive, with Aboriginal people often assisting Europeans during the early years of settlement, guiding pastoralists and settlers to various watersources and resources (Hughes-Hallett, 2010). Certain supplies, such as tea, tobacco, and sugar were used as payment for the assistance of the Noongar Nations (O'Brien et al., 2016). Berndt and Berndt (1979) note that the practise of paying Aboriginal people with

supplies or rations altered traditional lifestyles resulting in increased interaction of both populations and an exchange of knowledge and culture.

Many interactions were not positive. Several conflicts occurred over land seizure and dispossession between southwest Aboriginal populations and European settlers which resulted in extreme violence towards Aboriginal populations, including several massacres. The actions of the colonial government over the preceding years escalated tensions between European settlers and Noongar people. Several key Noongar Elders were outlawed and executed during this time, including Midgegooroo, who was executed in May 1833, followed by the outlawing and consequent murder of his son Yagan two months later at the hands of two men enticed by the promise of a bounty (Curthoys and Konishi, 2022). Midgegooroo and Yagan were influential Whadjuk Noongar leaders, and their loss was felt deeply by the community, further exacerbated by the desecration of Yagan's body (Curthoys and Konishi, 2022).

Retaliatory strikes by Noongar people, including the spearing of a servant near Mandurah, stoked fears the Noongar clans would join together and overwhelm the settlers and were used as justification by the colonial government to violently quell Binjareb resistance to colonial spread (Curthoys and Konishi, 2022). On the 28th of October 1834, Captain James Stirling gathered a party of policemen, soldiers, and settlers, and headed out to Pinjarra, where they came across a camp of several Binjareb (Curthoys and Konishi, 2022). Stirling's party surrounded the camp on three fronts, and proceeded to trap people along a river where they were fired at from both sides (Curthoys and Konishi, 2022). Various accounts of the massacre estimate that anywhere from 15 to 80 Binjareb people were killed including men, women, and children, along with one British colonist (Bird et al., 2022; Curthoys and Konishi, 2022; Harris, 2010). Although other massacres were carried out in southwestern Australia, the 1834 Pinjarra massacre is the most reliably documented as Stirling and his men faced backlash from the British Parliament over their actions.

As European populations grew, Aboriginal populations were slowly pushed off their traditional lands, and a greater demand for labour saw Aboriginal people often employed at various settlements such as pastoral stations (Berndt and Berndt, 1979). Noongar men often became wage labourers such as station hands and drovers while Noongar women typically performed unpaid or poorly paid domestic tasks within the household or camp (Hodson, 1993; O'Brien et al., 2016).

Through the early to mid-1900s permanent camps were established along rivers in Whadjuk Country where people would catch just enough to eat to ensure the next trip would be fruitful. However, Whadjuk people found themselves pushed further and further from these camps by the expansion of white settlement. By the 1970s many Noongar people had left the permanent camps to move to Government built housing. Despite this disruption and change to traditional systems of movement for Whadjuk people and the wider Noongar community, in a contemporary context, they still maintain an ongoing connection to culture and country. This is through mythological values in the continuation of *Nyitting* stories, through spiritual values of a deep respect of the rivers as entities, providers, and a source of food and water for subsistence and recreation, and Noongar people continue to use the changing seasons to indicate where bushfood such as berries and marron are plentiful (SWALSC, 2025).

Additionally, policies established by the colonial government saw many Noongar children forced onto missions such as New Norcia to the north-northeast of Perth (O'Brien et al., 2016). Supported by government legislation and religious organisations, missions facilitated the removal of children from their parents for education in institutions with the ultimate aim of providing workers for the labour market (Kidd, 1997; O'Brien et al., 2016). Missions continued to operate in some areas until the 1970s, despite many being marred by abuse (Kidd, 1997).

“There’s a lot of old people who have been through there [Wandering Mission] over the years and their spirits will come back to that place. Sometimes, we will talk about that we won’t talk about that in the night time though. Yes, it had everything. Wandering has everything and there was sadness there, too.Yes, there was that too



and there's those old people who died and who keep coming back to see their children. Their spirits keep coming back. A lot of children were there before I went there [with Joe Walley in the 1970s] Yeah, God only knows what happened before me and Joe got there." (Margaret Gentle, cited in Harben et al., 2004, p. 65)

These acts and policies were designed to remove Noongar people from their culture and traditions. The far-reaching effects of this history continues to impact on Noongar identity and society today, however, various programs are regenerating cultural and intergenerational learning amongst Noongar Peoples.

4 DESKTOP STUDY

- The Project Neosmelt Activity area is located within Whadjuk and Binjareb Country, and has been part of the Whadjuk and Binjareb people and their ancestors since time immemorial. Whadjuk and Binjareb people maintain their traditional rights and responsibilities as custodians of this Country, and hold knowledge of cultural practices, values, and heritage relating to it.

Previous heritage surveys and research related to the Activity area have been undertaken prior to this heritage survey, resulting in the identification and reporting of information that is critical to understanding the cultural significance of Aboriginal heritage places and values.

A desktop assessment was completed before the start of the heritage survey to understand the extent of heritage research undertaken to date within the Activity area. This research relies largely on the Register of Sites maintained by the DPLH, which is a catalogue of heritage places previously recorded within the area and submitted to the DPLH. The boundaries of the Project Neosmelt Activity area were entered into the DPLH's Aboriginal Cultural Heritage Inquiry System (ACHIS) to determine whether any heritage surveys have previously been conducted and whether any Registered, Lodged, or Historic Aboriginal sites exist in the area. Following completion of the ACHIS search, access to relevant site files and survey reports was requested.

The results of the desktop research are provided below.

4.1 PREVIOUS SURVEYS

- This section summarises survey reports detailing previous surveys that either partially or completely intersect with the Project Neosmelt Activity area.

Report ID 21817	Machin, B, 1994, Ballaruk (Traditional Owners) Aboriginal site recording project. Prepared for National Estates Program, Heritage Council of Western Australia.
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This report details an Aboriginal site recording project utilising several interrelated methodologies: archival research; an ethnographic assessment of the survey areas; an archaeological investigation of the survey areas; and audio and video-taped interviews and photographs. The report also reviews various sources and discusses who/how/why individuals and groups in Noongar culture hold cultural authority to speak for certain parts of Country.

An ethnographic survey of six sites was undertaken in July, August and September, with archaeological investigations of these sites being completed in August. The ethnographic sites are described as: Ellen Brook Reserve – place of the short-necked turtle swamp; Campsite at Rundall Road, *Wyatung Wormateen* and *Weeuop*; Church built on site of Holy Spring – Aboriginal Healing Water, *Boolyar*; Scarred tree *Koomyle* – Possum country and food collection; Valley site – *Marrn Mooditch*; and Gingin burial site, opposite Mortimer Street bend in the river. Further detail of the cultural significance to the Noongar people of these sites is provided in the report, as well as archaeological assessments of each site.

The locations for the ethnographic and archaeological investigations are given as: Ellen Brook Nature Reserve; Rutland Road Camp; a Holy Spring (noted as being usurped by the Roman Catholic Church); the junction of Meadow Brook Road and Ridgewood in South Chittering; a gorge at South Chittering on a tributary of the Brockman River; and a burial site at Lot 103 south of Gingin Brook.

Report ID 21818 Machin, B. 1995. Ballaruk (Traditional Owners of Whadjuk territorial boundaries the lands of the Ballaruk Peoples) Aboriginal site recording project: Additional material. Prepared for National Estates Program, Heritage Council of Western Australia.

This report is an addendum to the DPLH ID 21817 report. This report relies on interviews with Corrie Bodney, photographs, and road maps with locations outlined, to provide information about additional Aboriginal sites in the Whadjuk area. The survey report provides additional ethnographic and archival information relating to an important ceremonial, mythological, hunting and camping ground Munday Swamp (DPLH ID 3719 - Munday Swamp; DPLH ID 3888 - Munday Swamp: Poison Gully; DPLH ID 3896 - Munday Swamp: Poison Gully; DPLH ID 3933 - Munday Swamp; DPLH ID 3934 - Munday Swamp. Note: the latter four DPLH sites are incorporated within the boundaries of DPLH ID 3719). Information in the report outlines the ongoing use of the site and the extent of damage to the area noted during the original consultation. Other heritage places identified and discussed in the report include: *Joondol Muryang* Ceremonial Ground (DPLH ID 22671 - *Joondol Muryang*); Maamba Aboriginal Reserve (DPLH ID 3772 - Welshpool Reserve (Maamba Reserve); Mundaring Weir Corroboree grounds (DPLH ID 22675 - Mundaring Weir Corroboree Grounds (*Booralyn*); and Kings Park (DPLH ID 3704 - Kings Park Waugal; DPLH ID 3761 - Kings Park).

Report ID 102670 O’Connor, R, 1985, Preliminary Report on the Survey of Aboriginal Areas of Significance in the Perth Metropolitan & Murray River Regions July 1985.

This report was unable to be reviewed due to DPLH closed status, signifying sensitive cultural information.

Report ID 103564 University of Western Australia, 1972, An Archaeological Survey Project: The Perth Area, Western Australia. Apr 1972. Prepared for the Australian Institute of Aboriginal Studies.

This report provides a broad analysis of Aboriginal occupation, land use, and the ecological and symbolic ordering of life and landscape in the South West, centered over Perth. The report employs three methodological approaches: ethnohistorical evidence, field survey, and excavation, to discuss usage patterns, landscape effects, and demography and population distribution. The authors are particularly interested in how Aboriginal people had transformed the environment prior to European colonisation, including through seasonal travel, resource procurement, ritualistic uses, and mythological understandings.

Through the analysis of ethnohistorical sources, the authors find that patterns of Aboriginal land use (such as ‘fire-stick farming’ and repeated seasonal movements creating distinct tracks through the landscape) influenced European movement, exploitation, and settlement. The report also discusses stone tool technology, and analysis of lithics to understand demography and population movements over large-scale time periods. The authors suggest timelines for west coast surface assemblages, as well as for backed blade and small tool traditions. Several rock shelters and associated engravings are also discussed, including Registered Sites: DPLH ID 4404 – Orchestra Shell Cave; DPLH ID 3846 - Dales Cave; and DPLH ID 3350 - Frieze Cave/Far Cave.

• 4.2 PREVIOUSLY RECORDED ABORIGINAL HERITAGE PLACES WITHIN • ACTIVITY AREA

- No (0) Aboriginal heritage places have previously been identified within the Activity area.

4.3 KNOWN HERITAGE PLACES NEAR THE ACTIVITY AREA

Within an approximate 5 km radius of the Activity area, six Aboriginal cultural heritage places have been previously reported. These heritage places provide context for the cultural landscape within the Project Neosmelt Activity area and are summarised below.

Table 1: Summarised Aboriginal cultural heritage places in proximity to the Activity area.

DPLH ID	PLACE NAME	PLACE TYPE(S)	PLACE SUMMARY	PROXIMITY TO ACTIVITY AREA
3334 (Lodged)	ROCKINGHAM	Traditional Structure	There is limited information available about this site, which appears to have been first reported to the WA Museum in the 1970s. The original site card is undated, but describes the site as a stone arrangement “20-30’ long, 8’ wide” (approximately 6- 10 m long by 2.5 m wide) with a few stones disturbed, located at a farm on the side of the road approximately “one mile past east Rockingham state school”.	Approx. 1.5km SE
3689 (Historic)	EAST ROCKINGHAM CEMETERY	Burial	This heritage place was first reported in 1984 as a burial site with ethnographic values. It was assessed in 2000 and removed from the Register as it was deemed ‘not a site’ under the AH Act.	Approx. 1.5km NE
3690 (Historic)	MANDURAH ROAD TREES.	Camp; Other	This heritage place was first reported in 1984 as a row of trees opposite the cemetery on Mandurah Road which were ‘associated with the spirits of dead Nyungars’, and had been used as a camp area. It was assessed by the ACMC on 13/06/2000 (Resolution ID 003080 No. 00/088) as ‘Not a Site’ under the AH Act and removed from the Register.	Approx. 1.5km NE
3776 (Historic)	INDIAN OCEAN	Creation/ Dreaming Narrative	DPLH ID 3776 – Indian Ocean is a large ethnographic place encompassing <i>Derbal Nara</i> (Cockburn Sound) and the Indian Ocean in between <i>Wadjemup</i> (DPLH ID 20862 – Rottnest Island (Wadjemup)), <i>Ngooloormayup</i> (DPLH ID 20863 – Carnac Island), <i>Meeandip</i> (DPLH ID 18417 – Garden Island (Cockburn Sound)), and the coastline from Cottesloe Beach in the north, to Kwinana Beach in the south. DPLH ID 3776 – Indian Ocean captures the Noongar Dreaming narrative or creation story that details the time in which the three islands were connected to the mainland, and tells of how they became separated.	Approx. 1km West

DPLH ID	PLACE NAME	PLACE TYPE(S)	PLACE SUMMARY	PROXIMITY TO ACTIVITY AREA
			<p>This ethnohistorical account was first identified and recorded by Europeans in 1836 and again in 1884, as detailed by Brown (1983) in an ethnographic heritage survey for Main Roads. Two explanations were provided. The former account records the split as the result of actions of the <i>Waugal</i>, and the latter account suggests that the offshore islands were separated by an intense fire that burned so strongly the ground split.</p> <p>A DPLH internal memorandum dated 2004 notes that the site needed to be re-mapped to the mean high-water mark of the coastline as per ACMC Resolution 2004/083. The memorandum also notes that the site will be re-mapped if/when funds become available. No further correspondence on this matter was provided in the DPLH site file. DPLH ID 3776 – Indian Ocean was re-classified by the ACMC as ‘Not a site under Act’ in 2004 (Resolution 2004/082). However, the ACMC further resolved that the site may be restored if and when further supporting information related to the site is forthcoming (Lafrentz and Scott 2010).</p> <p>It is recommended that archaeological monitoring is undertaken of sub-surface works in and around the wetland itself and the dunes between the foreshore and the wetland during drainage construction and the rehabilitation of the wetland.</p> <p>Named Aboriginal Informants: Colbung, Ken. Colbung, Esandra. Gentle, Margaret. Hume, Patrick. Hume, Rebecca. Northover, Joe. Riley, Howard. Walley, Joe. Winmar, Dorothy. Winmar, Greg.</p>	
31742 (Registered)	RIZ 12-01	Artefacts / Scatter	This site is a small, dispersed artefact scatter measuring approximately 62 m x 61 m, recorded in 2012 by Gavin Jackson CRM. The scatter is heavily disturbed, but was reported to contain 21 artefacts, all manufactured from quartz.	Approx. 1.5km SE
31743 (Historic)	Rockingham Industry Isolated Finds	Other	<i>DPLH file not available at time of writing.</i>	Approx. 1.5km NE

5 SURVEY METHODOLOGY

Aboriginal Land Services has undertaken an **archaeological and ethnographic Site Identification heritage survey** of BlueScope's Project NeoSmelt Activity area, in accordance with the Activity Notice dated 18 July 2025 (HER.1819). The purpose of an archaeological and ethnographic site identification survey is to undertake in-depth and detailed investigation of heritage places and potential heritage sites under section 5, and/or heritage objects under section 6 of the AH Act, as identified within a survey area or development footprint. Site Identification surveys also assess the significance of places, potential sites, and/or objects under section 39 of the AH Act, to allow for characterisation of any Aboriginal cultural heritage places or objects at a level adequate for assessment under section 18 of the AH Act.

The survey incorporated both ethnographic and archaeological components. Archaeology is the study of the human past and human occupancy using material remains. Archaeological surveys focus on the tangible aspects of cultural heritage, including the way that cultural material and landscapes were utilised in the past. Ethnographic surveys focus on the anthropological considerations of heritage. Anthropology is the study of human behaviour, value systems, and cultural norms, and thus ethnographic surveys focus on the intangible elements of cultural heritage. This includes the way that cultural landscapes and resources are valued and utilised by Traditional Owners in the present day, and their ongoing value for future generations.

Review and Endorsement of Survey Results

ALS operates to best practice for the management of Aboriginal and Torres Strait Islander cultural heritage. These standards are guided by the provisions of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), the principles of Indigenous Peoples' rights to land, territories, and natural resources, the universal right to self-determination, and the right to **free, prior, and informed consent** (FPIC) 'of affected Indigenous Peoples before the approval of any project that affects Indigenous Peoples' lands or the resources therein' (HCANZ, 2020, p. 32).

Of particular relevance to the management and protection of Aboriginal cultural heritage within BlueScope's Activity area are the following principles outlined in the *Best Practice Standards in Indigenous Cultural Heritage Management and Legislation*:

- ***Incorporation of principles of self-determination.*** The affected Indigenous Community, through its own representative organisation, should be the ultimate authority on the management of Indigenous cultural heritage that will be affected by any proposal (HCANZ, 2020, p. 35).
- ***Processes.*** The 'affected Indigenous community must have adequate information and adequate time to consider that information in making any decisions that may affect their Indigenous cultural heritage', and that 'decisions regarding Indigenous cultural heritage management cannot be left to be the last consecutive approval required in the assessment of a development proposal' (HCANZ, 2020, p. 36).
- ***Resourcing.*** Indigenous representative organisations 'engaging with proponents and assessing their proposals are performing a statutory function under the relevant jurisdiction's project assessment and approval regime and must be adequately resourced to perform this function' (HCANZ, 2020, p. 36).
- ***Indigenous ancestral remains.*** Where possible, Indigenous ancestral remains 'should be left in country and these resting places protected' in accordance with the relevant legislation. Where 'there is no possible alternative to the relocation' of Indigenous ancestral remains, the relocation must take place 'in accordance with the wishes of the affected community' (HCANZ, 2020, p. 37).

This report was sent to GKB Impact and the Noongar Consultants involved in the heritage survey for their feedback and review.

5.1 ARCHAEOLOGICAL ASSESSMENT

5.1.1 SURVEY

Due to the density of the grass and tree vegetation throughout the Activity area, which reduced ground surface visibility to <10%, formal pedestrian transects were largely not feasible. Additionally, the industrial history of the area has significantly disturbed the soil profile, with introduced fill and gravel visible in much of the area, along with evidence of rubbish dumping. These disturbances have substantially altered the original ground surface and soil stratigraphy. As such, the Noongar Consultants and Heritage Consultants agreed that it was not practical or reasonable to conduct systematic transect surveys across these areas.

Where vegetation was too dense or ground disturbance too extensive, the survey team completed informal inspections from the paths and vehicles where possible. Informal pedestrian inspections were completed along the established paths within the area, with the team fanning out where practicable to inspect any areas of surface visibility that could be accessed.



Figure 2: An example of the vehicle tracks with ground visibility that formed sections of the physical assessment – Candice Bell, Dally Blechynden, Louise Ward, Julia Weller, and Renelle Thorpe.

5.1.2 ARCHAEOLOGICAL SITE RECORDING

If a potential heritage place is identified during survey, the survey team conduct a visual inspection of the area and the Heritage Consultants discussed the place with the Noongar Consultants. For site identification level recording:

- The place type is determined, and notes made about the nature of the cultural assemblage.
- For places encompassing artefact scatters, the boundary of the heritage place is established by undertaking a series of walked transects radiating outwards from areas of artefact concentrations. Boundary points are placed where artefact densities dropped to the level of background scatter or disappeared completely according to visual assessment.
- For more discrete heritage places, such as culturally modified trees, the boundary of the heritage place is

established by determining the maximum extent of the fabric of the site, such as the estimated tree crown/root extent.

- Heritage place boundaries are recorded using the ArcGIS Field Maps program on a tablet. Boundary points are also taken on a handheld GPS device.
- Photographs are taken exemplifying the type of artefacts at each heritage place, as well as cardinal directional photographs.
- A detailed description is made of the heritage place and its surroundings, including the cultural fabric, landscape features, environmental components, and relationship to any other cultural values or places.
- The Heritage Consultants discuss the cultural values of the heritage place with the Noongar Consultants, recording their views on the cultural values of the heritage place and its cultural significance.

In consultation with the Noongar Consultants and in consideration of the proposed ground disturbance works, any specific management recommendations for the site are recorded.

• 5.2 ETHNOGRAPHIC ASSESSMENT

• 5.2.1 SURVEY

The ethnographic approach employed in this project followed a participatory and iterative process, consisting of the following key steps:

1. Initial Group Discussion

A group meeting was held between ALS staff and the Noongar Consultants to introduce and outline the survey purpose and methodology, and the wider cultural landscape. A full-group meeting was then held to include the BlueScope representatives, who introduced the proposed works on Project NeoSmelt. The goal of this session was to establish mutual understanding, built rapport, and set the context for collaborative engagement.

2. Informal One-on-One Conversations During Fieldwork

Ethnographic data was gathered through informal, conversational interviews conducted with Noongar Consultants. Informal discussions were held in the car drive out and back, during pedestrian transects, and during a group discussion following the completion of pedestrian transects.

3. Final Review and Collaborative Reflection

A concluding discussion was held between ALS survey team, BlueScope representatives, and Noongar Consultants to review the survey results, discuss recommendations, and reflect on the broader cultural landscape. A further discussion between ALS survey team and Noongar Consultants provided an opportunity for the Cultural Heritage to be discussed in detail and the recommendation to be captured accurately. This step ensured that community voices were central to the interpretation and validation of findings.

Ethnographic heritage surveys are a key element of cultural heritage management. Ethnographic surveys are a standard method used to capture the cultural significance of tangible and intangible heritage places within the broader Cultural Landscape, and to represent the perspectives, values, and concerns of Traditional Owners.

In documenting living cultures through a Cultural Landscape lens, heritage assessment does not and cannot rely solely on the physical cultural material, but must include the Creation stories, Traditional Ecological Knowledge, ethnobotanical knowledge and other evidence of continuous use and connection that Traditional Owners have to a place or object. Cultural heritage encompasses natural features and living elements of the broader environment, where Aboriginal cultural associations (including customs) are important to protecting physical and biological aspects of environments. A connection to the environment, the physical landscape, its processes and the

relationships between everything that lives within it are a part of this side of heritage and culture and are often the focus of ethnographic surveys.

The ethnographic survey of the Project NeoSmelt Activity area assessed the cultural values of Aboriginal heritage places (archaeological and ethnographic) within the Activity area, as well as the ethnobotanical and cultural resource values of the surrounding landscape. Ethnographic assessments also extended to cultural features, most notably waterways, habitat trees and granite outcrops.

Thus, the ethnographic element of the survey involved the Noongar Consultants discussing the cultural, ethnographic, and ethnobotanical values of the survey areas with the Heritage Consultants while walking on Country, while driving along access tracks within and around the survey area, and through targeted in-field group discussions. The survey team conducted debriefs following the completion of the field day to round out the discussions on the cultural heritage values and cultural significance of the places and objects recorded that trip, as well to capture targeted cultural heritage management conditions (as described in the Results and Recommendations sections of this report).

5.2.3 ETHNOGRAPHIC AND ETHNOBOTANICAL SITE RECORDING

Once a place of ethnographic significance is identified, an assessment is made by the Noongar Consultants and the ALS anthropologist as to its likelihood of being an Aboriginal Site as specified in s5 of the AH Act. For site identification level recording:

- The place type is determined, and notes made about the ethnographic and ethnobotanical values of the place, including cultural features located within the heritage place.
- The extent of the heritage place is determined by the Noongar Consultants and recorded by the Heritage Consultants using the ArcGIS Field Maps program on a tablet. Boundary points are also taken on a handheld GPS device.
- Photographs are taken exemplifying the place type and cultural features at each heritage place, as well as cardinal directional photographs.
- A detailed description is made of the heritage place and its surroundings, including the cultural fabric, landscape features, and environmental components.
- The relationship of the heritage place to the broader cultural landscape is discussed, with particular notes being made about the ethnobotanical and resource values of the surrounding region and how the heritage place interacted with these surrounding cultural values.
- The Heritage Consultants discuss the cultural values of the heritage place with the Noongar Consultants, recording their views on the cultural values of the heritage place and its cultural significance.
- In consultation with the Noongar Consultants and in consideration of the proposed Project NeoSmelt works, any specific management recommendations for the site are recorded.

5.3 LIMITATIONS

Dense coverage of endemic and non-endemic vegetation meant that ground visibility was <10% across most of the Activity area at the time of the survey, with exception of vehicle access tracks and the cleared parking area off Patterson Road. Additionally, the Activity area has a significantly disturbed the soil profile, and evidence of illegal dumping throughout. These disturbances have substantially altered the original ground surface and soil stratigraphy. These factors restricted the opportunity to identify any archaeological material on the ground surface.

An itinerant resident camped within the Activity area posed a further limitation to physically surveying the Activity area. ALS was notified of the resident prior to commencement of the survey, and for safety and privacy reasons included avoidance of the area around this camp as part of the field survey JHA. Additionally, we were informed

that the area surrounding this camp was not to undergo any ground disturbance works for construction but would be set aside and buffered from disturbance.



Figure 3: Example of poor ground visibility due to groundcover throughout most of the Activity area.

6 SURVEY RESULTS

The proposed Project Neosmelt Activity area was archaeologically and ethnographically assessed to Site Identification standard on the 15th of October 2025.

The Activity area is located west of Patterson Road in the Rockingham Industrial Zone, around 46 km southwest of Perth. The proposed works include the construction of a pilot plant to develop Direct Reduced Iron technology with ESF capabilities.

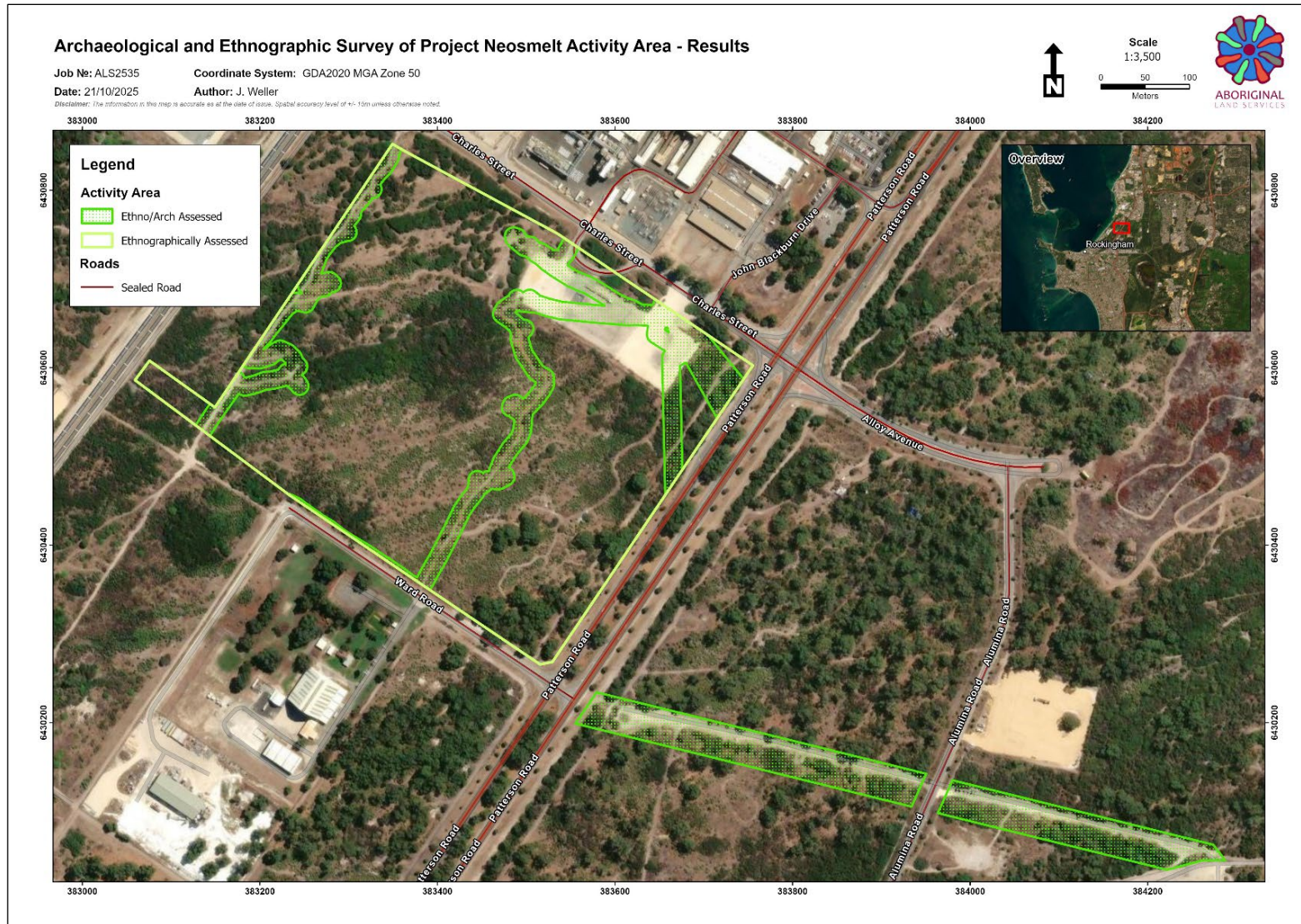
During the heritage survey of the Project NeoSmelt Activity area:

- **No (0) Department of Planning, Lands and Heritage (DPLH) Registered sites** were located within the Activity area;
- **No (0) Lodged DPLH heritage places** were located within the Activity area;
- **No (0) Historic DPLH heritage places** were located within the Activity area;
- **No (0) heritage places were identified and recorded** to site identification standard; and
- **No (0) isolated artefacts** were documented within the Activity area.

6.1 DATA SUMMARY

A summary of the heritage survey results is presented below. Maps depicting the heritage survey results are presented below, with corresponding spatial data (Attachment 1) accompanying this report.

Attachment 1: ALS2535_Client_Data.gdb



Map 5: Heritage survey results map – Project NeoSmelt Activity area.

7 SURVEY SUMMARY

This report details the results of the Aboriginal archaeological and ethnographic site identification survey of the Project NeoSmelt Activity area, undertaken over one day on Wednesday the 15th of October 2025. The survey was commissioned by GKB Impact on behalf of BlueScope, and carried out by ALS Heritage Consultants and GKB-nominated Noongar Consultants.

No Aboriginal heritage places were identified as a result of the heritage survey, which was limited by the evidence of disturbance and very poor ground visibility due to the dense vegetation across the Activity area. The thick stands of mature *boorack*/balgas provided a topic for discussion during the survey (Figure 4). One of the senior women shared that through this region, Noongar people used to refer to balga as *boorack* trees, therefore the term has been applied throughout this report. *Boorack*/balga trees have been utilised culturally for many purposes including food sources, tool-making, and *mia mia* construction as well as providing essential habitat to native fauna, and therefore are highly valued by Noongar people. BlueScope representatives stated that they had worked with local rangers to assess the vegetation and will be seeking to formulate a plan for the salvage and reuse of the *boorack*/balga trees, including the possibility of working with an Aboriginal-owned company. The Noongar Consultants felt strongly that the *boorack*/balga needed to be salvaged by suitably-qualified contractors, and a plan put in place for the replanting.



Figure 4: Darren Thorne Snr, Louise Ward, and Greg Haywood examining some thick stands of boorack/balga trees.

Expanding on the cultural importance of native plants, two of the senior women chatted about their memories and shared their knowledge of various bush tucker, both from earlier years and more recently, outlining they still seek opportunities to undertake these activities.

The bardie tree over there, that yellow one. Thats a bardie tree. We don't have a tommy axe to get them. They taste like butter, in the pan or the hot ashes. You get big ones and little ones. You want the big ones!" (Lesley Ugle. per. Comm. 15 October 2025)

The women discussed how they go out to South Yunderup to collect bardies, and that the bardies are good for collecting when the flowers are out – during the Noongar seasons of *Djilba* and *Kambarang*. However, they also

touched on how difficult this has become with so many changes, highlighting the impact of barriers to Noongar people accessing spaces for cultural activities.

This has all changed, this was all bush. This was our run. This through here was a travel route. Before this all became a town, about a month before this time (before October), they used to come down from the hills and live down here for about 5 months. And catch fish and summer food. And lot the grass trees is where they would dig for their bardies. The wattles you have to dig for them. The blackboys you just nick the centre out and chuck the bardies across the coals.... There's another called noomar - a big fungus, like a piece of liver. And you can smell them. Like mushrooms. My old granny Bella Northover, if we was on this side of the road, she'd go over the road and come back with this noomar. And fry it up...they had plenty of food. But you can't find anything these days. We still get bardies. There's also wild potatoes, only little. The ones we eat you see a little green leaf on top, and you know there's potato's underneath.
 (Gail Wynne, per. Comm. 15 October 2025)



Figure 5: The bardie tree identified by Lesley Ugle.

Other Noongar Consultants mentioned bushfoods that they know to be useful, such as *kickin* berries – small edible berries that grow on a small native shrub. These discussions not only demonstrated the Noongar Consultants ongoing practice of gathering and utilising traditional foods, but also the abundance that was once available and the changes that these women had seen within their own lifetime that interrupted their access to cultural activities. No fauna was directly observed during the physical survey of the Activity areas, but bandicoot droppings were identified, and cockatoos could be heard calling from nearby. BlueScope representatives stated that they plan to undertake trapping and relocation of any native species prior to any clearing works.

The younger women shared how the time completing the survey provide invaluable opportunities for cultural learning, which is integral for the continuation of Noongar culture and identity. This included, for one young Noongar Consultant, spending time sharing stories for her mum during the drive down for survey, as the job bought

up memories and the impetus to share between mother and daughter. They also shared that being out on survey with the senior women provided them with opportunities to hear the stories and share knowledge as these conversations flow more naturally in this context with one stating “*I could listen forever*”.

This was demonstrated when the senior women were chatting together and reminiscing during the wrap up, with the younger women listening in:

They were very spiritual people. We have lost it today. Some were more powerful than others. The Aboriginal people would acknowledge the animals. The totems. What was ours? I can't remember. (Gail Wynne)

I always go by possum. Koomool. (Lesley Ugle)

And the birds. They give us messages. Like warnings. We still go by that, and it's coming through solid through you girls. I can hear all the old people, I can see them here. (Gail Wynne)

(Gail Wynne and Lesley Ugle, per. Comm. 15 October 2025)

During whole group discussions, which included the men, these senior women were able to share how the group all linked through family lines and share stories of lost relatives with the younger Noongar Consultants. This provided an invaluable learning opportunity and sharing of knowledge between generations.

The Noongar Consultants raised the prospect for employment and training opportunities for Aboriginal people across the entirety of the Project NeoSmelt lifespan. BlueScope representatives outlined BlueScope's overarching First Nation Engagement Framework (FNEF), and their goal of working in collaboration with GKBAC to ensure positive outcomes for this aspect of the project. The importance of this was encapsulated by comments from senior Noongar Consultants:

Employment for Aboriginal people? The young workers need training up, so they gain skills...I would like to see something good eventuate. Not fall down. The training needs to be ongoing and supportive. It is hard to be the only Aboriginal person in a place. Like a fish out of water (Gail Wynne, per. Comm. 15 October 2025)

We don't get royalties, so we need to get the work and opportunities. (Darren Thorne, per. Comm. 15 October 2025)

The Noongar Consultants highlighted their community's need for robust, long-lasting employment and training outcomes across a range of skill areas. They expressed concern, based on past experiences, where they felt these types of programs ran the risk of being tokenistic or lacking in long term vision for upskilling and building Noongar people's capacity for the future. BlueScope representatives provided examples from their eastern states-based operations where they feel their traineeships programs are well established, and advised that they are currently in discussions with the local City and South West TAFE to facilitate a range of traineeships, as well as seeking to partner with universities, with the goal of providing both vocational and technical opportunities.



Figure 6: Introductory discussions with BlueScope staff and Noongar Consultants – Caleb Leeming, Michiel Freislich, Sally Blechynden, Renelle Thorpe, Greg Haywood, and Darren Thorne Snr.

In summary, despite the lack of physical cultural material identified, the discussions held with the Noongar Consultants clearly identified the Project NeoSmelt Activity area as a previously abundant space for Noongar people, and a known area that Noongar people have historically travelled through. There is potential for sub-surface cultural material to be present within the area, despite contemporary disturbances. The importance of continued access to resources and spaces to undertake cultural practices and to facilitate sharing of cultural knowledge amongst family and to the wider community was expressed by all Noongar Consultants present. Additionally, the integral need for ongoing employment and training opportunities for Noongar people within the industries occurring on their traditional lands was of high concern amongst the senior Noongar Consultants.



Figure 7: (Back, L-R) Renelle Thorpe, Louise Ward, Martin Ugle, Candice Bell, Greg Haywood, Michiel Freislich, Caleb Leeming, Darren Thorne Snr, Sally Blechynden, (Front, L-R) Emma Dennis, Gail Wynne, Lesley Ugle, Julia Weller.

8 MANAGEMENT ACTIONS

Based on the results from the heritage survey, the Noongar Consultants and ALS provide the following **advice** and **recommendations** to assist BlueScope with the management of Aboriginal heritage values in the Activity area.

8.1 ADVICE

BlueScope is advised that:

- 1) The Activity area has been archaeologically and ethnographically assessed subject to the survey limitations outlined in this report, and no aspects of the Activity Program as outlined in the Activity Notice are likely to breach the AH Act, subject to the following recommendations developed by the Noongar Consultants on survey.
- 2) No previously unreported cultural heritage places or isolated artefacts were identified during the survey undertaken in the Activity area.
- 3) The Noongar Consultants have reviewed and assessed the location of the Project NeoSmelt Activity area and were satisfied that further consultation with GKBAC could proceed subject to the recommendations provided below, which would mitigate the risk of disturbing or impinging on any cultural heritage values present within the Activity area.

8.2 RECOMMENDATIONS

8.2.1 RECOMMENDATION 1

It is recommended that BlueScope engage GKB-nominated Traditional Owners as cultural monitors to be present during ground disturbance work within the boundaries of the Project NeoSmelt Activity area to mitigate the risk of disturbance to sub-surface material.

The Noongar Consultants identified that there was risk for the disturbance of sub-surface cultural material associated with previously unidentified Aboriginal cultural heritage, particularly during the removal of vegetation and during earthworks that would impact on the topsoil of the Activity area.

The Noongar Consultants support the proposed works as presented by BlueScope on the survey on the condition that BlueScope engages suitably qualified Noongar cultural monitors for all vegetation clearance and associated ground disturbance works, in order to mitigate the risks and ensure the cultural safety of all individuals completing the work.

The Noongar Consultants requested that BlueScope:

- Engage two monitors for all ground disturbing works;
- Engage a male and female monitor; and
- Engage monitors from the Noongar Consultants who attended as part of the survey team on 15 October 2025.

8.2.2 RECOMMENDATION 2

It is recommended that all employees and contractors of BlueScope working within the Project NeoSmelt Activity area be made aware of the purpose of cultural monitors participating in the proposed works.

All BlueScope staff and contractors involved in the works within the Project NeoSmelt Activity area should be

instructed in the role and responsibilities of the cultural monitors in the overall process.

Staff and contractors should also be advised of their own roles, responsibilities and potential for personal liability under the *Aboriginal Heritage Act 1972* (WA), should the presence of substantive sub-surface cultural material or traditional burials be identified during works.

8.2.3 RECOMMENDATION 3

- It is recommended that BlueScope provide GKBAC with a copy of their existing Chance Find Procedures and brief their contractors and cultural heritage monitors on Stop Works and Chance Finds Procedures.

To mitigate project impacts on Aboriginal cultural heritage, and to address management of potential sub-surface cultural and skeletal material in a culturally appropriate manner, it is recommended that BlueScope:

- Clearly communicate its Stop Work and Chance Finds Procedures to all personnel and contractors to ensure they are understood and followed, and to ensure they understand the role of monitors;
- Clearly communicate its Stop Work and Chance Finds Procedures to all cultural heritage monitors to ensure they understand how these procedures interact with their role as monitors; and
- Provide GKBAC with a copy of their existing Heritage Management Strategy, Stop Work Procedure and Chance Finds Procedure for their information and review.

8.2.4 RECOMMENDATION 4

- It is recommended that BlueScope undertake to salvage the *boorack/balga* trees that will be impacted by the proposed ground disturbance and vegetation clearance works within the Project NeoSmelt Activity area.

Noongar Consultants identified culturally significant social factors that will be adversely affected by the removal of a large number of mature *boorack/balga* trees. Therefore the Noongar Consultants have recommended that consideration should be given to salvaging the *boorack/balga* trees, and work in collaboration to with GKBAC to determine:

- The number of trees to be salvaged.
- Which trees are suitable for salvage.
- Suitable parties to perform the salvage.
- The storage and purpose of the salvaged *boorack/balga*. This includes the potential for the salvaged *boorack/balga* be used as a living screen around the section of bushland to be retained (demarcated as NeoSmelt TEC Patch Buffer 68929, Map 3), or in rehabilitation of suitable areas once construction is complete.

8.2.5 RECOMMENDATION 5

- It is recommended that BlueScope undertake to provide opportunity for seed collection to be completed in collaboration with GKBAC prior to clearing processes occurring within the Project NeoSmelt Activity area.

Noongar Consultants clearly identified culturally significant social factors associated with native plant species within the Activity area.

Therefore, BlueScope is advised that the Noongar Consultants have requested that a collaborative processes be undertaken with GKBAC to address the clearing of mature native vegetation to ensure that, where suitable, Noongar businesses are provided the opportunity for seed collection prior to clearing, to be used for revegetation projects.

8.2.6 RECOMMENDATION 6

- **It is recommended that BlueScope exclude the remnant native vegetation on eastern side of the Project NeoSmelt Activity area from any clearing associated with the project footprint.**

Under Section 3(1) of the *Environmental Protection Act 1986* (WA), the definition of ‘environment’ includes social surroundings, extending protection to cultural heritage and Aboriginal cultural connections to Country and safeguards heritage values embedded in the landscape.

During the survey, the Noongar Consultants were informed that BlueScope will avoid disturbing the existing remnant native vegetation along the eastern portion of the Activity area (demarcated as NeoSmelt TEC Patch Buffer 68929, Map 3). Additionally, the Noongar Consultants expressed the importance including Noongar voices in the management of this space and requested that BlueScope collaborate with GBKAC to determine:

- An alternative solution to fencing the TEC Patch Buffer area from public access, as fencing restricts access to valuable green spaces for all members of the community. Noongar Consultants were very clear that access has become an increasing barrier to Noongar people undertaking cultural practices.
- A plan for the development of the TEC Patch Buffer area to be developed into an accessible park area.
- Installation of educational signage and artwork to reflect and share Noongar culture.
- Plans to incorporate edible native plants to provide edible examples in line with the cultural signage.
- An ongoing management plan for the space, driven by Noongar people.

8.2.7 RECOMMENDATION 7

- **It is recommended that BlueScope develop a robust and long-term employment and training strategy to ensure opportunities for Noongar people are provided in line with BlueScope’s First Nations Engagement Framework.**

The Noongar Consultants have recommended that BlueScope commit to the development and implementation of a framework for robust and ongoing employment and training opportunities for Noongar people, and that a collaborative process be undertaken with GKBAC to develop suitable strategies to achieve this, including early engagement to provide opportunities for forward planning and the effective engagement of Noongar businesses, Noongar skilled workers, and structured pathways towards training and upskilling opportunities for Noongar people.

8.2.8 RECOMMENDATION 8

- **If BlueScope proposes to alter the scope of works or to expand their program of works, either in size or scale, beyond what was subject to the heritage survey, further consultation of GKBAC is required prior to commencement of works .**

BlueScope is advised that only the areas subjected to heritage survey, depicted as Survey Area on Map 5, have been reviewed and assessed by the Noongar Consultants in accordance with the proposed works as detailed in the Activity Notice. Should BlueScope wish to expand the size or scale of the works or conduct activities that differ to those discussed during the heritage survey, GKBAC would need to be engaged for further heritage assessment.

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• DPLH REGISTERED ABORIGINAL SITE AND PLACE FILES

• Registered

• DPLH ID 31742 – RIZ 12-01

Lodged

DPLH ID 3334 - ROCKINGHAM

Historic

DPLH ID 3689 – EAST ROCKINGHAM CEMETERY

DPLH ID 3690 – MANDURAH ROAD TREES.

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APPENDICES

Appendix A – Project contacts

Appendix B – Acronyms and definitions

Appendix C – Artefact type and material

Appendix D – Comments received from Noongar Consultants on Draft Report

• APPENDIX A – PROJECT CONTACTS

• This heritage survey was undertaken on 15 October 2025 with the following personnel.

ABORIGINAL LAND SERVICES PTY LTD	
Address	Unit 2/17 Albert Street, Busselton, Western Australia 6280 or 20 Stack Street, Fremantle, Western Australia 6160
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Survey participants	Emma Dennis
Report authors	Emma Dennis Julia Weller
Editors	Dr Carly Monks
Executive sign-off	Nerilee Boshammer-Bennell

GNAALA KARLA BOOJA ABORIGINAL CORPORATION	
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Address	35-39 McCombe Road, Davenport WA 6230
Noongar Consultants	Candice Bell Gail Wynne Dareen Thorne Snr Greg Haywood Lesley Pickett Martin Ugle Louise Ward

BLUESCOPE	
Contact	Renelle Thorpe
Address	Level 24, 181 William Street Melbourne VIC 3000
Survey participants	Renelle Thorpe Caleb Leeming Sally Blechynden Michiel Freislich

• APPENDIX B – ACRONYMS AND DEFINITIONS

• The following terms and acronyms are used in this report. Definitions are provided below for reference.

TERM / ABBREVIATION	DEFINITION
Aboriginal Heritage Service Provider	The person or company engaged by GKBAC, or by the Proponent, to plan and carry out a Survey or Surveys in the ILUA area; in this instance, GKB Impact.
ACHC	Aboriginal Cultural Heritage Committee
ACHIS	Aboriginal Cultural Heritage Inquiry System
ACHMP	Aboriginal Cultural Heritage Management Plan
AH Act	<i>Aboriginal Heritage Act 1972 (WA)</i>
ALS	Aboriginal Land Services Pty Ltd
BlueScope	BlueScope Future Technologies Pty Ltd
CAC	Cultural Advice Committee
DPLH	Department of Planning, Lands and Heritage
EIA	Environmental Impact Assessment
EPA	Environmental Protection Authority
EP Act	<i>Environmental Protection Act 1986 (WA)</i>
GIS	Geographic Information System
GKBAC	Gnaala Karla Booja Aboriginal Corporation
GPS	Global Positioning System
Heritage place/Heritage site	Any place which may meet the criteria of an Aboriginal site under s5 of the AH Act.
Heritage object	An object to which the AH Act applies under section 6
HISF	Heritage Information Submission Form
Historic heritage place	A heritage place that has been submitted to the DPLH and evaluated by the ACHC to not meet the criteria for inclusion on the Register of Sites (i.e. not a Registered Aboriginal site) (status S – stored/not a site).
ILUA	Indigenous Land Use Agreement
Isolated artefacts	Cultural material with insufficient density or context to constitute a site.
Lodged heritage place	A heritage place that has been reported to the DPLH but is pending assessment by the ACHC (status L – lodged)
MGA	Map Grid of Australia
Noongar Consultants	Members of the Survey Team who have been identified: <ol style="list-style-type: none"> a) by GKB Impact as members of GKB or Noongar persons who can speak about the Activity Area; and, where applicable b) persons identified by DPLH in consultation with GKBAC/GKB Impact who have previously been recorded on the AH Act Register in relation to particular sites in the Activity Area.



NNTT	National Native Title Tribunal
NSHA	Noongar Standard Heritage Agreement
Principal Aboriginal Heritage Consultant	The anthropologist, archaeologist, or other appropriately qualified professional nominated and agreed under clauses 8.3(d) or 9.6 of the NSHA; in this case, Aboriginal Land Services Pty Ltd.
Registered Aboriginal site	A heritage place which has been determined as meeting criteria under section 5 of the AH Act and has been registered by the Registrar of Aboriginal Sites (DPLH status R - registered).
Traditional Owners	People who identify as and/or have ancestral ties to the Whadjuk and/or Binjareb Country described in this document

• APPENDIX C – ARTEFACT TYPE AND MATERIAL

• The following abbreviations are used in this report.

ABBREVIATION		DEFINITION	
ARTEFACT TYPE			
ADB	Burin Adze	LBFL	Longitudinally Broken Fragment - Left
ADT	Tula Adze	LBFM	Longitudinally Broken Fragment - Medial
AF	Angular Fragment	LBFR	Longitudinally Broken Fragment - Right
AN	Anvil	LTBF	Longitudinally and Transversely Broken Flake
BGF	Basal Grindstone Fragment	MAN	Manuport
BGS	Basal Grindstone	MPC	Multi-Platform Core
BL	Blade	MU	Muller
CF	Core Fragment	MUF	Muller Fragment
CT	Core Tool	RUP	Retouched / Utilised Piece
F	Flake	SPC	Single-Platform Core
FF	Flake Fragment	SR	Scraper
GM	Geometric Microlith	TBFD	Transversely Broken Flake - Distal
GP	Grinding Patch	TBFM	Transversely Broken Flake - Medial
HS	Hammerstone	TBFP	Transversely Broken Flake - Proximal
MATERIAL/LITHOLOGY			
BC	Breccia	GR	Granite
BIF	Banded Iron Formation	IS	Ironstone
BS	Basalt	JP	Jasper
CER	Ceramic	LM	Limestone
CH	Chert	LT	Laterite
CQ	Crystal Quartz	MUD	Mudstone
CY	Chalcedony	QI	Quartzite
DOL	Dolerite	QZ	Quartz
FC	Fossiliferous Chert	SIL	Silcrete
GL	Glass	SL	Silicious Limestone
RETOUCH/UTILISATION LOCATION			
AM	All Margins	PM	Proximal Margin
DM	Distal Margin	RLM	Right Lateral Margin
LLM	Left Lateral Margin		



- **APPENDIX D – COMMENTS RECEIVED FROM NOONGAR CONSULTANTS**
- **– DRAFT REPORT**
- No comments received.



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