



# Aboriginal Heritage Incident Procedure

EA-PRO-00004

## 1 Purpose and Scope

**Purpose:** This procedure provides direction on the process for all Roy Hill employees and Contractors where an incident relating to Aboriginal heritage has occurred.

**Scope:** This procedure pertains to all Roy Hill employees and Contractors. The scope of this procedure applies to all activities that may impact on Aboriginal heritage sites and cultural materials.

## 2 Procedure

### 2.1 Classification of a Heritage Incident

A heritage incident occurs when there is evidence of:

- Damage to Aboriginal archaeological and ethnographic sites (recorded or unrecorded);
- damage to Aboriginal heritage sites caused by dust and vibration (caused by e.g. drill and blast activities);
- discarding of litter and debris, in or near Aboriginal heritage sites;
- graffiti, vandalism or the defacing of Aboriginal cultural material;
- the unauthorised photography or videos of Aboriginal heritage sites has occurred;
- the unauthorised removal of artefacts or objects from Aboriginal heritage sites; and
- 'altering' of demarcated boundaries of identified Aboriginal heritage sites.

A heritage incident is defined as any of the following:

- Unintentional or unauthorised damage or loss to any Aboriginal heritage site;
- non-compliance with Roy Hill's Cultural Heritage Management Plan (CHMP); and
- any trespass outside the approved Ground Disturbance Permit (GDP) zone without permission into an Aboriginal heritage site.

### 2.2 Response to Aboriginal Heritage Site Incident

During ground disturbance activities employees and Contractors will be alerted to a potential disturbance to an Aboriginal heritage site if:

- Traditional Owner Monitors advise that there has been a potential disturbance to an Aboriginal heritage site;
- the ground disturbance impacts a previously identified Aboriginal heritage site; and/or
- a heritage consultant or a member of the Roy Hill Community Development advises that there has been disturbance to an Aboriginal heritage site.

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If any of the above occurs the employee/Contractor must stop work within the vicinity of the potential disturbance and contact the Roy Hill Manager Community Development immediately.

The Community Development team will ascertain whether the Aboriginal heritage site has previously been identified. If it has not been previously identified the Manager Community Development will initiate a site recording. The Manager Community Development will advise when works can recommence.

Refer to Appendix 1 for the process to be undertaken.

## 2.3 Response to Discovery of Human Skeletal Material

If human skeletal material is discovered during ground disturbance, work must stop immediately and the Supervisor/Manager must notify the Manager Community Development.

The Manager Community Development will notify the Police and the Department of Aboriginal Affairs (DAA).

If the area is subject to section 18 consent the Community Development team will also implement any applicable consent conditions. If the area is not subject to a section 18 consent, and the skeletal remains are determined to be of Aboriginal origin, the Community Development team will implement the Identification of Previously Unrecorded Aboriginal Heritage Site Procedure (refer below).

Work will recommence in the area subject to the outcomes of the Incident Investigation and Reporting Procedure (100RH-0000-HS-PRO-2004) and in accordance with any section 18 consent conditions.

Refer to Appendix 2 for the process to be undertaken.

## 2.4 Response to Encounter of Previously Unrecorded Aboriginal Heritage Site

During ground disturbance, employees/Contractors will be notified of potentially previously unrecorded Aboriginal heritage sites if;

- Traditional Owner monitors who are monitoring the initial ground disturbance advise that there is an Aboriginal heritage site;
- a Heritage Consultant or a member of the Roy Hill Community Development team member advises that there is an Aboriginal heritage site; and/or
- an employee considers that they have identified an Aboriginal heritage site.

If any of the above occurs the employee/Contractor must stop work within the vicinity of the potential, previously unrecorded Aboriginal heritage site and contact the Manager Community Development immediately.

The Community Development team will ascertain if the area is subject to a Section 18 consent. If the area is subject to a Section 18 consent the potential previously unrecorded site will be dealt with according to the Section 18 consent conditions. If the area is not subject to a Section 18 consent arrangements will be made by the Community Development team for it to be recorded by an archaeologist and/or anthropologist.

The Manager Community Development will advise when works can recommence. The Community Development team will confirm with the Supervisor/Manager of the related ground disturbance activities if the site can be avoided by redesign. If this can be done then work can continue on a site avoidance basis. If the site cannot be avoided then the Community Development team will assess the situation and determine how to progress.

Refer to Appendix 3 for process to be undertaken.

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## 2.5 Ramifications of a Heritage Incident

This Procedure and the Roy Hill Cultural Heritage Management Plan have been designed to prevent personnel from inadvertently damaging or destroying Aboriginal heritage sites which are afforded special treatment by State and Federal legislation. A breach of relevant legislation may carry penalties for both the individual and/or corporation involved. Penalties may include both fines and imprisonment.

Heritage breaches may also impact negatively on Roy Hill's corporate image and social licence to operate. For employees/Contractors unauthorised impact to an Aboriginal heritage site may result in cancelling of accommodation meaning site access privileges are removed.

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## 3 Accountabilities

Role	Responsibility
Employee/Contractor	<ul style="list-style-type: none"><li>Report potential disturbance or encounter of new material to Manager Community Development</li></ul>
Community Development team	<ul style="list-style-type: none"><li>Investigate if site has been subject to Section 18 approval</li><li>Report discovery of skeletal material to Police/DAA</li><li>Determine if works can progress once investigation has been completed</li><li>Pegging of site if required</li></ul>
Manager Community Development	<ul style="list-style-type: none"><li>Review of Procedure</li></ul>

Table 1 – Accountabilities

## 4 Definitions

Term	Definition
Aboriginal Heritage Act 1972 (AHA)	An Act to make provision for the preservation on behalf of the community of places and objects customarily used by or traditional to the original inhabitants of Australia or their descendants, or associated therewith, and for other purposes incidental thereto.
Aboriginal heritage site	<p>A place to which the AHA applies by the operation of section 5 of the AHA. This applies to:</p> <ul style="list-style-type: none"><li>Any place of importance and significance where persons of Aboriginal descent have, or appear to have, left any object, natural or artificial, used for, or made or adapted for use for any purpose connected with the traditional cultural life of the Aboriginal people, past or present.</li><li>Any sacred, ritual or ceremonial site, which is of importance and special significance to persons of Aboriginal descent.</li><li>Any place which, in the opinion of the Aboriginal Cultural Material Committee (ACMC), is or was associated with the Aboriginal people and which is of historical, anthropological, archaeological or ethnographic interest and should be preserved because of its importance and significance to the cultural heritage of the state.</li></ul> <p>Any place where objects to which this Act applies are traditionally stored, or to which, under the provisions of this Act, such objects have been taken or removed.</p>
Contractor	Roy Hill contractors and sub-contractors.
Traditional Owner Monitors	Members of the Native Title Groups who are employed as Aboriginal heritage monitors to monitor ground disturbing activities.

Table 2 – Definitions

## 5 References

Document number	Title
100RH-0000-HS-PRO-2004	Incident Investigation and Reporting Procedure
RH1-001-00-HE-POL-1029	Cultural Heritage Management Plan
100RH-0000-HE-PRO-2003	Drill and Blast near Aboriginal heritage sites Procedure

Table 3 – References

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## 6 Review

This document will be reviewed annually. Reviews are to examine the appropriateness of this procedure, taking into consideration corporate, system and compliance requirement changes since the last review was undertaken.

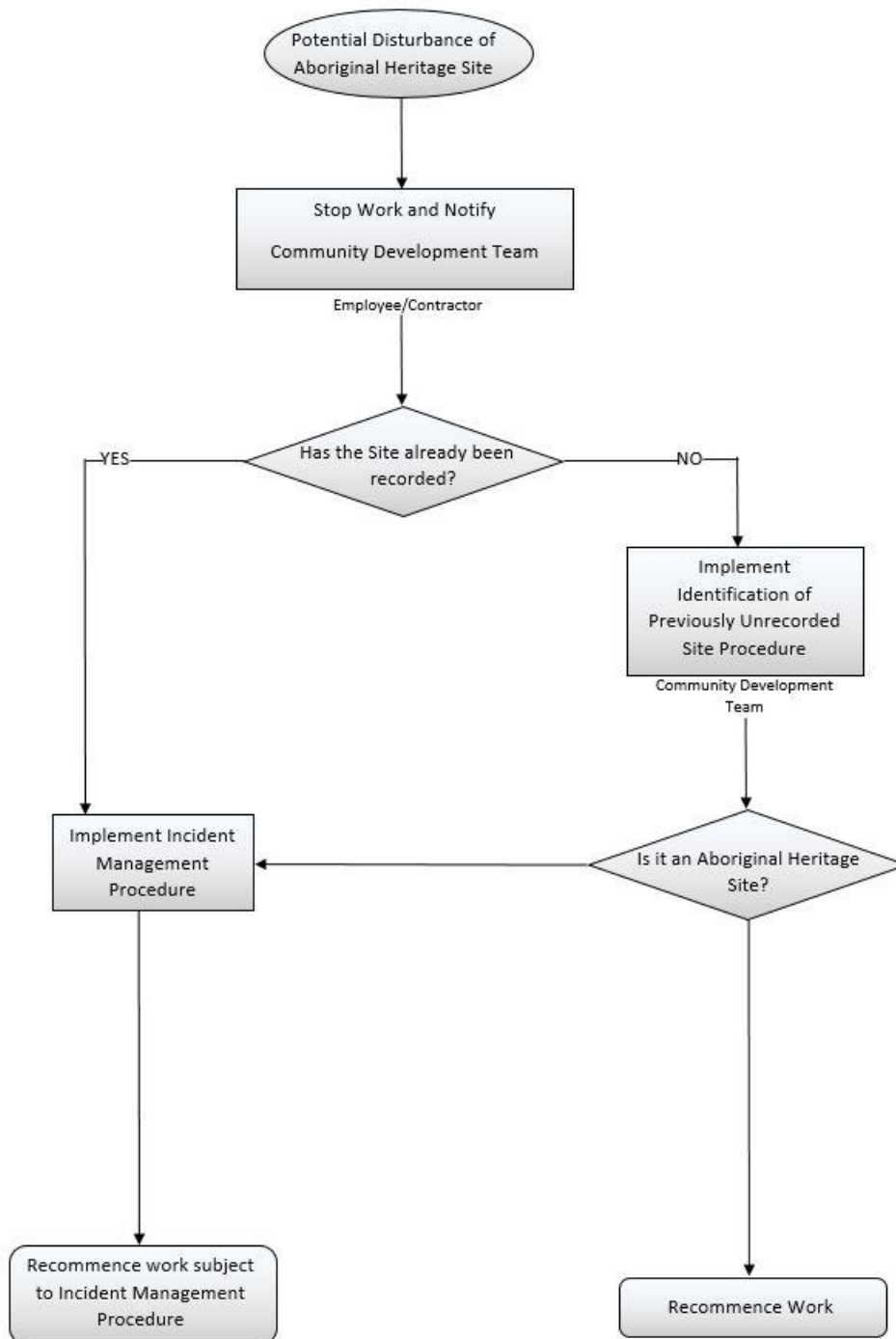
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## Appendix 1 – Procedure for Potential Aboriginal Heritage Site Disturbance



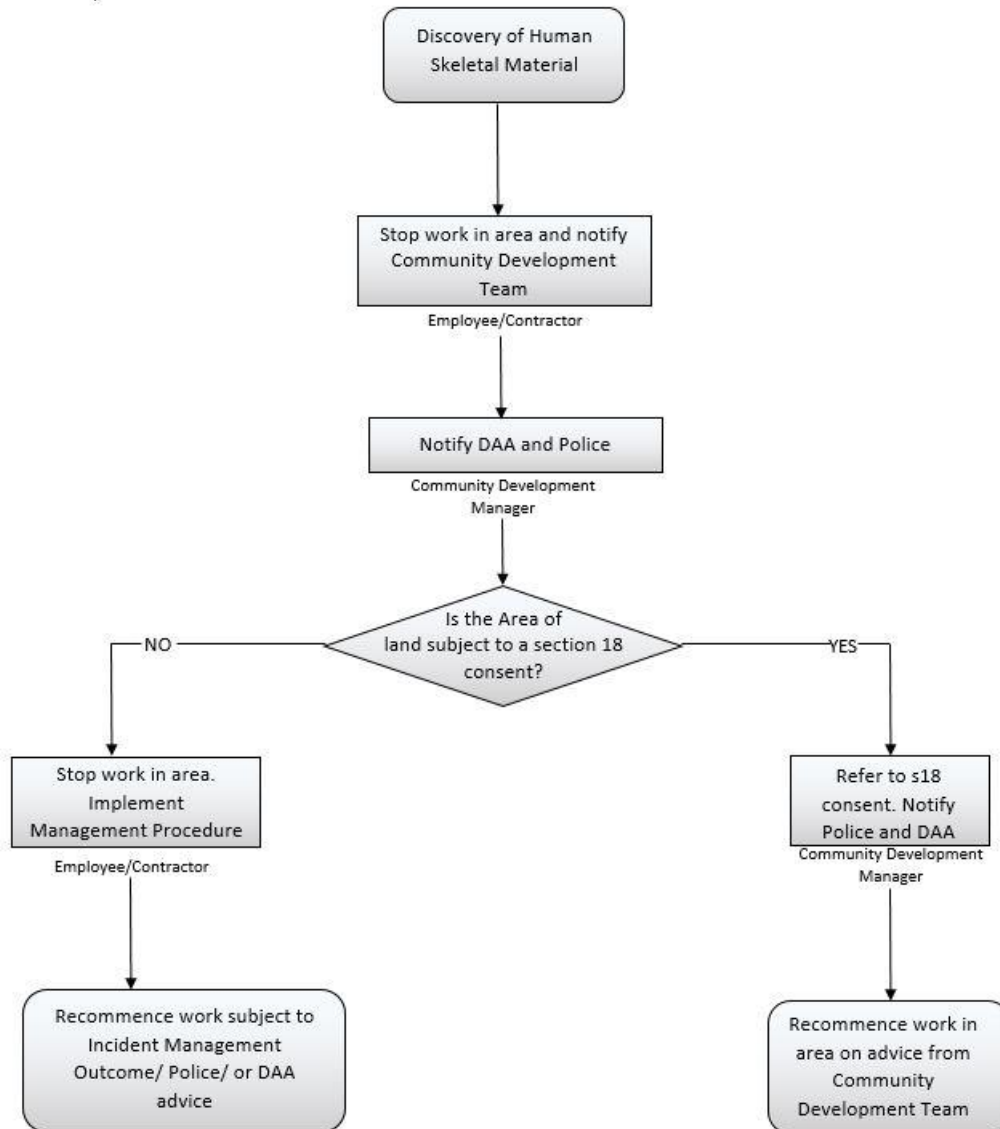
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## Appendix 2 – Procedure for Discovery of Human Skeletal Material



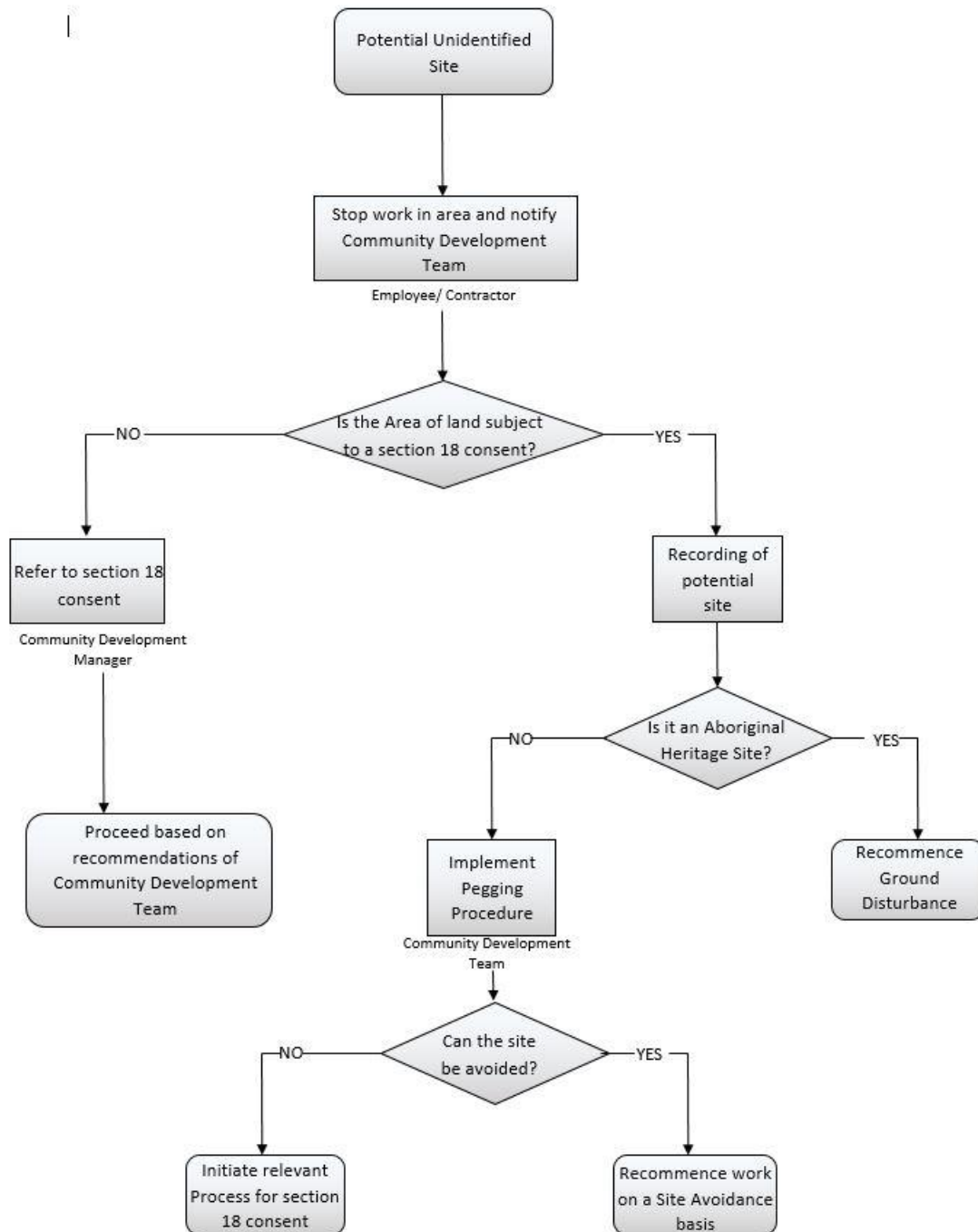
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## Appendix 3 – Procedure for Encounter of a Previously Unrecorded Site



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