

# ROCKLEA STATION LAND ACCESS PROTOCOL

Version No	Issue Date	Nature of Amendment	Prepared by	Approved by	Signatures
1	13/12/2016	First version	Hadyn James	Rio Tinto, Andrew Turner	

To assist Yinhawangka people to access the important cultural places on their traditional country, including on Rocklea Station, a Guide to Important Places on Yinhawangka Country has been prepared.

A copy of the Guide can be obtained from the Yinhawangka Aboriginal Corporation (YAC).



Use of Firearms - prior approval required. Do not shoot Cattle



Please phone Station Manager 48hrs prior to arrival



Drinking Water Must be brought with you



No Illegal Drugs Allowed



Dogs to be kept under control



Fires for camping purposes only, and fully extinguished after use



Please Close and Fasten Gates

## Executive Summary

The purpose of the land access protocol is to have clear direction on expectations of both Rio Tinto and Yinhawangka Aboriginal Corporation (YAC).

Yinhawangka are an Opt-In group to the Regional Framework Deed (RFD) and are the Traditional Owners of country which is referred to as 'Rio Tinto Managed Lands'. (See Appendix 1 for map of Yinhawangka Country in relation to Rio Tinto Managed Lands).

The joint land access goal in the Regional Standards document specifies that Rio Tinto owns and controls access to some areas of land in the Pilbara over which Traditional Owner groups assert or have recognised native title, such as on its mining leases and pastoral stations. These parts of land are referred to as Rio Tinto Managed Lands. Rio Tinto recognises and respects that Traditional Owner groups wish to return to their Country for traditional and culture purposes. At present Traditional Owners who wish to return to Country for various reasons need to seek permission from the Station overseer.

The rights and obligations Rio Tinto has in relation to this land, include conducting operations in a safe and efficient way.

The overall joint goal is to work together to create and implement a process for improving each Traditional Owner groups' access to Rio Tinto Managed Land because Rio Tinto recognises and respects the rights of Traditional Owners in the Pilbara region.

## Rocklea Station Land Access Protocol

### 1. Background

Pastoral operations on Rocklea Station may restrict access to land to which the Yinhawangka People have previously been able to visit.

The Rocklea Station Land Access Protocol outlines the procedure for facilitating the land access requirements of Yinhawangka people.

Hamersley Iron Pty Ltd is the lessee of Rocklea Station in the Pilbara region of Western Australia.

Station	Area (ha)	Pastoral Lease Number	Lessee/Sublessee
Rocklea	363,352	N050372	Rocklea Station Pty Ltd

Rocklea Station operates under Rio Tinto (RTIO) standards and policies, and is bound by the Land Administration Act 1997.

Although RTIO's pastoral leases were acquired for strategic reasons to facilitate development of mining operations, rail and port infrastructure, RTIO operates each station as ongoing viable pastoral enterprises.

RTIO is committed to the achievement of a positive, productive, ongoing relationship with Traditional Owners and this commitment includes continuing to build and maintain trusting and enduring relationships with the Traditional Owners of the land on which the Company conducts its pastoral activities.

Rocklea Station Pty Ltd has the rights and interests which are conferred by the Crown Lease and is entitled to exercise those rights and interests in accordance with the Lease. By law, no persons may enter a pastoral lease without first seeking and obtaining consent from the lessee, and in the case of Rocklea Station through the Station overseer.

The Yinhawangka People have made a native title claim over an area of land which includes the Rocklea Station and is a registered native title claim for the purpose of the Native Title Act. RTIO recognises the relationship of the Yinhawangka People to their traditional land and waters is central to their wellbeing and to the continuing connection to the religious, emotional, spiritual and non-human world.

RTIO and the Yinhawangka People accept that this Land Access Protocol applies to Rocklea Station and recognise the respective rights, interests and responsibilities that each party has in relation to Rocklea Station.

RTIO and the Yinhawangka People have agreed to be bound by this Land Access Protocol in order to manage, to the extent set out in the Protocol, the exercise of their respective rights, interests and responsibilities in relation to Rocklea Station.

## **2. Scope**

The Rocklea Station Land Access Protocol applies to Yinhawangka Country to which access has been restricted by pastoral operations on Rocklea Station.

## **3. What is the purpose of the Protocol?**

Pastoral stations are working properties and can be dangerous. Anyone coming onto a pastoral station does so at their own risk and must take responsibility for their own safety.

The purpose of the Protocol is to summarise the key activities, responsibilities and contacts that Yinhawangka people and RTIO must be aware of to enable safe access to Rocklea Station for traditional or cultural purposes. This Protocol should be read together with the Land Access Regional Standard and the Regional Framework Deed.

## **4. Who does the Protocol apply to?**

The Protocol is between:

- The Yinhawangka People;
- Rio Tinto Iron Ore (RTIO); and
- Rocklea Station – operated by RTIO.

## **5. What land does the Protocol apply to?**

The Protocol applies to sections of the Rocklea Station that are situated within the Yinhawangka Native Title Claim Area as identified in Attachment 1 (Map of Rocklea Station).

The Protocol does not apply to RTIOs mining facilities within Yinhawangka Country. Land Access Protocols have been produced and are available for the Greater Paraburdoo Mines and West Angelas Mine.

## **6. For what purposes can Yinhawangka people enter Rocklea Station?**

Yinhawangka people can access parts of Rocklea Station for traditional or cultural purposes as described in the Protocol and the Land Access Regional Standard and the Regional Framework Deed.

Traditional or cultural purposes includes conducting ceremonies, sharing stories; and in some circumstances, hunting; but not mustering cattle or growing things on the land.

## **Accessing Rocklea Station**

## **7. What do Yinhawangka people need do before accessing Rocklea Station?**

Yinhawangka people who want to go onto Rocklea Station must notify the Station overseer of their intention to go out and to agree on the arrangements at least 48 hours before the time they plan to go out.

The Station overseer will need to be advised of the proposed arrangements for going out, including:

- general purpose for going out;
- area/s of the Station to be visited;
- length of stay (maximum 3 nights);
- proposed camping areas (if applicable);
- number of people;
- the intention to bring a firearm out for use on the Station must be advised at the time of notifying the Station overseer of going out on the Station and immediately on entering the Station or as soon as practical thereafter the bearer/s of firearm/s must present their Western Australia firearms license and the firearm/s to the Station overseer (The Station Overseer, taking into consideration safety and operational concerns, will not unreasonably withhold consent.)
- whether dogs are proposed to be brought onto the Station; and
- whether any alcohol is proposed to be brought onto the Station.

The Yinhawangka people and the Station overseer must agree on the arrangements before going onto the Station.

Providing the Station overseer with the information above is mandatory and intended to help keep Yinhawangka people and other people on the Station safe, bearing in mind that activities such as shooting, mustering, and baiting etc often occur on pastoral stations as part of day to day operations.

## **8. Contacting people on Rocklea Station and Privacy**

The Pastoral Stations have people residing on them. In order to respect everyone's privacy Yinhawangka and Rio Tinto agrees:

- Yinhawangka members must make contact with the Station overseer before heading to the homestead.
- Yinhawangka members may only call into the homestead between 8am and 5pm, and must not call into the homestead outside of those hours, unless for emergency purposes or by invitation from the Station overseer; and
- Pastoral Station employees may only visit an Yinhawangka campsites located on a Pastoral Station between 8 am and 5 pm, and must not visit an Yinhawangka campsite outside of those hours, unless for emergency purposes or by invitation from an Yinhawangka member.

### **Activities once on Rocklea Station**

## **9. Camping**

RTIO understands that Yinhawangka people will wish to camp and/or visit portions of the Station from time to time.

Yinhawangka people planning to camp on Rocklea Station agree to:

- discuss and agree upon a designated camping area with the Station overseer, 48 hours before intending to camp.
- create safe campsites so as to prevent damage or disturbance to pasture, livestock and infrastructure or you may be liable for any damages;
- camp well away from bores and any other infrastructure that may affect the operation of the pastoral business or disturb the cattle;

- take all rubbish and personal items with them when they depart the Station;
- follow all restrictions relating to fires (see point 10. below); and
- comply with any reasonable request of the Station overseer or a member of the Station staff.

## **10. Fires**

As a condition of entry, Yinhawangka members agree to restrict the use of fires to camping purposes only, i.e. small camp fire for cooking (1m x 1m).

Unless agreed by the Station overseer in writing, the use of fire is only permitted for camping purposes; the use of fire for other traditional/cultural purposes is not permitted.

Camping fire locations should be appropriately cleared prior to use to avoid any potential fire hazards. Yinhawangka people are responsible for the use of the fire and for ensuring that any fires are fully extinguished before leaving the campsite.

## **11. Rail Crossings**

As RTIO's operations increase, the frequency of trains travelling on the Company's rail system has increased. Due to the increased frequency changes have been made to level crossings and some access roads to improve safety.

Some previously open level crossings and access road are now closed to the public (including to Yinhawangka people). However there are still open level crossings and access roads available for use, not far from the closed crossings, so it's important to plan the journey ahead of time, follow signage and drive to conditions.

Rail access roads are private roads built for the purpose of maintaining the RTIO rail network. When using the access roads it is the responsibility of the road user to drive to conditions and follow the rules of the access road at all times.

## **12. Gates, grids and fences**

Gates, grids and fences are an important part of pastoral station infrastructure. Yinhawangka people going out on Rocklea Station must:

- leave all gates as they are, i.e. closed if closed and open if open;
- ensure that no fences or gates are wilfully damaged, cut or altered in any way; and
- advise the Station overseer or a member of the Station staff at the earliest opportunity if they see or cause any damage to a gate, fence or other infrastructure.

## **13. Hunting and use of firearms**

Yinhawangka people may only bring a firearm onto the Station with the specific prior approval of the Station overseer, and in accordance with agreed terms. The Station overseer, taking into consideration safety and operational concerns, will not unreasonably withhold consent. Any visitor wishing to use a firearm must hold a current Western Australian firearms licence and be in possession of a registered gun.

Yinhawangka people wanting to bring a firearm onto the Station must:

- raise the request with the Station overseer at the time of advising of the intention to go out;
- Identify the areas on the Pastoral Station that they wish to use the firearm; and
- meet with the overseer to show current WA firearms license

If the Station overseer has agreed that firearms can be brought out and areas for shooting have been agreed it might be necessary, for Station operation reasons, for the Station overseer or a member of the Station staff to amend or cancel the shooting areas at short notice.

Yinhawangka people must only use guns lawfully and must shoot responsibly at all times.

Yinhawangka people using firearms on the Station, must do so in strict accordance with this Protocol, and acknowledge and agree:

- not to disturb, shoot at, injure or kill cattle or any other station livestock;
- not to shoot near or around any livestock or within five kilometres of the Station homestead; and
- not to shoot at Station infrastructure, including water points.

The Station overseer and Station staff will not shoot within five kilometres of an agreed Yinhawangka campsite without providing notice

#### **14. Traditional use of flora and fauna**

Yinhawangka people wanting to hunt or gather flora and fauna on Rocklea Station must indicate that to the Station overseer at the time of advising of the intention to go onto the Station.

Yinhawangka people understand that pastoral stations are subject to environmental laws and management plans and agree to act in accordance with those laws and plans.

Yinhawangka people understand they may only hunt or gather Australian native species for use for traditional or cultural purposes.

#### **15. Dogs**

Yinhawangka people must advise the Station overseer if they intend to bring dogs at the time of advising of the intention to go onto the Station.

Dogs brought onto the Station must be kept under control at all times and must not be allowed to interfere in any way with livestock.

Yinhawangka people need to be aware that dog baiting programs occur on a frequent basis across Rio Tinto Pastoral Stations and Yinhawangka people who bring dogs onto the stations do so at their own risk.

#### **16. Drugs and alcohol**

Yinhawangka people must advise the Station overseer if they intend to bring alcohol at the time of advising of the intention to go onto the Station.

Alcohol brought onto the Station must be consumed in a lawful and responsible manner.

Illegal substances are not permitted to be brought onto Rocklea Station.

#### **17. Items brought onto land**

Yinhawangka people are to take all rubbish and personal items with them when they depart the Station.

#### **18. Burials**

Where allowed by law, RTIO agrees that Yinhawangka people can bury deceased Yinhawangka people within the Station. The location of the proposed burial site must be agreed with the senior RTIO Manager responsible for Rocklea Station.

Yinhawangka people understand proposed burial sites may not be acceptable to RTIO.

## **19. Use of the Station tracks and infrastructure**

To protect the Station environment, Yinhawangka people agree:

- to use existing tracks and to only drive off-track when necessary to go to sites of cultural significance not accessible by way of an existing track;
- not to use or interfere with any of the Station's infrastructure without the prior agreement of the Station overseer; and
- that vehicles will be driven in a lawful and responsible manner at all times.

## **20. Heritage sites**

RTIO acknowledges that Yinhawangka people hold a cultural connection and responsibility to care for country and heritage sites.

RTIO understands that visitation and use of some heritage sites are important to Yinhawangka people and Yinhawangka people will need to visit heritage sites regularly.

To ensure people's safety, Yinhawangka people must indicate all of the places on the Station they intend to go to at the time of advising of the intention to go onto the Station.

RTIO understands Yinhawangka people may not wish to indicate the exact location of some heritage sites. For those sites an indication of the general location only should be given.

RTIO acknowledges that there are many different types of heritage sites in the Pilbara, including rock art, scar trees, stone quarries, stone tool assemblages, and ethnographic (places) of cultural significance.

All heritage sites are protected by Commonwealth and State Government legislation and the Station overseer and Station staff must not disturb, move or collect artefacts.

## **21. Water**

Yinhawangka people are advised to bring their own drinking water with them when travelling through or camping on Rocklea Station.

Water in tanks and cattle troughs does not undergo any purification process and may not be fit for human consumption. Yinhawangka people are strongly advised not to drink this water.

## **22. Safety and emergencies**

It is extremely important that Yinhawangka people consider their own safety and the safety of others at all times when out on Rocklea Station. If Yinhawangka people see something that might be unsafe, they should report it to the Station overseer or Station staff at the earliest opportunity.

In an emergency, Yinhawangka people should immediately dial 000 and then contact the Station overseer to advise the nature of the emergency. Additional emergency phone numbers are in the Key Contacts List.

Yinhawangka people should be aware that they come onto Rocklea Stations entirely at their own risk. Under the Land Access Regional Standard, Yinhawangka people indemnify RTIO for liability for any injury caused, except where RTIO has been negligent or wilfully careless.

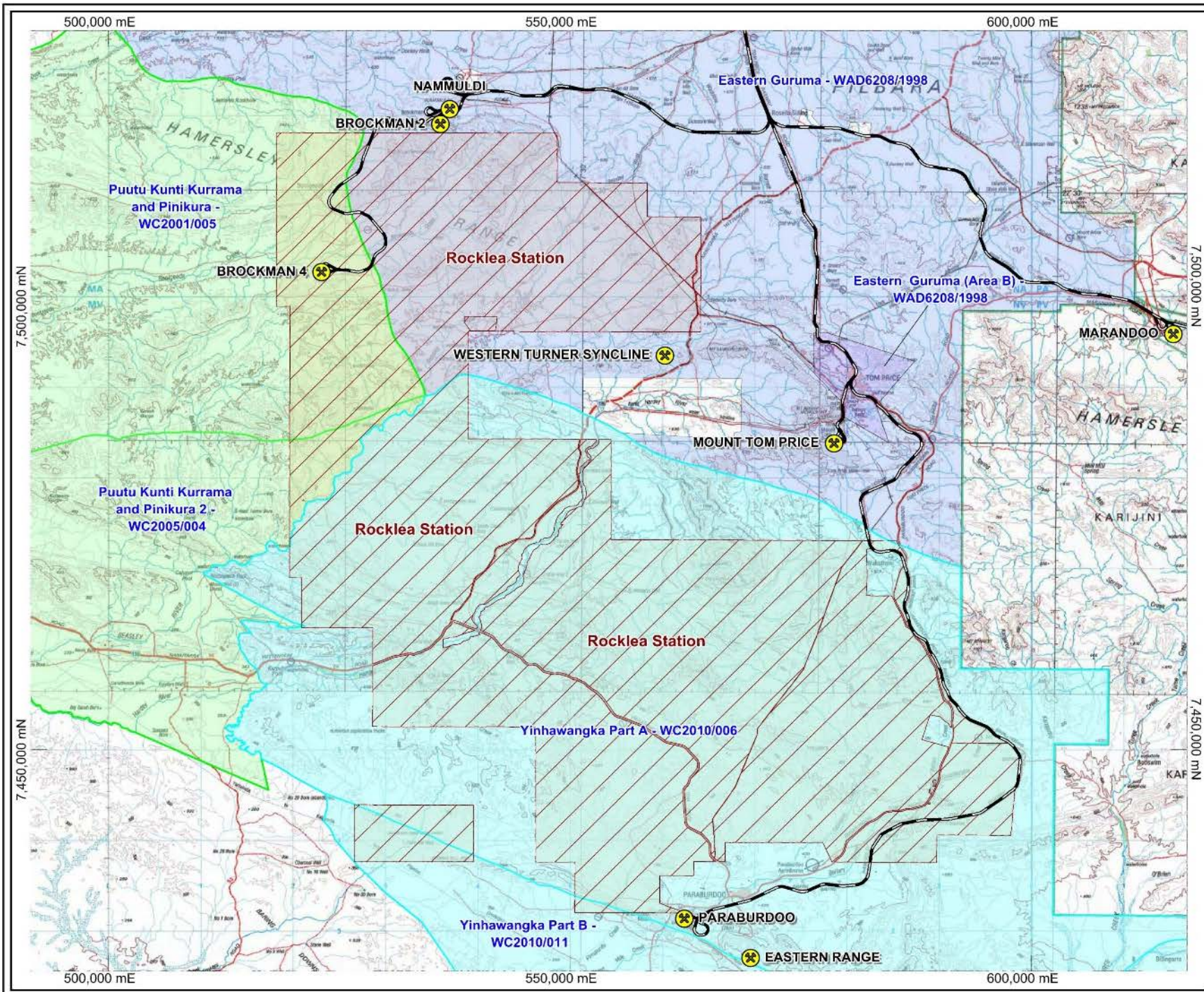
## Key Contacts

<b>Rocklea Station</b>	John Forrester Station overseer	9189 8159 0419 807 778 <a href="mailto:john.forrester@riotinto.com">john.forrester@riotinto.com</a>
<b>Yinhawangka Aboriginal Corporation</b>	John Hughes Chief Executive Officer	0400 203 861 <a href="mailto:ceo@yinhawangka.com.au">ceo@yinhawangka.com.au</a>
	Heather Builth Operations Manager	0409 988 892 <a href="mailto:operations@yinhawangka.com.au">operations@yinhawangka.com.au</a>
<b>Rio Tinto</b>	Andrew Turner Manager Pastoral Stations & Agriculture Projects	0467 709 432 <a href="mailto:andrew.turner2@riotinto.com">andrew.turner2@riotinto.com</a>
	Hadyn James Advisor, Agreements and economic participation	0467 749 252 <a href="mailto:hadyn.james@riotinto.com">hadyn.james@riotinto.com</a>
	Lauren Heinritz Superintendent, Agreements and economic participation	0428 915 873 <a href="mailto:lauren.heinritz@riotinto.com">lauren.heinritz@riotinto.com</a>

## Emergency Contacts

Location	Emergency Phone	Emergency Radio	Description
<b>Western Turner Syncline (WTS)</b>		UHF 32	WTS EMO: 0419928238 Tom Price Clinic: 6211 6934 Town Medical Centre: 9189 1901 Tom Price Hospital: 9159 5222
<b>Tom Price</b>	9143 3333	UHF 32	First Aid Room: 9143 3344 Town Medical Centre: 9189 1901 Tom Price Hospital: 9159 5222
<b>Paraburdoo</b>	9143 4333	UHF 42	Paraburdoo Hospital: 9159 8222 Paraburdoo Medical Centre: 9143 4223 Channar First Aid: 9143 4800
<b>Channar</b>	9143 4333	UHF 42	Channar First Aid: 9143 4800 Paraburdoo Hospital: 9159 8222 Paraburdoo Medical Centre: 9143 4223
<b>Brockman 4</b>	0457 551 034	UHF 75	On Duty EMO: 9188 9147
<b>Brockman 2</b>	9143 5333	UHF 22	On Duty EMO: 9143 5334





**LEGEND**

- YINHAWANGKA Claim area
- PKKP Claim area
- Eastern Guruma - WAD6208/1998
- Eastern Guruma (Area B) - WAD6208/1998
- Rocklea Station
- ✱ RTIO Mine
- RTIO Railway

**Location Map**

**SCALE**

0 5 10 15 20km

1:400,000 @ A3

**Iron Ore (WA)**

**RioTinto**

**Rocklea Pastoral Station Land Access Protocol**

Drawn: TP  
Date: Feb. 2016

Plan No: PDE0139555v1  
Proj: MGA Zone 50 (GDA94)

# Rio Tinto

