

# Rocklea Station Land Access Protocol

## Rio Tinto and Yinhawangka



Version	Issue date	Nature of amendment	Prepared by	Approved by	Signatures
1	21/11/2016		Hadyn James	Rheannan Burke (Rio Tinto)	
2	Amended June 2018	Contacts and procedures updated	Clint Bain	Dr Ali Khan (Yinhawangka Aboriginal Corporation)	



Please phone Station  
Manager 48hrs prior to  
arrival



Drinking Water Must be  
brought with you



Please Close and Fasten  
Gates



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



Dogs to be kept under  
control



Fires for camping purposes  
only, and fully extinguished  
after use



No Illegal Drugs Allowed

## 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 (a member of the Rio Tinto Group) 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.

In July 2017, the Yinhawangka People gained Native Title Determination of their traditional land; which includes the Rocklea Station. 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?**

Rio Tinto has commitments under the Regional Framework Deed (RFD), Land Access Regional Standard, which include granting members of the Traditional Owner group's access to Rio Tinto Managed Land on terms that reflect safety and in some cases, operational considerations.

A joint goal of the Land Access Standard states:

*For Rio Tinto and Traditional Owner groups to work together to create and implement a process for improving Traditional Owner groups' access to Rio Tinto Managed Land.*

The purpose of this Protocol is to summarise the key activities, responsibilities and communication procedures that Yinhawangka people and RTIO must be aware of, and comply with, in order to enable safe access to Rocklea Station for traditional or cultural purposes.

**It is important to note that:** 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.

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

The Protocol is between:

- The Yinhawangka Aboriginal Corporation and 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 the sections of Rocklea Station that are situated within the Yinhawangka Native Title Claim Area - as identified in the attached map titled: *Rocklea Pastoral Station, Land Access Protocol*.

This Protocol does not apply to RTIOs mining facilities within Yinhawangka Country. Mine specific Land Access Protocols have been produced and are available for Rio Tinto's Greater Paraburdoo mines and the 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 this Protocol and the RFD's Land Access Regional Standard.

Traditional or cultural purposes includes conducting ceremonies, sharing stories, visiting important cultural heritage sites; and in some circumstances, hunting; but not interacting with cattle or growing any vegetation on the land.

## **Accessing Rocklea Station**

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

Yinhawangka people who want to go onto Rocklea Station ('the Station') must notify the Station Overseer at least 48 hours prior to their intention to enter the Station boundary and agree to the conditions of entry.

The Station Overseer will need to know the following information:

- general purpose for going onto the Station;
- area/s of the Station to be visited;
- length of stay (maximum 3 nights);
- proposed camping areas (if applicable);
- number of people;
- number and type of vehicles;
- any intention to bring a firearm onto the Station must be declared during this initial phone conversation. On entering the Station or as soon as practical thereafter the bearer/s of any firearms must present their Western Australia firearms license and the firearm/s to the Station Overseer. **It is important to note that the Station Overseer, taking into consideration safety and operational concerns, has the right to refuse consent of the use of a firearm on the Station.**
- will there be a dog (or dogs) 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 to the terms of entry before any access to the Station occurs.**

Providing the Station overseer with the above mentioned information is a mandatory requirement and is intended to ensure the safety of those seeking access as well as those employed on the Station. It is important to keep in mind that activities such as shooting, mustering and feral animal baiting often occur on pastoral stations as part of the day to day operations.

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

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 travelling to the homestead.
- After access has been arranged via phone, Yinhawangka members may only call into the homestead between 8am and 5pm and must not call into the homestead outside of these hours, unless for emergency purposes or by invitation from the Station Overseer; and
- Station employees may only visit an Yinhawangka campsite located on the Station between 8 am and 5 pm and must not visit an Yinhawangka campsite outside of these hours, unless for emergency purposes or by invitation from an Yinhawangka member.

## **Conditions relating to activities on Rocklea Station**

### **9. Camping**

RTIO acknowledges that Yinhawangka people will occasional request to camp on Rocklea Station.

Yinhawangka people planning to camp on Rocklea Station must:

- agree upon a designated camping area with the Station Overseer, 48 hours before intending to enter the Station.
- create safe campsites and ensure the prevention of any damage or disturbance to pasture, livestock, natural water holes, bores, fences, gates and other Station infrastructure (in the event of property damage - offenders may be liable);
- camp well away from bores and any other infrastructure that may impact the operation of the pastoral business or disturb cattle;
- take all rubbish and personal items with them when they depart the Station;
- follow all restrictions relating to fires (see item 10 below); and
- comply with any reasonable request of the Station Overseer or an employee of the Station.

### **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). The use of fire for other traditional/cultural purposes is not permitted.

Camp fire locations should be appropriately cleared prior to use to avoid any potential for the fire to escape. All fires **MUST** be fully extinguished before leaving the campsite.

### **11. RTIO rail crossings**

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

Some previously open level crossings and access roads 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 important Station infrastructure. Yinhawangka people gaining access to Rocklea Station must:

- leave all gates as they are found, i.e. always close a 'closed gate' and always leave open an 'open gate';
- ensure that no fences or gates are wilfully damaged, cut or altered in any way; and
- advise the Station Overseer or a Station employee, at the earliest opportunity, if any damage to a gate, fence or other item of infrastructure is caused or observed.

## 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. **It is important to note that the Station Overseer, taking into consideration safety and operational concerns, has the right to refuse consent of the use of a firearm on the Station.** 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 during the initial phone contact;
- identify the areas on the Station where they propose to use the firearm; and
- meet with the Overseer in order to display a copy of their WA firearms licence.

The Station Overseer retains the right to amend or cancel the 'agreed terms of use' relating to firearms 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 to:

- not disturb, shoot at, injure or kill cattle or any other station livestock;
- not shoot near or around any livestock or within five kilometres of the Station homestead; and
- not 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 animals or gather plant material on Rocklea Station must indicate this to the Station Overseer during the initial phone contact when seeking access to 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 and must comply with all relevant legislation.

## 15. Dogs

Yinhawangka people must advise the Station Overseer of the intention to bring a dog (or dogs) onto the Station during the initial phone contact when seeking access to the Station.

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

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

## 16. Alcohol and other drugs

Yinhawangka people must advise the Station Overseer of the intention to bring alcohol onto the Station during the initial phone contact when seeking access to 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. General items

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

## 18. Burials

RTIO agrees that Yinhawangka people can bury deceased Yinhawangka family members on Rocklea Station. All proposed burials must comply with the relevant Western Australian Government legislation relating to the burial of a person outside of a designated cemetery. The location of any proposed burial site must be agreed to by the senior RTIO Manager responsible for Rocklea Station.

Yinhawangka people understand that 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 visiting and caring for some heritage sites is important to Yinhawangka people.

To ensure that a high standard of safety is maintained, Yinhawangka people must indicate, during the initial phone contact when seeking access to the Station, all of the places on the Station that they intend to visit.



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 throughout the Pilbara, including both archaeological and ethnographic areas 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 employees 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 below.

Yinhawangka people should be aware that they enter Rocklea Station entirely at their own risk, including after access has been agreed to with the Station Overseer. 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.

**Please note: Any breaches to the conditions of the protocol or display of antisocial behaviour will lead to removal from the Station and restricted access in the future.**



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



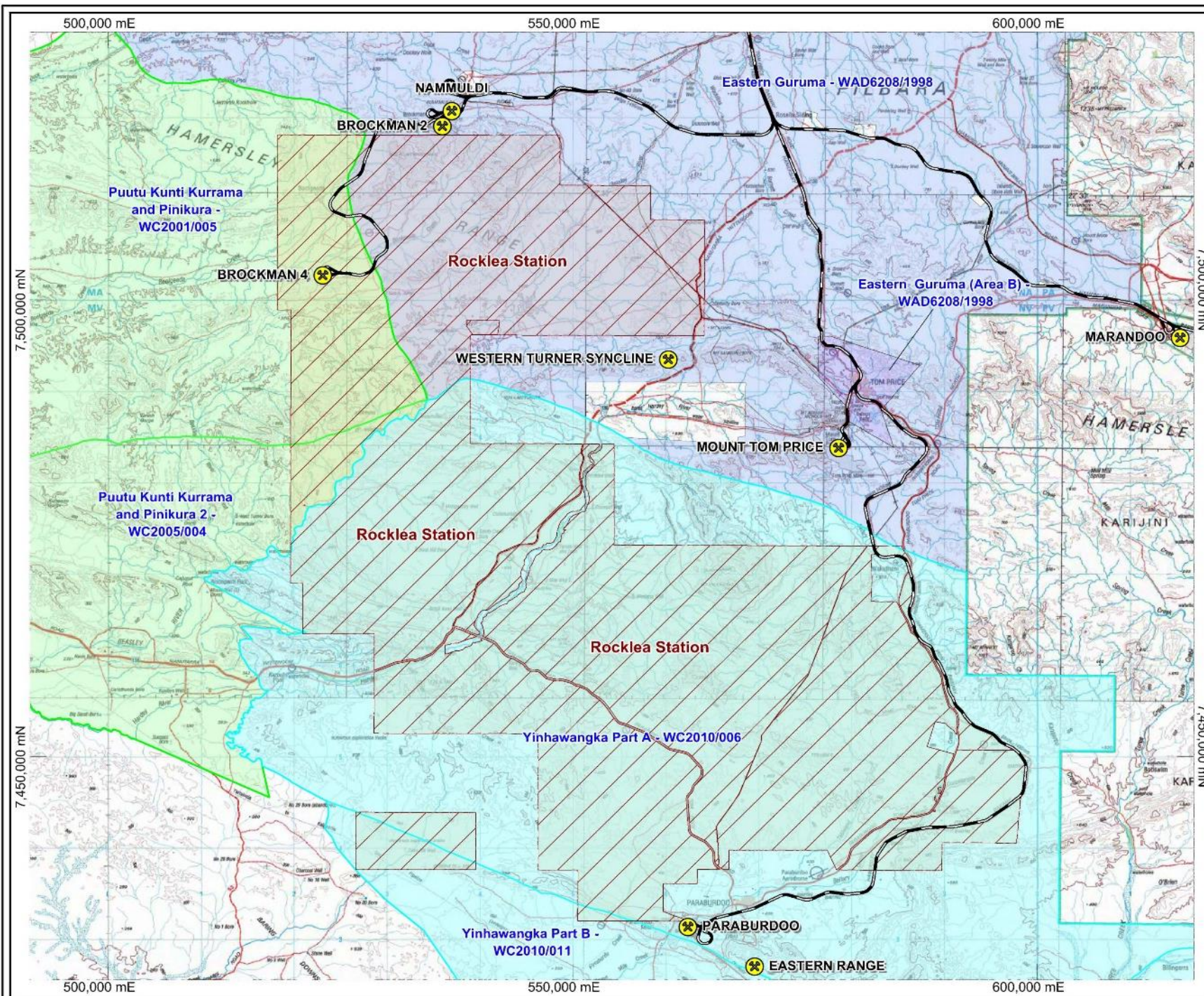
## Key contacts

<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>	Dr Ali Khan: Chief Executive Officer	0409 440 538 <a href="mailto:ceo@yinhawangka.com.au">ceo@yinhawangka.com.au</a>
	Jared Grabenhofer: Implementation Officer	0488 002 106 <a href="mailto:jgrabenh@yinhawangka.com.au">jgrabenh@yinhawangka.com.au</a>
<b>Rio Tinto</b>	Sim Mathwin Manager Communities & Agriculture	0439 927 505 <a href="mailto:Simon.Mathwin@riotinto.com">Simon.Mathwin@riotinto.com</a>
	Clint Bain Advisor, Agreements Implementation	0472 862 985 <a href="mailto:Clinton.Bain@riotinto.com">Clinton.Bain@riotinto.com</a>
	Rheannan Burke Superintendent, Agreements Implementation	0467 728 981 <a href="mailto:Rheannan.Burke@riotinto.com">Rheannan.Burke@riotinto.com</a>

## Emergency contacts

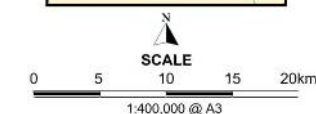
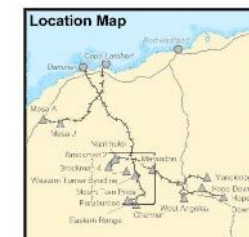
Location	Emergency Phone	Emergency Radio	Description
<b>Western Turner Syncline (WTS)</b>		UHF 32	WTS EMO: 0419928238 Tom Price Clinic: 6211 6934 Town Medical Centre: 9189 1901 Tom Price Hospital: 9159 5222
<b>Tom Price</b>	9143 3333	UHF 32	First Aid Room: 9143 3344 Town Medical Centre: 9189 1901 Tom 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



Iron Ore (WA)

**Rocklea Pastoral Station Land Access Protocol**

Drawn: TP  
Date: Feb. 2016

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



# Rio Tinto

