



CONSERVATION AGREEMENT

between the

MINISTER FOR THE ENVIRONMENT AND WATER RESOURCES

on behalf of the

COMMONWEALTH OF AUSTRALIA

And

Woodside Energy Ltd

in relation to the

**National Heritage Values of the National Heritage Place
Dampier Archipelago (including Burrup Peninsula)**

UNDER THE ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999

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THIS CONSERVATION AGREEMENT is made on 3rd day of JULY 2007.

Parties:

This is an agreement between:

The Minister for the Environment and Water Resources (**Minister**) on behalf of the Commonwealth of Australia (**Commonwealth**)

and

Woodside Energy Ltd (**Woodside**)

Background

- A. The Minister has decided to include part of the Dampier Archipelago (including the Burrup Peninsula) in the National Heritage List under the EPBC Act, such that it is a National Heritage Place recognised for its National Heritage values.
- B. The Minister has recognised that the National Heritage Place provides a secure and permanent recognition of the National Heritage values of the Dampier Archipelago.
- C. The Minister has recognised that, in making the decision regarding the boundaries of the National Heritage Place that it may include part of or otherwise be adjacent to land zoned for industrial development by the State of Western Australia.
- D. Woodside and the Minister have agreed to enter into a conservation agreement (**Agreement**) under section 305 of the EPBC Act in relation to the Class of Actions inside and outside the National Heritage Place for the recognition, protection and conservation of the National Heritage Values.
- E. The Parties may consider varying this Agreement to include provisions relating to Biodiversity once the Minister has made a decision in relation to the Pluto LNG Development.
- F. Other land holders in or surrounding the area known as the Burrup Peninsula and Dampier Archipelago may also enter into conservation agreements or other arrangements with the Minister.
- G. The Minister and the State of Western Australia are working to enter into an approvals bilateral agreement under section 45 of the EPBC Act for parts of the Dampier Archipelago and Burrup Peninsula which provides for the protection of matters of national environmental significance (including National Heritage Values) and ensures an efficient, timely and effective process for environmental assessment and approval of actions.

Application

1. This Agreement applies to the Burrup Peninsula for the protection and conservation of National Heritage values of the National Heritage Place in relation to the Class of Actions as defined in Schedule 2, taken both inside and outside of the Green Zone identified in Schedule 1 (the **Green Zone**).
2. The Green Zone referred to in clause 1 is identified by the area outlined in green in Schedule 1 and comprises land being:
 - 2.1. Woodside Land; and
 - 2.2. other land that Woodside may seek to access during the term of this Agreement and to which this Agreement will relate upon Woodside being authorised to access.
3. This Agreement does not in any way affect the current EPBC Act assessment and decision making process for the Pluto LNG Development and does not apply to, or create obligations in relation to, actions which are part of the implementation of the Pluto LNG Development as referred under the EPBC Act (referrals 2005/2391 and 2006/2968).

Purpose

- A. Section 305(1) of the EPBC Act provides that the Minister may, on behalf of the Commonwealth, enter into an Agreement (a conservation agreement) with a person for the protection and conservation of (relevantly) the National Heritage values of a National Heritage Place.
- B. The Minister and Woodside have agreed that Woodside can carry out and undertake the Class of Actions subject to measures to enhance the National Heritage values of the National Heritage Place.
- C. The Minister is satisfied that this Agreement is not inconsistent with the National Heritage Management Principles and will result in a net benefit to the protection and conservation of the National Heritage values of the National Heritage Place.
- D. The Minister is satisfied that the Class of Actions (as set out in Schedule 2) to which the declaration in clause 8 of this Agreement relates are not likely to have a significant impact on the National Heritage values of the National Heritage Place.
- E. The Agreement has the effect of binding the Commonwealth and Woodside, including any person that is a successor to the whole or any interest that Woodside has in the whole or part of the Woodside Land when this Agreement is entered into.

Operative part

1. Interpretation

1.1. In this Agreement unless the contrary intention appears:

Approvals Bilateral Agreement means an agreement under section 45 of the EPBC Act.

Biodiversity includes listed threatened species in the EPBC Act (as advised by the Commonwealth).

Business Day means a day, not being a Saturday, Sunday or public holiday in Perth, Western Australia.

Class of Actions means the Class of Actions specified in Schedule 2.

EPBC Act means the Environment Protection and Biodiversity Conservation Act 1999.

Green Zone means that area of land identified by the area outlined in green in Schedule 1 and comprises land being Woodside Land and other land that Woodside may seek to access during the term of this Agreement and to which this Agreement will relate upon Woodside being authorised to access such land.

Heritage Management Process means the process outlined in Schedule 4.

Minister means the Minister administering the EPBC Act or a delegate of the Minister under the EPBC Act.

National Heritage Place means the National Heritage place entered in the National Heritage List as Dampier Archipelago (including Burrup Peninsula).

National Heritage Management Principles means those principles in Schedule 5B of the Environment Protection and Biodiversity Conservation Regulations 2000 (as set out in Schedule 6).

National Heritage Values means the National Heritage values for the National Heritage Place as listed in Schedule 5.

Parties means the parties to this Agreement and their legal successors and permitted assigns.

Pluto LNG Development means the proposed action by Woodside to develop and operate the Pluto gas field, including the option of Site B for the location of the onshore gas treatment plant, at the Burrup Peninsula and the North West Shelf, Western Australia (more particularly described in EPBC referrals 2005/2391 and 2006/2968) which may be generally described as a two train LNG development.

Woodside Land means land occupied by Woodside at the commencement of this Agreement (as proponent of the Pluto LNG Development) being:

- a. **Site A (lease)** – whole Lot 384 on Deposited Plan 220146 and Lot 574 on Deposited Plan 28209

- b. **Site B (lease)** – whole Lot 572 on Deposited Plan 28209
- c. **Site D (lease)** – whole Lot 3017 on Deposited Plan 50979
- d. **Site E (lease)** – whole Lot 3019 on Deposited Plan 51727
- e. **Quarry Haul Road (easement)** – whole of lots 566 and 573 on Deposited Plan 28209

(each parcel of land being that identified in Schedule 1).

1.2. In this Agreement, unless the contrary intention appears;

- (a) words importing a gender include any other gender;
- (b) words in the singular include the plural and words in the plural include the singular;
- (c) clause headings are inserted for convenient reference only and have no effect in limiting or extending the language of provisions to which they refer;
- (d) words importing persons include a partnership and a body whether corporate or otherwise;
- (e) all references to dollars are to Australian dollars;
- (f) reference to any statute or other legislation (whether primary or subordinate) is to a statute or other legislation of the Commonwealth as amended or replaced from time to time;
- (g) where any word or phrase is given a defined meaning, any other part of speech or other grammatical form in respect of that word or phrase has a corresponding meaning;
- (h) any Schedule or any attachments form part of this Agreement;
- (i) where any conflict arises between the terms and conditions contained in the clauses of this Agreement and any part of a Schedule or attachment (if any), the terms and conditions of the clauses prevail;
- (j) reference to a Schedule or an attachment is a reference to a Schedule or an attachment to this Agreement, including as amended or replaced from time to time.

2. Commencement

- 2.1. This Agreement commences on the date on which the National Heritage Place is entered in the National Heritage List and continues until the Agreement is terminated in accordance with clause 5.

3. Review of this Agreement

- 3.1. If an approvals bilateral agreement is executed, the Parties may elect to review the continuation of this Agreement.
- 3.2. A review of the operation of this Agreement, including the Schedules, is to be undertaken by the Parties at least once every five years while the Agreement remains in effect.

4. Changes to this Agreement

- 4.1. This Agreement, including the Schedules other than Schedule 4, may only be varied by written agreement between the Parties or otherwise in accordance with the EPBC Act.
- 4.2. The Parties may consider varying this Agreement to include provisions relating to Biodiversity once the Minister has made a decision in relation to the Pluto LNG Development.

5. Termination

- 5.1. This Agreement may only be terminated in the manner specified in the EPBC Act.

6. Protection and Conservation of the National Heritage Values

- 6.1. Woodside agrees that it shall:
 - 6.1.1 manage the actions within the Class of Actions in accordance with Schedule 3:
 - 6.1.1.1. where the actions are taken outside the Green Zone; and
 - 6.1.1.2. where the actions are taken in the Green Zone, with an impact outside the Green Zone;
 - 6.1.2 manage the actions within the Class of Actions in accordance with Schedule 4, where the actions are taken within the Green Zone; and
 - 6.1.3 manage the actions within the Class of Actions in accordance with any conditions specified for the Class of Actions as set out in Schedule 2.
- 6.2. Subject to ongoing monitoring, the Minister is satisfied that emissions, dust, noise, light and vibration arising from the actions in the Class of Actions in Schedule 2, undertaken in accordance with Schedule 3, are not likely to have a significant impact on the National Heritage Values.

7. Net Benefit

- 7.1. Within three months of the signing of this Agreement, and then on each anniversary of the signing of this Agreement, for a _____ Woodside will contribute _____ Separate Holding Account for the purpose of:
 - 7.1.1. identifying sites with National Heritage Values;
 - 7.1.2. presenting, and transmitting information about, the National Heritage Values;
 - 7.1.3. managing National Heritage Values to ensure the values are conserved for future generations; and

- 7.1.4. researching and monitoring the National Heritage Values.
- 7.2. The Separate Holding Account will be an interest bearing account and any interest generated from the Separate Holding Account will be retained in the Separate Holding Account and used as agreed under paragraph 7.1.
- 7.3. Within 6 months of signing this Agreement, the Parties will establish the governance arrangement for the Separate Holding Account.
- 7.4. In developing the governance arrangement under paragraph 7.3 the Parties will use their best endeavours to apply the principles of:
- 7.4.1. coordination of funding and delivery of activities across the National Heritage Place;
 - 7.4.2. consultation with Indigenous people with rights and interests in the National Heritage Place; and
 - 7.4.3. consultation with the State (Western Australia).
- 7.5. Woodside will contribute _____ spent on the display and curatorship of rock art through the construction of a rock art display and curator centre provided:
- 7.5.1. that figure is matched dollar for dollar by government; and
 - 7.5.2. that the centre is not located in a location that is unacceptable to Woodside.
- 7.6. _____ will be made available by Woodside over ten years for specifically identified and viable delivered projects that will benefit the indigenous heritage of the area on the condition that such projects are:
- 7.6.1. a continuation of the work funded under 7.1 above to survey and research, present, monitor and manage the National Heritage Values of the area; and
 - 7.6.2. unanimously agreed by the Parties acting reasonably and in good faith.

8. Declaration

- 8.1. The Class of Actions as specified in Schedule 2 undertaken by Woodside in accordance with the conditions, procedures and criteria specified in Schedules 2, 3 and 4, do not require approval under Part 9 of the EPBC Act for the purposes of sections 15B and 15C of the EPBC Act.

9. Novation

- 9.1. Woodside will not novate its obligations under this Agreement.

10. Notification

- 10.1. Woodside must notify the Minister as soon as reasonably practicable after becoming aware of an action by Woodside under or in connection with this Agreement that is likely to have a significant impact on the National Heritage Values.

- 10.2. During the term of this Agreement, Woodside shall notify the Minister of:
- 10.2.1 any assignment of the Woodside Land; and
 - 10.2.2 Woodside being granted access to land within the Green Zone (other than Woodside Land).
- 10.3. Woodside will respond promptly to all communications from the Minister relating to this Agreement.

11. Reporting

- 11.1. Woodside will, within two months of each anniversary of this Agreement, provide the Minister with a report on the operation of the Agreement during the previous 12 month period that will include a summary of:
- 11.1.1 Woodside's compliance with the terms of this Agreement;
 - 11.1.2 the progress on the implementation of matters included in clause 7;
 - 11.1.3 the actions within the Class of Actions in Schedule 2 taken under this Agreement; and
 - 11.1.4 major development activities described by the Class of Actions in Schedule 2 that may be commenced within the forthcoming 12 month period.

12. Auditing

- 12.1. The Minister, or anyone authorised in writing by the Minister, may audit Woodside's compliance with this Agreement.
- 12.1.1 Before conducting an audit under 12.1, the Minister must provide Woodside with reasonable written notice that the Minister intends to conduct the audit.
- 12.2. From time to time the Parties may agree to an independent audit of the application of this Agreement.
- 12.2.1 The appropriate auditor and the scope of the audit will be agreed by the Parties.
- 12.3. Woodside agrees to fully cooperate with any audit conducted under this clause.
- 12.4. Nothing in this clause limits the Minister's powers under the EPBC Act.

13. Dispute resolution

- 13.1. Any dispute arising during the course of this Agreement will be dealt with as follows:
- 13.1.1 firstly, the Party claiming that there is a dispute will send to the other a notice setting out the nature of the dispute;
 - 13.1.2 secondly, the Parties will try to resolve the dispute by direct negotiation, including by referring the matter to persons who may have authority to intervene and direct some form of resolution;

13.1.3 thirdly, the Parties have 10 Business Days from the sending of the notice to reach a resolution or to agree that the dispute will be submitted to mediation or some other form of alternative dispute resolution procedure;

13.1.4 fourthly, the Parties will try to resolve the dispute by arbitration; and

13.1.5 lastly if:

13.1.5.1 there is no resolution or agreement; or

13.1.5.1 there is a submission to mediation or some other form of alternative dispute resolution procedure, but there is not resolution within 15 Business Days of the submission, or such extended time as the Parties may agree in writing before the expiration of the 15 Business Days,

then, either Party may commence legal proceedings.

13.2. Despite the existence of a dispute, the Parties will (unless requested in writing not to do so) continue to perform the Agreement.

13.3. This clause does not preclude either Party from commencing legal proceedings for urgent interlocutory relief or otherwise under the EPBC Act.

14. Taxes and Costs

14.1. All relevant taxes, duties and government charges imposed or levied in Australia, now in or in the future, in connection with this Agreement will be borne by Woodside.

14.2. Except as provided in clause 14.1, each Party will bear their own costs of and in relation to this Agreement.

15. Access to land in the Green Zone

15.1. Subject to Woodside's operational and safety requirements, Woodside agrees to give to the Minister, or any persons authorised in writing by the Minister, reasonable access to Woodside Land (or other land within the Green Zone which Woodside is allowed to access to the extent Woodside can provide such permission) for the purpose of:

15.1.1 monitoring this Agreement; and

15.1.2 obtaining information necessary to provide advice to Woodside in relation to the implementation of this Agreement.

15.2. Such access does not give the Minister, or any persons authorised in writing by the Minister, any right to undertake works on Woodside Land (or other land within the Green Zone which Woodside is allowed to access) without written permission from Woodside.

15.3. Nothing in this clause affects the Minister's rights under the EPBC Act.

16. Negation of employment, partnership and agency

- 16.1. Woodside agrees not to represent itself, and to ensure that its officers, employees, agents and subcontractors do not represent themselves, as being an officer, employee, partner or agent of the Commonwealth, or as otherwise able to bind or represent the Commonwealth.
- 16.2. Woodside is not by virtue of this Agreement an officer, employee, partner or agent of the Commonwealth, nor does Woodside have any power or authority to bind or represent the Commonwealth.

17. Waiver

- 17.1. If a Party does not exercise (or delays in exercising) any of its rights, that failure or delay does not operate as a waiver of those rights.
- 17.2. Whole or partial exercise by a Party of any of its rights does not prevent the further exercise of any right.

In this clause 'rights' means rights or remedies provided by this Agreement or at law.

18. Notices

- 18.1. A notice to a person must be in writing and signed by, or on behalf of, the sender.
- 18.2. The Minister may only serve a notice on Woodside by leaving it at, posting it to, or faxing it to the address in clause 18.6 below.
- 18.3. Woodside may only serve a notice on the Minister by leaving it at, posting it to, or faxing it to the address in clause 18.7 below.
- 18.4. The Parties may change the address details set out in clause 18.6 and 18.7 by giving notice of the new address details to the other Party.
- 18.5. A notice sent by facsimile will be treated as having been given on production of a transmission report by the sender's facsimile machine which indicates that the facsimile message was transmitted in its entirety to the recipient's facsimile number, but if the transmission is on a day which is not a Business Day or is after 4.00 pm (addressee's time) it is treated as having been given on the next Business Day.

- 18.6. Chief Executive Officer

Woodside Energy Ltd
240 St George's Terrace
PERTH WA 6000
Fax No: + 61 8 9226 3552

- 18.7. Minister for the Environment and Water Resources

Attention: First Assistant Secretary, Heritage Division
Department of Environment and Water Resources
GPO Box 787
CANBERRA ACT 2601
Fax No: + 61 2 6274 1666

19. Severance

- 19.1. If any part of this Agreement is, or becomes, void or unenforceable that part is, or will be, severed from this Agreement to the intent that all parts that are not, or do not become, void or unenforceable remain in full force and effect and are unaffected by that severance.

20. Counterparts

- 20.1 This Agreement may be executed in two counterparts each of which shall be deemed an original but all of which shall constitute one and the same instrument.

SIGNED AS AN AGREEMENT

SIGNED for and on behalf of the
COMMONWEALTH of AUSTRALIA
by


.....
(signature)

Minister for the Australian Government

Date: 13 July 2007

In the Presence of Witness:


.....
(signature)


.....
(name)

SIGNED for and on behalf of Woodside Energy
Ltd by

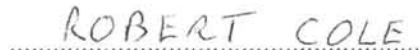

.....
(signature)


.....
(name)
(position)

Date: 2 July 2007

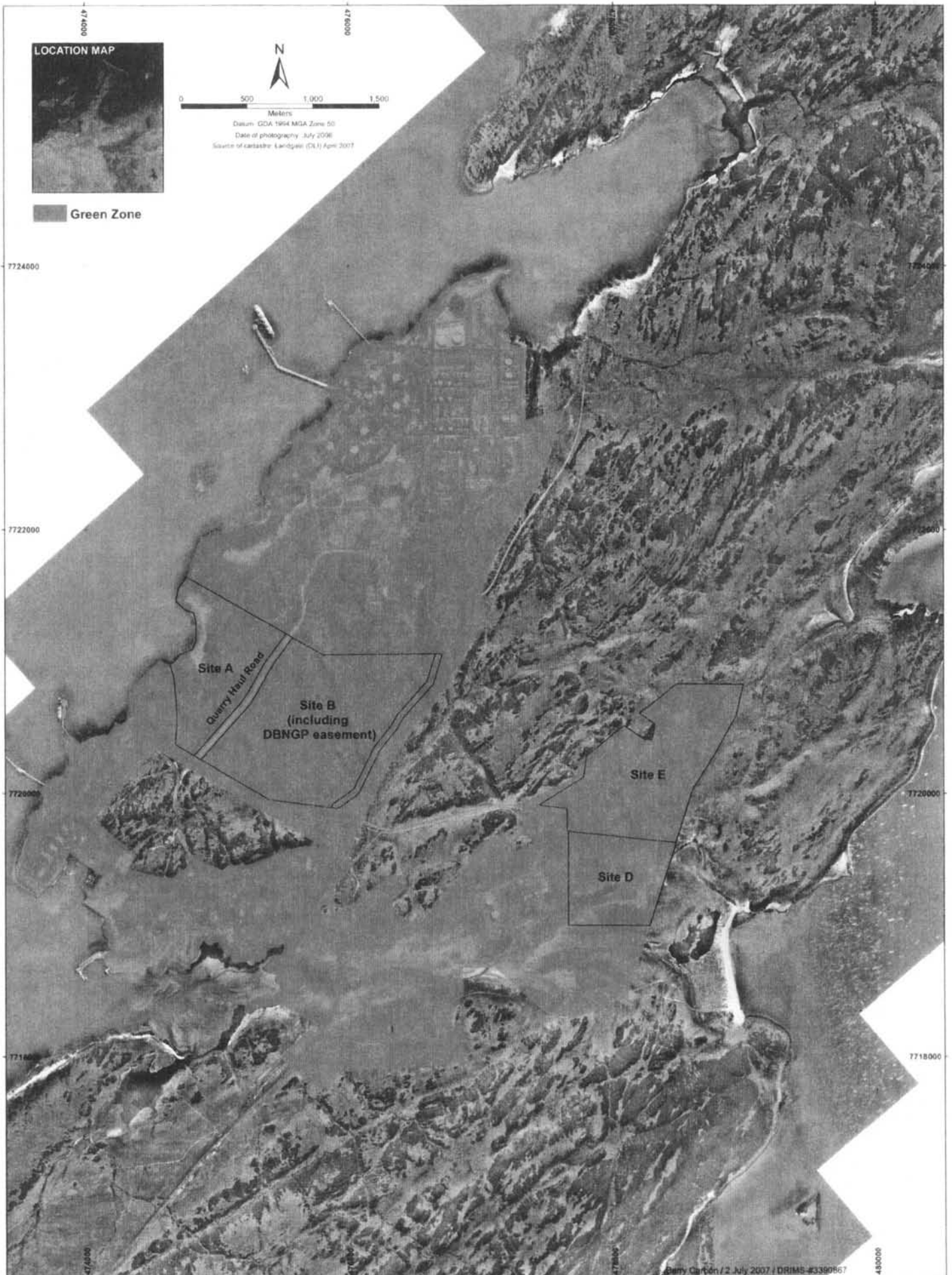
In the Presence of Witness:


.....
(signature)


.....
(name)

Schedule 1: The Green Zone and adjacent National Heritage Place

SCHEDULE 1



GREEN ZONE

Schedule 2: Class of Actions

The Class of Actions excludes all actions referred under the EPBC Act as part of the Pluto LNG Development.

Actions, undertaken by Woodside within the Green Zone, in accordance with Clause 6 of this Agreement:

1. The construction, operation, maintenance, modification, expansion, replacement and decommissioning of facilities for the purpose of receipt, transportation and processing of hydrocarbons including liquefaction of gas into LNG, domestic gas and other products and of any other facilities necessary for that purpose and any other activities necessary or ancillary to such Actions.
2. The storage, handling and delivery of products derived from the processing of hydrocarbons including liquefaction of gas into LNG, domestic gas and other products and any other activities necessary or ancillary to such Actions.

Actions, undertaken by Woodside outside of the Green Zone, in accordance with Clause 6 of this Agreement:

3. Any activities necessary or ancillary for the purposes of:
 - 3.1 access to and from the Green Zone including but not limited to the transport of heavy haulage items;
 - 3.2 telecommunications;
 - 3.3 undertaking surveys for environmental, cultural heritage and geotechnical purposes;
 - 3.4 monitoring of emissions, discharges and other potential sources of impacts in respect of the environment (including cultural heritage);

including but not limited to:

- A. the construction, use and maintenance of road access;
- B. the construction, operation and maintenance of infrastructure.

Note: The Commonwealth recognises that access to the Green Zone along existing corridors and access roads may require responsible widening to allow the passage of large construction items.

Schedule 3: Significant Impact Guidelines for National Heritage Values



Significant Impact Guidelines for the Dampier Archipelago National Heritage Place

Introduction

The Western Australian Government, under the *Aboriginal Heritage Act 1972*, provides for the preservation, on behalf of the community, of places and objects customarily used by or traditional to the Aboriginal people of Western Australia. This includes the sites found on the Dampier Archipelago. Under section 17 of the *Aboriginal Heritage Act 1972*, 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 or assume possession of any object on or under a site.

In addition to the *Aboriginal Heritage Act 1972* many land owners, including industry located on the Burrup Peninsula, have developed policies and procedures to manage Aboriginal heritage in accordance with legislative requirements.

Some of the Aboriginal heritage sites found on the Dampier Archipelago have National Heritage values. The National Heritage values of the Dampier Archipelago, and not necessarily the entire place itself, are protected under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

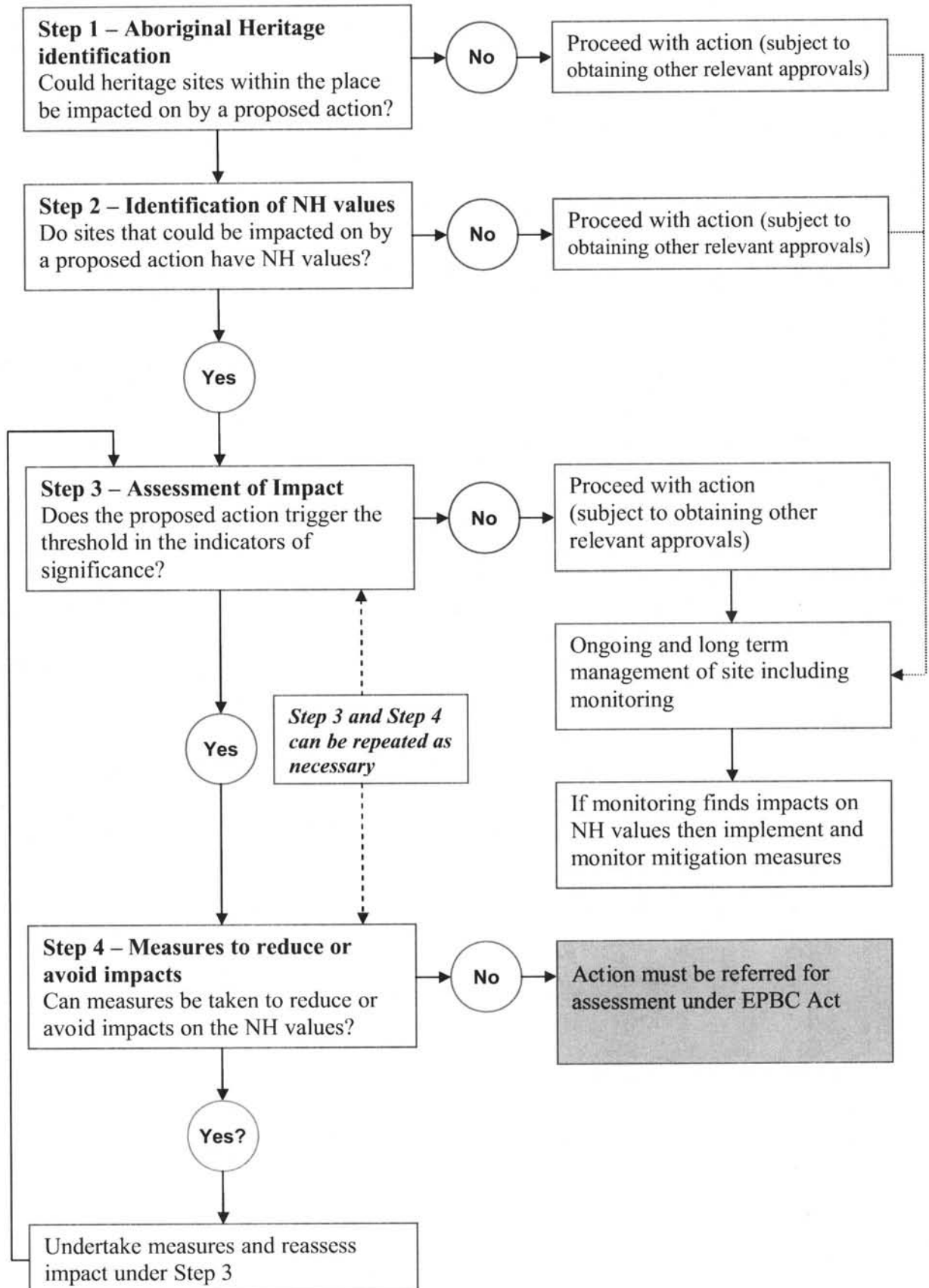
This means that a person cannot take an action that has, will have or is likely to have, a significant impact on the National Heritage values of the Dampier Archipelago without the approval of the Australian Government Minister for the Environment and Water Resources.

This document has been developed as a way of assessing whether actions have, will have or are likely to have a significant impact on the National Heritage values of the Dampier Archipelago. This process must be followed in addition to existing policies, procedures and other regulatory requirements.

The Significant Impact Guidelines will be subject to regular review.

National Heritage Management Process

[Under a Conservation Agreement] specified actions are not to have a significant impact on NES matters if they are not to require EPBC approval.



Step 1 - Aboriginal Heritage identification

Recognising current practices and Western Australian legislative requirements, including Indigenous people's involvement in any Aboriginal heritage identification process, the following will be undertaken to meet Objective 1.

Objective 1

To identify Aboriginal heritage sites within the National Heritage place that could be impacted on by a proposed action.

Performance indicators

- A process is completed to identify Aboriginal heritage sites within the place which may be directly or indirectly impacted on by an action.

To ensure an action will not have a significant impact on the National Heritage values of the place, an Aboriginal heritage identification process should be used to determine if an action will have any direct or indirect impacts on any Aboriginal heritage sites within the place.

The area over which an action may have an impact must be determined, and an Aboriginal heritage identification process undertaken, to identify if any heritage sites within the place will be directly or indirectly impacted on by the proposed action. Actions taken inside or outside of the place may have a direct or indirect impact on National Heritage values.

The Aboriginal heritage identification process undertaken will depend on the level of risk associated with the action having an impact on Aboriginal heritage sites within the place (see table 1). The level of risk of the action impacting on an Aboriginal heritage site within the place will be determined by factors such as a) the degree to which the area has been previously disturbed; b) the geology and topography of the area; and c) the type of action proposed (e.g. does it include ground disturbance, will it increase use or access to an area).

Table 1 – Levels of heritage identification

	High risk of action impacting on heritage sites in the place	Medium risk of action impacting on heritage sites in the place	Low risk of action impacting on heritage sites in the place
Accurate and comprehensive site data exists	Desktop assessment and if required purposive heritage survey	Desktop assessment and/or purposive heritage survey	Desktop assessment
Partial and/or imprecise site data exists	Comprehensive heritage survey	Desktop assessment and purposive heritage survey	Desktop assessment and purposive heritage survey
Inaccurate or no site data exists	Comprehensive heritage survey	Comprehensive heritage survey	Desktop assessment and purposive heritage survey

Comprehensive Aboriginal heritage surveys must be conducted where there is a high risk of an action having an impact on Aboriginal heritage sites within the place and accurate and comprehensive site data does not already exist.

Partial (purposive) surveys or a desktop assessment may be sufficient where there are low levels of risk or where accurate site data is available. A comprehensive and exhaustive review of relevant sources must be undertaken as part of any desktop assessment.

Individual sites¹ must be comprehensively recorded during any survey undertaken within the place, including any research or baseline surveys, in order to determine if that site contains National Heritage values. The level of detail recorded for each site must be sufficient to complete accurately the form at Annex 1 (see Step 2).

If the Aboriginal heritage identification process determines that no heritage sites within the place will be directly or indirectly impacted on by the proposed action, the Minister will be satisfied that the action will not have a significant impact on the National Heritage values of the place.

Step 2 - Identification of National Heritage values

Recognising current practices and Western Australian legislative requirements, including significance assessments, the following will be undertaken to meet Objective 2.

Objective 2

To identify if sites that could be impacted on by a proposed action have National Heritage values.

Performance indicator

- Identify if sites to be impacted on by an action contain National Heritage values and information on sites with National Heritage values submitted to the Department of the Environment and Water Resources using the form at Annex 2.

If the Aboriginal heritage identification process determines that sites within the place may be directly or indirectly impacted on by an action, these sites must be assessed to identify if they contain National Heritage values. Annex 2 identifies the types of sites that contain National Heritage values.

Any baseline or research surveys undertaken by the proponent within the National Heritage place should also identify if sites contain National Heritage values. Information obtained during any surveys within the place on sites identified as having National Heritage values must be provided to DEW. Information on each site identified as having National Heritage values should be submitted using the form at Annex 1.

These forms should also be included as part of any information on the site provided to the Registrar of Aboriginal Sites in the Department of Indigenous Affairs.

If it is determined that the action will not impact on any sites that contain National Heritage values, the Minister is satisfied that the proposed action will not have a significant impact on the National Heritage values of the place.

Step 3 - Assessment of impacts

¹ For the purpose of this document and its Annexes, a site is defined as one or more cultural features less than 25 metres apart.

Recognising current practices and Western Australian legislative requirements, the following will be undertaken to meet Objective 3.

Objective 3

To establish whether a proposed action could have a significant impact on any National Heritage values.

Performance Indicators

- The indicators of significant impact (Annex 3) are used to establish the number and types of National Heritage values that could be significantly impacted on by the proposed action.

The indicators of significant impact (Annex 3) will be used to identify whether the proposed action could have a significant impact on any sites with National Heritage values identified in Step 2. Actions that could result in significant impacts include, but are not limited to the following:

- Constructing new facilities or expanding existing facilities where required ground disturbance could result in destruction, alteration or disturbance of National Heritage values;
- Construction of facilities or maintenance of existing facilities (e.g. ground levelling for new buildings and/or facilities, sewage, water reticulation) that require rubble or excess soil from ground disturbance to be deposited within the place could result in concealment of National Heritage values; and
- Blasting required for construction of new facilities or expansion of existing facilities could result in damage, disturbance or alteration of National Heritage values.

Monitoring of emissions on rocks and rock art has been undertaken by the CSIRO. Studies to date have not reported that emissions are having an impact on rocks or rock art. This is an area of ongoing scientific study and monitoring.

A record of the nature of possible impacts on each site with National Heritage values will be kept. A form for recording potential impacts must include the components in the draft form at Annex 4.

If the process for assessment of impacts determines that the proposed action will not have a significant impact on the National Heritage values of the place, the Minister will be satisfied that the action will not have a significant impact on the National Heritage values of the place.

Step 4 - Measures to avoid or reduce impacts

Recognising current practices and Western Australian legislative requirements, the following will be undertaken to meet Objective 4.

Objective 4

To avoid significant impacts on National Heritage values.

Performance Indicators

- Evidence that all practicable steps have been taken to ensure that an action does not have a significant impact on any National Heritage values;

- When a significant impact is unavoidable, refer project proposal under the EPBC Act.

If the proposed action could have significant impacts, all practical steps will be taken to redesign the action to ensure that such impacts do not eventuate. This could include but is not limited to:

- Redesign the footprint of any new facilities or the footprint of the expansion of existing facilities to ensure there are no impacts on National Heritage values;
- Ensure that spoil from the construction of facilities or maintenance of existing facilities (e.g. sewage, water reticulation) is moved to an area outside the place or where it will not obscure National Heritage values;
- Where blasting or ground disturbance work is underway, options such as temporary protection through cladding or sandbagging could be considered to prevent disturbance or alteration from flying rocks, tremors or inadvertent accidents.
- Where there are no other feasible measures to reduce the impact, salvage (relocation) to avoid a significant impact on National Heritage values may be an option in a limited number of cases (see Annex 3).

If an impact is avoided or reduced by any mitigation measures, the revised impact should be reassessed under Step 3. If the assessment of impacts process determines that the action will not have any of the types of impacts described in Annex 3, the Minister will be satisfied that the action will not have a significant impact on the National Heritage values of the place.

Where it is unavoidable that an action will have the type of impact indicated in Annex 3, the project will require referral under the EPBC Act. Information on sites with National Heritage values that are destroyed or relocated to an area outside of the boundary of the place, must be provided to the Department of the Environment and Water Resources. This information will be used to inform any review of these Guidelines, including the graphs in Annex 3.

Long term management of National Heritage values, including monitoring

Objective

To manage and monitor the condition of National Heritage (NH) values.

Performance indicators

- The condition of sites with National Heritage values is subject to regular monitoring and reporting.
- Management measures for sites with National Heritage value, including provisions for post-project monitoring, are in place.

Monitoring and Management

The objective of monitoring the condition of National Heritage values is to ensure these values are sustained into the future.

Monitoring the condition of sites with National Heritage values should be conducted regularly and at a statistically sound number of sample sites to enable any change to be recorded. The methods for undertaking monitoring, including how the frequency of monitoring was determined, must be documented, and data on the outcome of the monitoring program provided as part of a review of these guidelines.

There may be change in the condition of National Heritage values over time. The Department of the Environment and Water Resources is aware of the CSIRO studies undertaken on behalf of the Burrup Rock Art Monitoring Management Committee researching the impact of emissions on rock art. While the 2006 Burrup Peninsula Air Pollution Study: Final Report did not indicate that emissions were having an impact on rocks or rock art, understanding the effects of emissions depends on ongoing monitoring.

The Department must be informed promptly if there is evidence of widespread or localised change to National Heritage values and the attributional cause of change, if known.

The objective of management is to ensure the long-term protection of National Heritage values. This may be day-to-day site management or the development of management plans.

The risk assessment framework at *Table 2* may be used to inform site management to minimise unintended impacts from actions on National Heritage values. An unintended impact on sites with National Heritage values could include, but is not limited to, the following:

- Increased access to an area resulting in vandalism
- Transportation of hazardous materials resulting in spillage of harmful chemicals if a vehicle is overturned in an accident
- Storage of hazardous materials that could potentially detonate or spill
- Blasting or drilling resulting in destabilisation or rock movement

Management arrangements should include procedures to identify the mitigation measures, and reporting requirements to be followed, should unintended impacts on sites with National Heritage values occur.

Table 2 – Risk Assessment Framework indicating how unintended impacts on sites with National Heritage values will be managed

Unintended Impacts		High possibility of unintended impact occurring	Medium possibility of unintended impact occurring	Low possibility of unintended impact occurring
	High impact on National Heritage value/s	Company must have a plan to minimise likelihood of occurrence and the mitigation measures to be used if unintended impacts occur. It must also notify DEW if an impact occurs.	Company must have a plan to minimise likelihood of occurrence and the mitigation measures to be used if unintended impacts occur. It must also notify DEW if an impact occurs.	Company must have a plan to minimise likelihood of occurrence and the mitigation measures to be used if unintended impacts occur. It must also notify DEW if an impact occurs.
	Medium impact on National Heritage value/s	Company must have a plan to minimise likelihood of occurrence and include mitigation measures if unintended impacts occur.	Company must have a plan to minimise likelihood of occurrence and include mitigation measures if unintended impacts occur.	Company must have a mitigation plan and record unintended impact in its internal reporting structure.
	Low impact on National Heritage value/s	Company must record unintended impact and any mitigation measures used in its internal reporting structure.	Company must record unintended impact and any mitigation measures used in its internal reporting structure.	Company must record unintended impact and any mitigation measures used in its internal reporting structure.

It is important that the risk assessment framework considers all actions regardless of whether they occur within or outside company land, as either may have unintended impacts on the National Heritage values.

The methods for determining the level of risk in Table 2, including how high, medium and low risk is defined, must be documented.

Significant Impact Guidelines – Annexes

Annex 1: National Heritage Site Reporting form

Annex 2: Sites with National Heritage value

Annex 3: Indicators of Significant Impact

Annex 4: Impact Assessment Form

**Department of the Environment and Water Resources
National Heritage - Site Reporting Form**

Part 1	Site Detail						
DIA site Number				Date recorded			
Other site Number/ Name				Location	Easting		
Recorder					Northing		
					Zone.....Datum.....		
Approximate size of site				Features present	Artefact ☐	Grinding surface ☐	Stone arrangement ☐
Shape file attached	No	Yes			Engraving ☐	Stone Pit ☐	Other
Site recording form attached	No	Yes			Burial ☐	Standing Stone ☐	
Photographs Attached	No	Yes			Quarry ☐	Midden/shell ☐	
Other information attached				Access Restrictions	Access to this site information and photos is restricted to Males ☐ Females ☐ No access restrictions ☐		
Part 2	Engravings – Summary						
	Number				Number		
Number of anthropomorphs motifs recorded				Number of panels with motifs in site			
Number of fauna motifs record				Total number of motifs recorded			
Number of other motifs recorded				Estimated motif number in site (if different from above)			
Part 3	Engravings - Anthropomorph information (see examples and description in attached guide)						
Type	Number Deeply Weathered	Number Moderately Weathered	Number Slightly Weathered	Type	Number Deeply Weathered	Number Moderately Weathered	Number Slightly Weathered
Dampier Style 1				Stick Figures			
Dampier Style 2				Solid Figures			
Dampier Style 3				Outline Figures			
Dampier Style 4				Decorative infill			
Dampier Style 5				Archaic Faces			
Dampier Style 6				Material object			
Upper Yule Style				Lizard Men			
Port Hedland Style				Grouped Figures			
Cooya Pooya Style 1				Profile Figures			
Cooya Pooya Style 2				Sexual activity			
Cooya Pooya Style 3				Notes			
Depuch Island Style							

Schedule 3 - Annex 1

Part 4 Engravings – Fauna motifs							
Type	Number Deeply Weathered	Number Moderately Weathered	Number Slightly Weathered	Type	Number Deeply Weathered	Number Moderately Weathered	Number Slightly Weathered
Fish				Macropod			
Turtle				Reptile			
Marine Mammal				Animal Track			
Crustacean				Bird Track			
Bird				Other			
Part 5 Engravings – Fauna motifs identifiable to species level							
Species	Number Deeply Weathered	Number Moderately Weathered	Number Slightly Weathered	Species	Number Deeply Weathered	Number Moderately Weathered	Number Slightly Weathered
Part 6 Engravings - Super-imposition motifs (attach sketches or photos)							
Panel number	Number of Motifs	Level of weathering	Anthropo. style	Panel number	Number of Motifs	Level of weathering	Anthropo. style
<i>Description</i>							
Part 7 Standing stones							
		Number	Notes	<i>Function or other information on standing stones</i>			
Number of standing stones present							
Rubbing/ battering marks on standing stone							
Engravings on standing stone							
Wedge/chock stones at base of standing stone							
Part 8 Stone pits and circular stone arrangements							
		Number		Description			
Number of stone pits			Function of stone pits				
Number of circular stone arrangements			Function of circular stone arrangements				
<i>Other information on stone pits and circular stone arrangements</i>							

Examples of sites with National Heritage values

The following table indicates the types of sites that would contain National Heritage values

Identifier	Summary of National Heritage values	Examples of sites with National Heritage values
1	The Dampier Archipelago is outstanding for its diversity of engraved human forms (Criterion B)	The site contains an engraving of a human figure.
2	The diversity of human forms exhibits a degree of creativity that is unusual in Australian rock engravings. (Criterion F)	The site contains an engraving that is characteristic of a style province in the Pilbara (e.g. <i>Kurangara</i> figures, <i>Minjiburu</i> figures), stylised figures with exaggerated hands and feet, stylised stick figures with small anthropomorphs positioned under both arms, solid-bodied anthropomorphs with disconnected circular infilled heads and sinuous arm positions; profile figures with solid bodies and thin arms (often with an erect penis), occasionally positioned in rows; profile figures with the disconnected heads, grouped with each other or around a central line; groups of figures positioned beneath lines; the use of infilled circles to indicate joints or body parts; therianthropes and hunting scenes depicting large birds or macropods with spears in their backs).
3	The Dampier Archipelago is outstanding as a place where engravings of human forms representative of all of the style provinces in the Pilbara, the richest and most exciting region of rock engravings in Australia, are found. (Criterion D)	
4	The Dampier Archipelago is outstanding for the antiquity of depictions of complex scenes showing human activity, which are rare at the national level. (Criterion B)	The site contains an engraving that shows human activity (e.g. figures arranged in a circle, figures arranged in a row, figures showing obvious sign of movement, figures engaged in coitus, profile figures with disconnected heads grouped around a central line [climbing or hanging], hunting or fishing scenes).
5	The diversity of engravings showing scenes of human activity exhibit a degree of creativity that is unusual in Australian rock engravings. (Criterion F)	
6	The different degrees of weathering of particular types of faunal engravings on the Dampier Archipelago provide an outstanding visual record of the course of Australia's cultural history through the Aboriginal responses to the rise of sea levels at the end of the last Ice Age (Criterion A)	The site contains engravings of two or more figures that are characteristic of a style province in the Pilbara that exhibit different degrees of weathering.
7	The different degrees of weathering provide an outstanding opportunity to establish a relative chronology for motifs characteristic of the major style provinces in the Pilbara. (Criterion C)	The site contains images of terrestrial fauna (often heavily patinated) and less patinated marine fauna, such as fish, dugong and crustacean.
8	The large number of super-positioned engravings provides an outstanding opportunity to establish a relative chronology for motifs characteristic of the major style provinces in the Pilbara. (Criterion C)	The site contains overlapping engravings that includes an anthropomorph characteristic of a style province in the Pilbara.
9	The 'Archaic Faces' on the Dampier Archipelago demonstrate the long history of contact and shared visual narratives between Aboriginal societies in the Dampier Archipelago and inland arid Australia and are exceptional in the course of Australia's cultural history. (Criterion A)	The site contains an engraving of a archaic face.
10	The 'Archaic Faces' on the Dampier Archipelago have outstanding potential to yield information contributing to an understanding of the long history of connections between the coast and the Western Desert. (Criterion C)	
11	The Dampier Archipelago contains concentrations of rock engravings, which when compared with other similar sites in Australia are rare. (Criterion B)	The site contains more than 50 engravings.
12	On the Dampier Archipelago, areas where archaeological remains are associated with large numbers of engravings have outstanding potential to yield information that will contribute to an understanding of the nation's cultural history. (Criterion C)	The site contains more than 50 engravings and archaeological remains such as stratified middens and other occupation deposits, quarries and reduction areas.
13	The Density of standing stones on the Burrup Peninsula and the diversity of these stone features across the Dampier Archipelago is rare at the national level. (Criterion B)	
14	While some standing stones are associated with increase ceremonies, thalu, others were used to mark particular places with scarce resources, such as seasonal rock pools, and were also used to mark sites of traditional significance. The standing stones on the Dampier Archipelago are outstanding in a national context for the number of purposes they are known	The site contains a standing stone, including standing stones with a known function or rare characteristics (for example it is associated with engravings, is engraved itself, and/or contains rubbing and/or battering marks).

15	to have served. (Criterion D) The density of stone pits and circular stone arrangements on the Burrup Peninsula is rare at the national level. (Criterion B)	The site contains a definite cultural stone pit and/or circular stone arrangement.
16	The diversity of pits and circular stone arrangements across the Dampier Archipelago is rare at the national level. (Criterion B)	

Indicators for Significant Impact

The following table indicates the types of impacts that indicate a significant impact on National Heritage Values on the Dampier Archipelago. Actions that are assessed as have the type of impacts described below may need to be referred under the *Environment Protection and Biodiversity Conservation Act 1999*.

One site may contain multiple National Heritage values and the impact of an action on all National Heritage values within the site must be considered.

In this document an **action** is a project, a development, an undertaking, an activity or series of activities, and an alteration of any of these things, consistent with the definition provided at Subdivision A of Division 1 of Part 23 of the *Environment Protection and Biodiversity Conservation Act 1999*.

In this document **impact** includes destroying, disturbing, altering, damaging, defacing or concealing an engraving, structure or any archaeological remains that are part of a National Heritage Value.

Identifier	Summary of National Heritage values	Indicators for significant impact
1	The Dampier Archipelago is outstanding for its diversity of engraved human forms (Criterion B)	An action that will impact on a type of human engraving that constitutes less than 5% of the types found within the Dampier Archipelago (includes outline figures, therianthropes, figures with decorative infill and complex figures) - see Graph 1.
2	The diversity of human forms exhibits a degree of creativity that is unusual in Australian rock engravings. (Criterion F)	An action that will impact on types of human engravings that are characteristic of a style province in the Pilbara (Kunungara figures, Minjiburu figures, stylised figures with exaggerated hands and feet, stylised stick figures with small anthropomorphs positioned under both arms, solid-bodied anthropomorphs with disconnected circular infilled heads and sinuous arm positions; profile figures with solid bodies and thin arms [often with an erect penis], occasionally positioned in rows; profile figures with the disconnected heads, grouped with each other or around a central line; groups of figures positioned beneath lines; the use of infilled circles to indicate joints or body parts; therianthropes and hunting scenes depicting large birds or macropods with spears in their backs).
3	The Dampier Archipelago is outstanding as a place where engravings of human forms representative of all of the style provinces in the Pilbara, the richest and most exciting region of rock engravings in Australia, are found. (Criterion D)	Any action that will impact on engravings showing scenes of human activity (figures arranged in a circle, figures arranged in a row, figures showing obvious sign of movement, figures engaged in coitus, profile figures with disconnected heads grouped around a central line [climbing or hanging], hunting or fishing scenes).
4	The Dampier Archipelago is outstanding for the antiquity of depictions of complex scenes showing human activity, which are rare at the national level. (Criterion B)	An action that will impact on engravings of marine and terrestrial fauna that exhibit different degrees of weathering within a site.
5	The diversity of engravings showing scenes of human activity exhibit a degree of creativity that is unusual in Australian rock engravings. (Criterion F)	An action that will impact on two or more figures that are characteristic of a style province in the Pilbara that exhibit different degrees of weathering within a site.
6	The different degrees of weathering of particular types of faunal engravings on the Dampier Archipelago provide an outstanding visual record of the course of Australia's cultural history through the Aboriginal responses to the rise of sea level at the end of the last Ice Age. (Criterion A)	An action that will impact on overlapping engravings that includes a figure characteristic of a style province in the Pilbara.
7	The different degrees of weathering provide an outstanding opportunity to establish a relative chronology for motifs characteristic of the major style provinces in the Pilbara. (Criterion C)	An action that will impact on one or more archaic face.
8	The large number of super-positioned engravings provides an outstanding opportunity to establish a relative chronology for motifs characteristic of the major style provinces in the Pilbara. (Criterion C)	
9	The 'Archaic Faces' on the Dampier Archipelago demonstrate the long history of contact and shared visual narratives between Aboriginal societies in the Dampier Archipelago and inland arid Australia and are exceptional in the course of Australia's cultural history. (Criterion A)	
10	The 'Archaic Faces' on the Dampier Archipelago have outstanding potential to yield information contributing to an understanding of the long history of connections between the coast and the Western Desert. (Criterion C)	

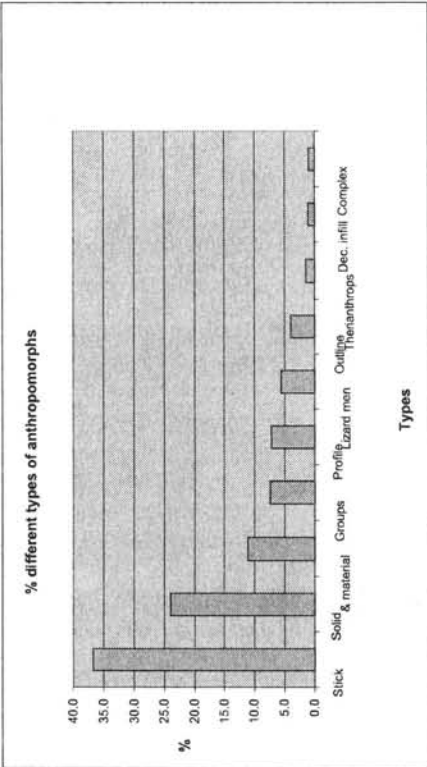
11	The Dampier Archipelago contains concentrations of rock engravings, which when compared with other similar sites in Australia are rare. (Criterion B)	An action that will impact on engravings within sites of more than 50 engravings is a significant impact (constitutes less than 10% - see Graph 2).
12	On the Dampier Archipelago, areas where archaeological remains are associated with large numbers of engravings have outstanding potential to yield information that will contribute to an understanding of the nation's cultural history. (Criterion C)	Unless it is a research activity designed to advance understanding of the cultural history of the Dampier Archipelago that is not connected to a proposed industrial development, an action that will impact on archaeological remains that form part of site with more than 50 engravings.
13	The density of standing stones on the Burrup Peninsula and the diversity of these stone features across the Dampier Archipelago is rare at the national level. (Criterion B)	Density An action that will impact on standing stone/s at two or more sites on the Burrup Peninsula.
14	While some standing stones are associated with increase ceremonies, thalu, others were used to mark particular places with scarce resources, such as seasonal rock pools, and were also used to mark sites of traditional significance. The standing stones on the Dampier Archipelago are outstanding in a national context for the number of purposes they are known to have served. (Criterion D)	Diversity An action that will impact on four or more standing stones within a site (constitutes less than 10% - see Graph 3) or a standing stone with rare characteristics (for example it is associated with engravings, is engraved itself, and/or contains rubbing and/or battering marks). An action that will impact on one or more standing stones with a known function (e.g. <i>thalu</i> sites, resource markers).
15	The density of stone pits and circular stone arrangements on the Burrup Peninsula is rare at the national level. (Criterion B)	Diversity An action that will impact on two or more circular stone arrangements within a site.
16	The diversity of pits and circular stone arrangements across the Dampier Archipelago is rare at the national level. (Criterion B)	An action that will impact on seven or more of cultural stone pits within a site (constitutes less than 10% - see Graph 4). Density An action that will impact on circular stone arrangement/s at two or more sites on the Burrup Peninsula. An action that will impact on cultural stone pit/s at three or more sites on the Burrup Peninsula.

Explanatory Notes

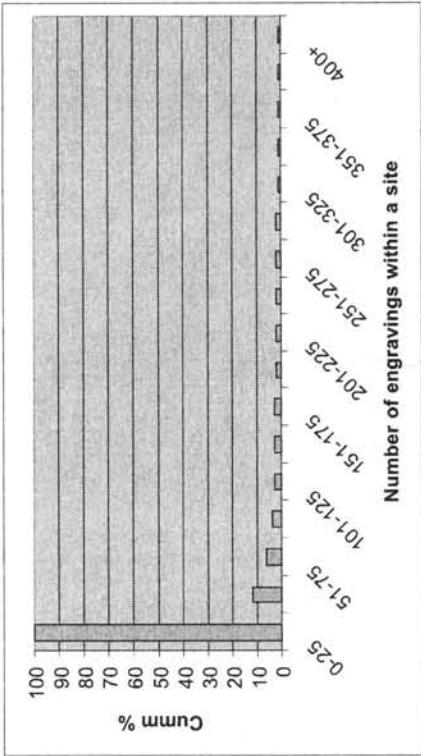
The summary of values is, whenever possible, the last sentence for each value in the values table. Other information in the description of each value is incorporated into the description of significant impacts.

In some cases, a significant impact may be mitigated by relocating the engravings to a nearby area within the National Heritage place. This includes stick figures, solid figures, stick or solid or profile figures with material objects, groups of figures, profile figures, and super-positioned engravings. Exceptions include a) if they are part of a site that contains engravings with evidence of different degrees of weathering or b) if they are part of a large petroglyph site (e.g. > 50 engravings). Relocation of groups of engravings showing different degrees of weathering may be a significant impact because moving them from their original context would adversely affect their research value (Criterion C) as it would no longer be possible to establish whether the difference in weathering was due to time or a combination of time and environmental factors. Relocation of archaic faces may be a significant impact because moving them from their original context would adversely affect their research value (Criterion C) as it would no longer be possible to establish whether the degree of weathering was due to time or a combination of time and environmental factors. If salvage involving relocation is undertaken, it will be necessary to ensure that relocation of the salvaged material will not have a significant impact on other sites with National Heritage values (e.g. altering or disturbing a site with National Heritage value by introducing relocated engravings).

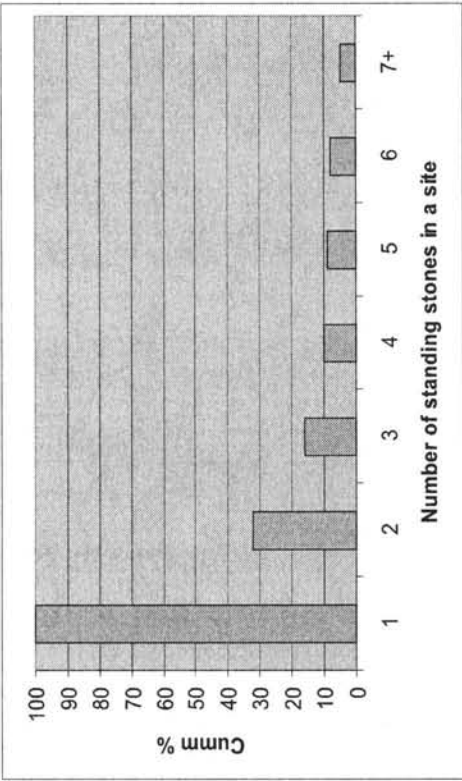
The indicators of significant impact on diversity, rarity and representativeness is based on current quantitative data when possible. Indicators of significant impact on sites types (for example standing stones, stone pits and engraving sites) are based on frequency distributions (see below graphs). Cut of points generally occur when the frequency of features in the site type are less than 10%. Anthropomorphs are a sub feature of engravings and therefore the cut of point for diversity is set at 5%.



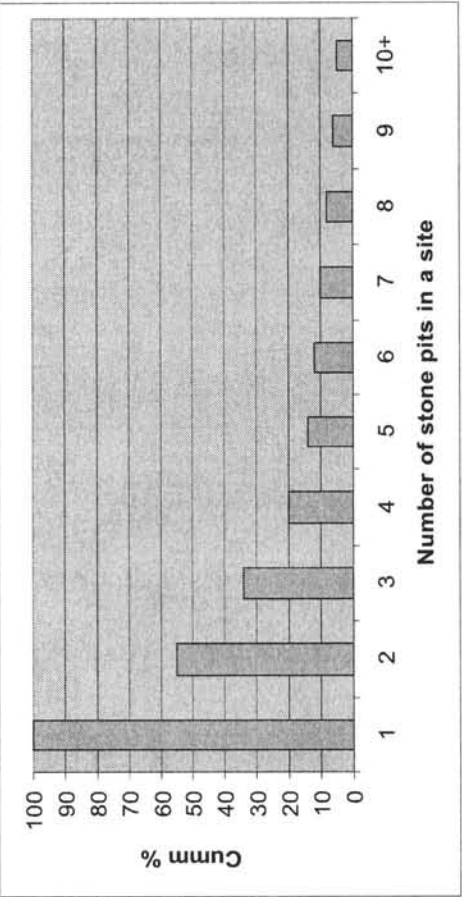
Graph 1



Graph 2



Graph 3



Graph 4

Impact Assessment Form (for sites with NH values)

Schedule 4: Woodside's Heritage Management Process



Woodside Energy Ltd.

Heritage Management Process

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1	Introduction	1
1.1	Purpose	1
1.2	Scope	1
1.3	Vision	1
1.4	Mission	1
1.5	Background / Context	2
2	Heritage Management Procedure	2
3	Responsibility / Accountability	3
4	Disclosure of Information and Inventory	4

1 Introduction

1.1 Purpose

This framework outlines the heritage management procedure that Woodside Energy Ltd (Woodside) will implement when undertaking activities in the Green Zone.

This is separate from but consistent with the management of National Heritage values in the National Heritage Place as described in Schedule 3.

1.2 Scope

This framework is for the period 2007 – 2010 and applies to all Woodside and contractor staff when undertaking activities on Woodside Land and other land within the Green Zone which Woodside is allowed to access.

1.3 Vision

Woodside is respected and trusted by the Indigenous community through the application of best practice cultural heritage management.

1.4 Mission

Woodside will achieve this vision by:

- (a) Complying with the law, Woodside's Indigenous Community Policy, Woodside's heritage management standard and all cultural heritage management plans associated with current operations and future land use plans.
- (b) Providing Indigenous groups with information so they can make informed choices about the advice they provide to Woodside in relation to Woodside's heritage management activities and land use plans.
- (c) Working collaboratively with representatives of the Indigenous groups of the area.
- (d) Planning to minimise impacts to Aboriginal heritage sites and striving to continually minimise impacts over time.
- (e) Conducting land use activities in discrete phases against specific Cultural Heritage Management Plans. This ensures that detailed heritage management measures specific to particular work activities and risks will be implemented.
- (f) Where land use will disturb heritage sites, retrieve and relocate those sites wherever practicable after seeking advice from representatives of the Indigenous groups of the area. Representatives from the Indigenous groups

will be invited to be present during the retrieval and relocation of heritage sites.

- (g) Looking for opportunities, with the Indigenous groups of the area, to create discrete 'conservation zone' areas to ensure that Woodside's land use activities will be confined to specific areas.

1.5 Background / Context

The Indigenous community expects Woodside to minimise its impacts to Aboriginal heritage sites and manage its approach to Aboriginal heritage sensitively. The quality of Woodside's relationship with Indigenous communities is linked to the company's performance in this area. Coupled with Woodside recognising the importance of the Aboriginal heritage landscape to Australia's history, the company takes seriously its commitment to reduce its impacts to the Aboriginal heritage environment.

Regulatory Framework

- (a) *Western Australian Aboriginal Heritage Act 1972*

Aboriginal heritage is protected under the Western Australian Aboriginal Heritage Act (1972).

- (b) *Aboriginal and Torres Strait Islander Heritage Protection Act 1984.*

This Act provides for the preservation and protection from injury or desecration of areas and objects that are of particular significance to Aboriginal people in accordance with Aboriginal tradition.

- (c) *Environmental Protection Act 1986*

The Environmental Protection Act 1986 is the principal environmental legislation in Western Australia and its scope can cover Aboriginal heritage management and protection.

- (d) *Environment Protection and Biodiversity Conservation Act 1999*

The Environment Protection and Biodiversity Conservation Act 1999 is the principal environmental legislation for the Commonwealth to protect matters of national environmental significance, Commonwealth land and marine areas.

This could include Indigenous heritage values that are included on the Commonwealth Heritage List, National Heritage List or World Heritage List.

2 Heritage Management Procedure

Woodside will adopt the following heritage management procedure on the Burrup Peninsula for current and future land use activities.

- (a) Implement the requirements in Woodside's Aboriginal Heritage Management Standard and Indigenous Community Policy.
- (b) Implement, in the following order the process for heritage management as outlined below.

- (i) Heritage management and Woodside's ability to reduce impacts on the heritage environment is considered during the selection of areas of land for work programs and engineering processes.
- (ii) Woodside will try to avoid and otherwise minimise its disturbance to deep valleys, watercourses, large rocky outcrops and other areas where heritage sites are commonly found.
- (iii) Meeting(s) held to brief Ngarluma, Yindjibarndi, Yaburarra, Mardudhunera and Wong-Goo-Tt-Oo representatives on proposed land use plans for the purpose of those representatives identifying heritage survey participants and focal points for Woodside.
- (iv) Conduct archaeological and ethnographic heritage surveys. The surveys must include a preliminary assessment of the extent to which the heritage sites identified can be retrieved and relocated. Prior to the commencement of these surveys Woodside will provide representatives of the Indigenous groups of the area with information regarding:
 - (A) The company's plans for the parcel of land to be surveyed.
 - (B) The company's intentions regarding the submission of heritage approval notice(s) under the Western Australian Aboriginal Heritage Act (1972).
 - (C) Safety and logistics overview of the heritage survey.
- (v) As the heritage survey progresses Woodside will review the survey results and consider the views of the groups regarding its proposed land use plans.
- (vi) Where practicable Woodside will make changes to the footprint based on the advice of the Indigenous groups. Consideration will be given to relative heritage site significance and preliminary retrieval and relocation assessment results.
- (vii) Advise representatives of the groups of final land use plans and confirm Woodside's intentions regarding heritage approvals under the West Australian Aboriginal Heritage Act.
- (viii) Prepare and lodge heritage approval notices notice under the Western Australian Aboriginal Heritage Act if required.
- (ix) Prepare a Cultural Heritage Management Plan for land use activities. Separate Cultural Heritage Management Plans may be prepared for each land use phase where Woodside identifies that specific heritage management regimes are necessary for particular work activities and risks.

3 Responsibility / Accountability

- (a) All staff working on Pluto, Woodside and contractor, must comply and operate within this framework and act in accordance with the following principles:

- (i) Heritage sites on the Burrup Peninsula are important.
- (ii) Woodside will not disturb any heritage sites within conservation areas nominated in approvals.
- (iii) Woodside will allocate the necessary resources to retrieve and relocate heritage sites from within the disturbance footprint of any planned land use.

4 Disclosure of Information and Inventory

Woodside respects the wishes of the Indigenous groups that participate on heritage surveys when managing the release of information pertaining to those heritage surveys and information about the Aboriginal heritage sites found during the course of those surveys. Woodside also respects that the intellectual property rights of ethnographic information provided by Aboriginal people remains the property of those people and the research associated with the heritage survey(s) remains the property of the consultants who conduct that research.

Woodside will adopt the following approach in relation to the release of information pertaining to heritage surveys and heritage sites:

- (a) If Woodside intends to release information about heritage sites, take or release pictures of heritage sites, the company will seek advice from the Indigenous groups before doing so.
- (b) Woodside will act on the advice pertaining to the management of heritage site information contained in ethnographic and archaeological heritage survey reports.
- (c) Woodside will provide the Department of Indigenous Affairs with a copyright licence to use information contained in ethnographic and archaeological heritage survey reports in a manner that is consistent with the wishes of the Indigenous groups who undertook the heritage surveys.
- (d) Notification to the Registrar of Aboriginal Sites, of the whereabouts Aboriginal heritage sites or what might reasonably be considered to be an Aboriginal heritage site, is required under s15 of the Western Australian Aboriginal Heritage Act.

An inventory of Aboriginal heritage sites across Western Australia is held on the Register of Aboriginal Sites that is held and managed by the Department of Indigenous Affairs. This inventory is accessible to the public recognising that, consistent with the wishes of the Indigenous groups that conduct heritage surveys, some information is held in closed files and may not be available to the broader community.

Schedule 5: National Heritage Values

National Heritage Values of the National Heritage Place

The National Heritage Values are the National Heritage values determined in relation to the National Heritage Place on 3 July 2007 by the Australian Government Minister for the Environment and Water Resources as part of the determination made on that date that parts of the Dampier Archipelago are included in the National Heritage List pursuant to the EPBC Act, namely:

WESTERN AUSTRALIA

Roebourne Shire

Dampier Archipelago (including Burrup Peninsula):

Criterion

- (a)** the place has outstanding heritage value to the nation because of the place's importance in the course, or pattern, of Australia's natural or cultural history.

Values

The engravings on the Dampier Archipelago include finely executed images of a wide range of terrestrial, avian and marine fauna many of which can be identified to genus or species level (Vinnicome 2002; McDonald and Veth 2005). Most of the engravings, particularly the images of marine fauna, are slightly or moderately weathered and were produced following the rise of sea levels about 8,000 years ago. There are a number of deeply weathered images of terrestrial fauna, particularly kangaroo, which date to the time when the sea was much lower (Lorblanchet 1992). The different degrees of weathering of particular types of faunal engravings on the Dampier Archipelago provide an outstanding visual record of the course of Australia's cultural history through the Aboriginal responses to the rise of sea levels at the end of the last Ice Age.

There are a large number of deeply weathered, engraved 'Archaic Faces' in the Dampier Archipelago including some images that are unique to the area (McDonald and Veth 2005). 'Archaic faces' are widely distributed through arid Australia and are found in the Calvert ranges, the Cleland Hills, the Victoria River District, South Australia and Queensland (McDonald and Veth 2005). The 'Archaic Faces' on the Dampier Archipelago demonstrate the long history of contact and shared visual narratives between Aboriginal societies in the Dampier Archipelago and inland arid Australia and are exceptional in the course of Australia's cultural history.

- (b)** the place has outstanding heritage value to the nation because of the place's possession of uncommon, rare or endangered aspects of Australia's natural or cultural history.

The Pilbara has been described as '... without doubt the richest and most exciting region of rock engravings in Australia' McCarthy (1968: vi). It is the diversity of representations of the human form (anthropomorphs), many of which are in dynamic attitudes, and the way in which they are sometimes arranged in complex scenes that makes the Aboriginal engravings in the Pilbara exceptional. Although there are a number of distinct regional engraving styles in the Pilbara (Wright 1968), the greatest diversity in depictions of the human form, which also include representatives of human figures characteristic of the other Pilbara style provinces, occurs in the Dampier Archipelago (McDonald and Veth 2005: section 4.6). There are a number of complex panels showing groups of people engaged in both mundane and sacred activities, including hunting scenes, ceremonial activity and images of human figures climbing or hanging from lines. At a national level, the Dampier Archipelago is outstanding for its diversity of engraved human forms and the antiquity of depictions of complex scenes showing human activity, which are rare at the national level.

There is a very high density of rock engraving sites on the Dampier Archipelago. Although the majority of these sites contain relatively few

engravings (Vinnicombe 1987a; Veth *et al* 1993;) there are some sites with hundreds (Virili 1977; Vinnicombe 1987a: Fig 6; Veth *et al* 1993: Fig 7.1), thousands (Dix 1977; Virili 1977; Vinnicombe 1987a) or tens of thousands of engravings (Lorblanchet 1992; Veth *et al* 1993). An analysis of site locations demonstrates that large concentrations of engravings in the Dampier Archipelago are found on inland plateaus, steep valley inclines bordering watercourses and on rock platforms next to the ocean (Vinnicombe 2002; McDonald and Veth 2005). The Dampier Archipelago contains concentrations of rock engravings, which when compared with other similar sites in Australia are rare (McNickel 1985; Wright 1968; Stanbury and Clegg 1990).

There is a high density of standing stones, stone pits and circular stone arrangements on the Burrup Peninsula (Veth *et al* 1993). The stone pits on the Burrup Peninsula have been interpreted as hunting hides and the standing stones may be either ceremonial sites (*thalu* sites), or markers for resources such as potable water. There is also a high diversity in the standing stones and stone arrangements across the Dampier Archipelago, including some with unusual components (Vinnicombe 1987a). The density of standing stones, stone pits and circular stone arrangements on the Burrup Peninsula, and the diversity of these stone features across the Dampier Archipelago are rare at the national level (Vinnicombe 1987a).

- (c) the place has outstanding heritage value to the nation because of the place's potential to yield information that will contribute to an understanding of Australia's natural or cultural history.

The distribution of engraved motifs across the Dampier Archipelago reflects economic and cultural variability (Green 1982; Vinnicombe 2002; Veth *et al* 1993). Previous work on the Dampier Archipelago provides an outstanding demonstration of the way in which a detailed analysis of archaeological remains (middens, grinding patches, quarries) and associated rock engravings can contribute to an understanding of the cultural and economic meaning of the rock engravings (Lorblanchet 1992). The analysis demonstrated a close association between animal motifs and midden contents in one area of Skew Valley and the way in which some motifs (tracks) are placed in inconspicuous positions while other motifs (anthropomorphs) are publicly displayed. This work demonstrates that on the Dampier Archipelago, areas where archaeological remains are associated with large numbers of engravings have outstanding potential to yield information that will contribute to an understanding of the nation's cultural history.

Archaic Faces' occur on the Dampier Archipelago and are found in many parts of arid Australia (McDonald and Veth 2005; Dix 1977). The distribution of these engravings indicates there were shared representations across the area in the deep past. There is evidence that at the time of European contact Western Desert peoples were actively moving towards the coast (Tindale 1987). The 'Archaic Faces' in the Dampier Archipelago have outstanding potential to yield information contributing to an understanding of the long history of connections between the coast and the Western Desert.

The Dampier Archipelago contains engravings of human figures (anthropomorphs) characteristic of most of the major art provinces in the Pilbara as well as a number of forms unique to the area (McDonald and Veth 2005). It has the potential to become a key site for establishing the sequence of engraved motifs in the Pilbara, an area described as without doubt the richest and most exciting region of rock engravings in Australia (McCarthy 1968: vi). The different degrees of weathering and the large number of super-positioned engravings provides an outstanding opportunity to establish a relative chronology for motifs characteristic of the major style provinces in the Pilbara (Lorblanchet 1992; Vinnicombe 2002; McDonald and Veth 2005).

- (d) the place has outstanding

The rock engravings on the Dampier Archipelago include an extraordinarily diverse range of animal and human figures which are characteristic of

heritage value to the nation because of the place's importance in demonstrating the principal characteristics of: (i) a class of Australia's natural or cultural places; or (ii) a class of Australia's natural or cultural environments.

regional styles that occur elsewhere in the Pilbara. Images of terrestrial and marine animals and birds in the Dampier Archipelago are similar to the range of images found at other coastal sites in the Pilbara such as Depuch Island and Port Hedland while the range of land animals is similar to those depicted in inland areas (cf Wright 1968; Ride *et al* 1964). A slightly simpler version of *Kurangara* figures, characteristic of the Upper Yule, is found in the Dampier Archipelago, only differing in the exaggeration of genitalia and intricacy of headdresses (McDonald and Veth 2005: Section 4.6). Similarly, a type of *Minjiburu* figure characteristic of Port Hedland also occurs in the Dampier Archipelago. Large birds or macropods with spears in their backs, images of turtles and hunting scenes characteristic of Sherlock Station and Depuch Island are found in the Dampier Archipelago, as are examples of stylised figures with exaggerated hands and feet, stylised stick figures with small human figures positioned under both arms. There are a number of images central to the style found on the Dampier Archipelago (McDonald and Veth 2005). They include: solid-bodied human figures with disconnected circular infilled heads and sinuous arm positions; profile figures with solid bodies and thin arms (often with an erect penis), occasionally positioned in rows; profile figures with the disconnected heads, grouped with each other or around a central line (as if climbing); groups of figures positioned beneath lines, as if hanging; the use of infilled circles to indicate joints (elbows, knees) or body parts (genitalia, stomachs, hands, feet); and therianthropes with various mixed human and animal characteristics, particularly lizard and bird. The Dampier Archipelago is outstanding as a place where engravings of human forms representative of all of the style provinces in the Pilbara, the richest and most exciting region of rock engravings in Australia, are found (McDonald and Veth 2005: Section 4; McCarthy 1968: vi). Standing stones on the Dampier Archipelago range from single monoliths through to extensive alignments comprising at least three or four hundred standing stones (Vinnicombe 2002). While some standing stones are associated with increase ceremonies, *thalu*, others were used to mark particular places with scarce resources, such as seasonal rock pools, and were also used to mark sites of traditional significance. The standing stones in the Dampier Archipelago are outstanding in a national context for the number of purposes they are known to have served.

- (f) the place has outstanding heritage value to the nation because of the place's importance in demonstrating a high degree of creative or technical achievement at a particular period.

The rock engravings in the Dampier Archipelago show exceptional creative diversity when compared with the other art provinces in the Pilbara or rock engravings elsewhere in Australia (McDonald and Veth 2005: Section 4.6). They include examples of the types of human figures characteristic of the other art provinces in the Pilbara as well as having unique human forms and figures indicating activity. The engravings on the Dampier Archipelago include detailed and finely executed examples of water birds, crabs, crayfish, kangaroos, turtles and fish, some of which, because of their detail, can be identified to species level. The finely executed animals identified to species level, the diversity of human forms and the panels of engravings showing scenes of human activity exhibit a high degree of creativity, particularly during the Holocene, that is unusual in Australian rock engravings.

For a description of any references quoted above, and more information on each of the places please search the Australian Heritage Database at <http://www.deh.gov.au/cgi-bin/ahdb/search.pl> using the name of the place.

Schedule 6: National Heritage management principles

Schedule 5B National Heritage management principles

(regulation 10.01E)

- 1 The objective in managing National Heritage Places is to identify, protect, conserve, present and transmit, to all generations, their National Heritage values.
- 2 The management of National Heritage Places should use the best available knowledge, skills and standards for those National Heritage Places, and include ongoing technical and community input to decisions and actions that may have a significant impact on their National Heritage values.
- 3 The management of National Heritage Places should respect all heritage values of the National Heritage Place and seek to integrate, where appropriate, any Commonwealth, State, Territory and local government responsibilities for those National Heritage Places.
- 4 The management of National Heritage Places should ensure that their use and presentation is consistent with the conservation of their National Heritage values.
- 5 The management of National Heritage Places should make timely and appropriate provision for community involvement, especially by people who:
 - (a) have a particular interest in, or association with, the National Heritage Place; and
 - (b) may be affected by the management of the National Heritage Place.
- 6 Indigenous people are the primary source of information on the value of their heritage and the active participation of indigenous people in identification, assessment and management is integral to the effective protection of indigenous heritage values.
- 7 The management of National Heritage Places should provide for regular monitoring, review and reporting on the conservation of National Heritage values.