



New Perth Stadium

Draft Aboriginal Heritage Management Plan

Note:

The draft Aboriginal Heritage Management Plan has been prepared to outline the principles and intent applicable to the Project and is anticipated to be finalised in the short term between the State and the Whadjuk Working Party. As each phase of the Project is developed (eg construction phase and operating phase) this information will be used to inform the Aboriginal Heritage Management Plan. This information will be included in the Aboriginal Heritage Management Plan as a schedule/attachment, in consultation with the Whadjuk Working Party. It is not the State's intention that amendments to the principles and intent set out in the Aboriginal Heritage Management Plan give rise to additional costs to Project Co and should any such amendments give rise to reasonable additional Project Co costs, Project Co may issue a Modification Quote to the State in accordance with Clause 33 of this Agreement and the process for determining the Modification Order in that Clause will apply except that the State must issue a Modification Order either as agreed under Clause 33 or determined in accordance with Clause 45.

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1.0. Introduction

1.1. Purpose

The purpose of this Aboriginal Heritage Management Plan is to outline issues and management actions associated with Aboriginal heritage within the New Perth Stadium. The Plan includes:

- Identification of the presence of Aboriginal heritage sites and areas of significance within the Project area;
- Identification of possible disturbance or damage that may be caused to Aboriginal heritage sites as a result of the Project;
- Identification of procedures and protocols to manage disturbances of Aboriginal heritage; and,
- A Monitoring Strategy to establish the monitoring requirements for the Project area.

1.2. Project Background

In July 2011, the State Government announced plans to construct the new Perth Stadium Project on the Burswood Peninsula. The Burswood Peninsula is located approximately 2.9km east of the Perth CBD, occupying an area of around 269 hectares. The peninsula is surrounded by the Swan River to the north, east and west, with the Burswood Entertainment Complex to the south. The Project includes a new 60,000 capacity multi-purpose sports stadium within a sports precinct and supported by a new rail station, bus hub and pedestrian bridge across the Swan River.

1.3. Current Use of the Site

The Project site includes the northern portion of the former Burswood Park Golf Course which was used historically as an industrial waste tip and accommodated the East Perth sewage filter ponds. The Burswood Park Golf Course was constructed over the site in 1985 and contains a number of artificial irrigation lakes as well as lawned areas and vegetated areas.

The site also contains the road and rail infrastructure associated with the Graham Farmer Freeway and the Perth-Armadale rail line and Belmont Park train station. The Victoria Park Drive bisects the Project site.

The site includes a portion of the Swan River, both the foreshore areas on the Peninsula and East Perth and the Swan River itself. The foreshore areas contain a variety of vegetation and the Shared-Use cycle/pedestrian paths.

1.4. Prospective Use of the Site

The Project is focussed on building the new sports stadium within a sports precinct supported by a new Belmont Park rail station, expanded rail network and a pedestrian bridge over the Swan River connecting the Sports Precinct to East Perth. A new bus hub is

proposed on the Peninsula, with another bus hub on Nelson Avenue in East Perth. A Master Plan has been prepared to guide the development of the stadium and the supporting infrastructure. (**Figure 1 – Master Plan**).

The Master Plan prepared for the new Stadium within the Burswood Park Golf Course aims to create a world class sporting, entertainment and recreation precinct focussed on the new Perth Stadium. The Master Plan proposes to establish the stadium within a parkland, where there is the opportunity to revegetate the site to create extensive passive and active open space.

The Master Plan reinforces the importance of the Swan River by extending and improving the parklands and creating a network of places around the River. A pedestrian bridge is proposed to connect the stadium with East Perth and provide opportunities on non-game days for access across the river to the parkland and network of pedestrian paths.

The Project will be delivered in a number of phases:

- **Site investigation Phase**

Geotechnical and environmental investigations are to be undertaken to confirm the site conditions. The geotechnical investigations comprise a number of boreholes drilled to a depth of 30-50 metres into the Swan River Alluvium to retrieve soil and groundwater samples. Environmental investigations require similar boreholes to be drilled to a depth of approximately 2 metres into the refuse layer to remove samples of contaminated soil and groundwater and test for ground gas.

- **Preconstruction site works**

The Project site contains areas which experience vertical and horizontal ground movements due to the nature of the underlying ground which includes building rubble and cars, as well as Swan River Alluvium which is particularly viscous.

As a result, parts of the Project area will require ground treatment before the stadium is constructed to ensure that the underlying ground remains stable following construction.

The preconstruction site works required will include the surcharge of parts of the site with clean sand to consolidate the underlying material. This includes the insertion of “wick drains” which allow water from the Swan River Alluvium layer to move into the adjacent layers and thus assist with the compaction process. The wick drains are pushed through the waste layer into the Swan River Alluvium. In addition, compaction of the waste layer is undertaken using a heavy weight dropped from a crane to compress building rubble and old car bodies in the waste layer. The preconstruction site works will create minimal soil waste due to the methodologies chosen.

- **Construction**

The methodology to be used for the construction of the Project is based on minimal intrusion into the underlying ground. This recognises the high water table in the area, the contamination of the underlying ground and compliance with the environmental approvals obtained for the project which require containment and capping of the

waste layer. It is anticipated that the Stadium, Swan River Pedestrian Bridge and new train station will be constructed on concrete piles which are driven into formation beneath the Swan River Alluvium.

1.5. Significance of the Site

The area where the Project is to be developed is a known place of significance to the Noongar people. The Swan River and surrounds has historically provided water and food, as well as spiritual sustenance to the Aboriginal people. Regardless of the high level of development and European use of this area, the Noongar people's connection to these lands and waters continues today.

The spiritual connection of Noongar people with the Swan River is a significant consideration for the Project and must be recognised through the Project. The possible existence of a burial site and the environmental attributes of the site including wildlife and vegetation also require sensitive consideration during the Project activities.

2.0. Aboriginal Heritage Sites in the Project Area

2.1. Registered Sites

The Project area contains six known registered Aboriginal sites, as identified below in Table 1 and in the attached **Figure 2- Map of Registered Aboriginal Sites on the proposed Burswood Peninsula.**

Table 1: Summary of Sites Listed on Register of Aboriginal Sites.

Indigenous Heritage Sites within Project area (open access, no restriction)		
Site Name (ID)	Status	Site Type
Swan River (3536)	Registered Site	Mythological
Burswood Island (3701)	Registered Site	Ceremonial, Artefacts/Scatter
Burswood Island Burial (15914)	Registered Site	Skeletal material/Burial
Burswood Island Camp (15915)	Registered Site	Camp
Burswood Island (15916)	Registered Site	Artefacts/Scatter
Burswood Island (16718)	Registered Site	Artefact/Scatter

The significance of the Burswood Peninsula and the Swan River has been confirmed in a number of Aboriginal Heritage surveys undertaken that directly relate to the Burswood Peninsula, including :

- McDonald, E. (1992) Report of a Site Survey for Aboriginal Sites - Proposed Alignment of the Burswood Road Bridge.
- Randolph, P. (2001) Guidelines for Aboriginal Cultural Material Committee in Relation to Development Proposals Affecting the Swan River Site 3536 and Canning River Site 3538.
- Villiers, L. (2002) Research into Aboriginal Beliefs Regarding the Swan, Canning and Related River Systems of Western Australia: for Proposed Guidelines for the Aboriginal Cultural Material Committee.
- Fisher, S. (2003) Report on a Desktop Assessment of the Aboriginal Heritage Significance of Burswood Island to the North of the Grahame Farmer Freeway.
- Fisher, S. (2006) An Aboriginal Heritage Study of Belmont Park on the Burswood Peninsula.
- O'Connor, R. (2010) Desktop Aboriginal Heritage Assessment of Proposed Goongoonup Bridge Works Areas.
- O'Connor, R. (2011) Desktop Aboriginal Heritage Assessment of Proposed Perth Major Stadium on Burswood Peninsula

2.2. *Aboriginal Heritage Act 1972*

In accordance with the *Aboriginal Heritage Act 1972*, an application under Section 18 to undertake the Project works was lodged with the Department of Indigenous Affairs. In May 2013, the Minister for Aboriginal Affairs granted consent to the Project subject to two conditions, summarised as :

1. The applicant to provide a written report to the Registrar of Aboriginal Sites within 60 days of completion of the Project advising whether the Project has impacted on all or any of the Registered Sites.
2. The applicant to record and report to the Registrar of Aboriginal Sites, in consultation with the Aboriginal people consulted and an archaeologist, the discovery of Aboriginal cultural material found during the Project activities. If the material is significant, it must be salvaged and stored in accordance with best practice.

2.3. *Potential Impacts on Registered Sites*

An archaeological desktop review of the Project area was undertaken by Eureka Archaeological consultants from the University of Western Australia in 2012. The purpose of the review was to confirm the presence and location of intact land surfaces, identify areas of sensitivity, likely burial sites and areas with little or no potential for intact subsurface deposits.

The archaeological review, supplemented by the geotechnical analysis, concluded that :

- The Peninsula was originally described as mudflats with a series of island sand bars. The shape and form of the present land surface is the result of the underlying Swan River Alluvium (26 metres deep), the high water table (1-2m below surface), river

bank works and infilling over the Peninsula comprising a combination of dredged material sourced from the river, uncontrolled fill (2-12 metres deep), and clean sand fill placed as a containment barrier.

- In recent historic times, the surface of the Project site was a wet, muddy deposit unlikely to have been used for occupation or burials. As a result, the existence of intact ground surfaces in the Project area is limited and therefore may have limited potential for intact subsurface materials or human remains. An area of “archaeological sensitivity” has however been located in the northern portion of the Project where there was the potential for intact ground surface and therefore may have the potential to have been used as a burial site (**Figure 3 – Archaeologically Sensitive Areas**).
- Most of the project area has undergone significant modification over a long period of time. The historic use of the northern portion of the golf course as an industrial tip, as well as accommodating the sewage filter beds for the East Perth sewage facility has created a highly disturbed and contaminated landscape where the physical risk to registered sites is low.
- The impact of the proposed development on potential Aboriginal archaeological sites in modern fill is negligible.
- The raised water table in the Project area offers conditions which favour the preservation of any organic matter including wood, plants and bones.
- The proposed disturbance of potential archaeological deposits in the Swan River Alluvium and underlying sandy channel deposits will be difficult to monitor, but may be considered for the “archaeologically sensitive area”.
- It is highly unlikely that the proposed new development associated with the Project will present a higher level of impact on the registered sites than has already been experienced in the past associated with previous construction including the Goongoongup Rail Bridge, Windan Bridge, the Graham Farmer Freeway road, the Perth-Fremantle railway line and rail station, the industrial waste tip, sewage filter ponds and the Burswood Park Golf Course.

Based on this information, it is considered that works associated with the Project pose minimal further risk to the Registered Aboriginal Sites. Notwithstanding this however, the area still remains of significance and value to the Noongar people and needs to be managed accordingly. The identified “area of archaeological sensitivity” which may correspond with potential solid ground is the focus for the Project.

3.0. Aboriginal Community Consultation

3.1. Relevant Aboriginal Groups

Strategic Projects is adhering to the State Government’s *Aboriginal Cultural Heritage Protocol* which identifies the Whadjuk Community as having “*the primary and principle demonstrable ancestral links to the Whadjuk claim area*” and accordingly Strategic Projects, in liaison with the South West Aboriginal Land and Sea Council (SWALSC) are consulting with the Whadjuk Working Party as the Aboriginal people relevant to the Project site.

3.2. Consultation Undertaken

Strategic Projects, in liaison with SWALSC and the Whadjuk Working Party have agreed on a schedule of consultation meetings for the Projects. To date, three consultation meetings have taken place as summarised below:

17 October 2012 Meeting

This meeting provided an opportunity for the Project Team to provide an overview of the Project to the Whadjuk Working Party, including the proposed pedestrian bridge across the Swan River. At this meeting the Whadjuk Working Party provided support for the Regulation 10 application to undertaken environmental investigation in the Swan River and rail corridor subject to:

- a smoking ceremony to be carried out;
- oyster shells gathered or captured during the investigations be returned to the river; and
- Monitors to be present during soil and marine testing.

29 January 2013 Meeting

This meeting provided an opportunity for the Strategic Projects team to provide the Whadjuk Working Party with an in-depth overview of the project. This included a presentation from the consultant archaeologist Joe Dortch on the outcomes of the desktop archaeological review undertaken over the site to explore the potential for any buried remains or artefacts to be present on the site.

It also included discussion on the extent and implications of the Section 18 application and discussion on areas of interest/concern. The meeting also provided an opportunity to agree on a schedule of future consultation and to identify the main topics for discussion at subsequent meetings, including an engagement strategy and an Aboriginal Heritage Management Plan.

The Whadjuk Working Party agreed at this meeting to support the Section 18 application subject to a number of conditions being satisfied over the course of the planned future consultation meetings, including:

- development of an engagement strategy;
- preparation of a Monitoring Management Plan; and
- preparation of an Aboriginal Heritage Management Plan.

19 February 2013 Meeting

This meeting focussed on the process through which Aboriginal heritage and culture could be incorporated into the Stadium and sports precinct, with this to be articulated through the engagement strategy to be developed.

The Whadjuk Working Party identified three streams of interest:

- environment and heritage: eg river, lakes, plants, and dreaming stories.
- culture and capacity building: eg art, advisory roles, design input, representation in project governance and monitoring.
- enterprise and business opportunities: eg tenders and contracts, security, painting, tourism, food and beverage.

The Whadjuk Working Party compiled a comprehensive list of elements which could be considered for potential inclusion or interpretation into the Stadium and sports precinct design, including art, a cultural centre, sport, bush tucker, healing areas, reflection areas, language, stories, fire, seating areas, statues, the Wagyl, dancing, turtles, medicine, pelicans, eagles etc.

A further meeting with the Whadjuk Working Party was agreed where a draft Aboriginal Heritage Management Plan (inclusive of Monitoring Plan) and draft Engagement Strategy was to be presented for discussion.

3.3. Issues Encountered During Consultation

The Whadjuk Working Party affirmed their desire to see Aboriginal culture and heritage incorporated into the project in a meaningful way, including opportunities for employment, education and training. The Project does include opportunities to incorporate Aboriginal interpretative elements into the Stadium and sports precinct design and construction, and providing employment and training opportunities through the various contracts, as articulated in the Engagement Strategy.

4.0. Aboriginal Heritage Management Procedures

4.1. Potential Impacts on Registered Sites

Although the Project is considered to pose minimal risk to Aboriginal heritage within the Project area, risk factors still remain and include :

- Ground disturbance resulting in disturbance of known Registered Sites:
- Ground disturbance resulting in disturbance of unknown Aboriginal Sites of Significance:
- Indirect contamination to Aboriginal Sites due to contamination of groundwater, run-off, unintentional spills, erosion of contaminated soil and dust; and.
- Impacts on Aboriginal cultural Swan River values.

4.2. Management Measures to Minimise Impacts

To manage such risks:

- Contractors are to implement the Aboriginal Heritage Management Plan ;

- Contractors are to undertake staff awareness and provide training on the protocols and procedures to be implemented on site with respect to the discovery of Aboriginal artefact or skeletal remains and obligations under the Aboriginal Heritage Act 1972;
- Contractors are to develop a Construction Environmental Management Plan which is to include contaminated soil, dust, groundwater, and spill management measures; and,
- Strategic Projects are to continue to consult with the Whadjuk Working Party as identified in the Engagement Strategy.

4.3. Procedures for Managing the discovery of Aboriginal Artefacts during Site Works

- Contractor to advise Strategic Projects;
- Contractor to cease disturbance activity and fence off area around site including a 20m buffer;
- Leave material in situ;
- Strategic Projects to work with the Department of Aboriginal Affairs (formerly Department of Indigenous Affairs) in consultation with an archaeologist and representative of the Noongar people to assess the discovery;
- Implementation of the agreed process to manage the discovery.

4.4. Procedures for Dealing with the Discovery of Skeletal Remains during Site Works

- The Contractor to immediately contact the police, the Registrar of Aboriginal Sites and Strategic Projects;
- The Contractor to cease ground disturbing activities immediately;
- The police will investigate the remains as soon as possible. The Registrar will liaise with the Police to ensure that the minimum amount of disturbance takes place before identification of whether the remains are of Aboriginal origin and not a matter for further police involvement;
- Upon notification that the remains are of Aboriginal origin and not a matter for further police involvement, the Registrar will seek the immediate involvement of relevant Aboriginal people;
- Strategic Projects will develop an appropriate action plan for the management of the remains, in consultation with relevant Aboriginal people and the Registrar;
- The Registrar will ensure that the burial place is recorded and placed on the Register of Aboriginal Sites.

4.5. Options for Managing Aboriginal Remains

When Aboriginal communities and the Registrar become aware of the discovery, the options for dealing with the remains depend on:

- the views of relevant Aboriginal people;
- the circumstances at each place;
- the nature of any development which is occurring.

There are a number of options for managing Aboriginal remains:

- **Leave remains in situ:**

Where remains have not been disturbed, or disturbance has been minimal, it is best to leave the remains in situ. To reduce the chances of inadvertent interference with the site it may be appropriate to stabilise the surrounds and consider placing a sign or other marker to notify the existence of an Aboriginal burial location.

- **Rebury in the same place:**

If the burial site has been only partially disturbed (that is, not actually removed), and the activity at the site can be halted permanently the remains should be reburied at the same site, if that is the preference of the local Aboriginal community. When this is done the area should be stabilised and the placing of a sign or other marker to notify the existence of an Aboriginal burial location should be considered.

- **Rebury as close as possible:**

In some cases, skeletal remains are not discovered until development is well under way. In these cases it may not be possible to rebury the remains in exactly the location they were discovered. In this case, the preferred option is to rebury them as near as practicable (that is, where the risk of future disturbance is minimised) to the original place of discovery. This should involve the local Aboriginal community and the placing of a sign or other marker should be considered at the reburial site to reduce the likelihood of inadvertent interference.

- **Rebury in gazetted cemetery or keeping place (ossuary):**

If development in the whole area is unavoidable, or if it is the choice of the local Aboriginal community, the remains may need to be removed from the site entirely. This should only be done under the supervision of local Aboriginal leaders. The fate of the material is then at their discretion. Their aim may be to find a satisfactory reburial site somewhere in the vicinity of the original find. Some communities at some times may request remains to be reburied within a gazetted cemetery or a keeping place (ossuary) that has already been purpose built. Such an ossuary has already been constructed at Karrakatta Cemetery in Perth.

5.0. Monitoring

The draft “*Government of Western Australia – Policy on the Engagement of Aboriginal Heritage Monitors*” advises that Aboriginal heritage monitors may be employed to observe ground disturbance as it is occurring in order to prevent possible harm to Aboriginal heritage. The circumstances where monitors may reduce risk is identified as including :

- areas where Aboriginal heritage has been identified close to or within the proposed activity area and there is a high risk of harm; and,
- where there are reasonable grounds to conclude that the presence of a monitor could prevent harm to Aboriginal heritage.

The Policy advises of the circumstances where monitors are not necessary:

- where unconditional approval has been granted under Section 16 or 18 of the Aboriginal Heritage Act;
- where the activity has been subject to a review by an archaeologist and no risk to Aboriginal heritage has been identified;
- Where monitoring would amount to observing a land use activity during which there is no ability to prevent physical impact to heritage (eg during mechanised drilling); and,
- Emergency activities are being undertaken for the protection of human life etc.

The Project satisfies a certain number of the criteria to not require the presence of monitors, however, there remains circumstance where the activities associated with the Project may pose a risk to Aboriginal heritage and therefore should be subject to monitoring, as identified below.

5.1. Principles for Monitoring

- Monitoring to be limited to the “archaeological sensitive area” ;
- Monitoring to be limited to excavations below the waste layer; and
- Monitoring is not required for activities within the waste layer.

5.2. Monitoring Plan

- **Geotechnical Investigation**

Within the “archaeologically sensitive area”, a total of two geotechnical boreholes are to be drilled to depths of 30-50 metres. Although this work entails mechanical drilling where prevention of harm to Aboriginal heritage will not be prevented by the presence of monitors, the drilling will allow for the removal of soil samples which will be available for inspection by the monitor.

- **Preconstruction Site Works**

The works to be undertaken for preconstruction site works is restricted to certain areas of the Project area where the stadium, bus hub and community oval may be

constructed. The preconstruction site works includes works above ground and penetration of “wick drains” into the Swan River Alluvium layer.

This work does not necessitate any removal of sub-surface material for inspection and therefore is an activity not considered suitable for monitoring.

- **Construction**

The construction of the stadium, sports precinct, rail station and pedestrian bridge has not yet been developed and therefore there is no detailed construction methodology to inform the monitoring requirements. These requirements will be developed during the future scheduled consultation meetings with the Whadjuk Working Party.

5.3. *Monitoring Schedule*

- Strategic Projects, SWALSC and the Whadjuk Working Party are to prepare a schedule of monitoring for the Project, with this to be limited to the early works phase within the Stadium/Sports Precinct area .
- The monitoring schedule is to be reviewed upon development of designs for the remaining Project phases.

5.4. *Responsibilities*

- Strategic Projects, the Public Transport Authority and Main Roads WA to fund the agreed monitoring requirements for the Project.
- Contractors to facilitate monitoring on-site in accordance with the agreed monitoring schedule.
- Suitable monitors to be identified by the Whadjuk Working Party.
- Monitors are to meet the Contractors Site Access, and Occupational Health and Safety requirements including safety clothing etc.

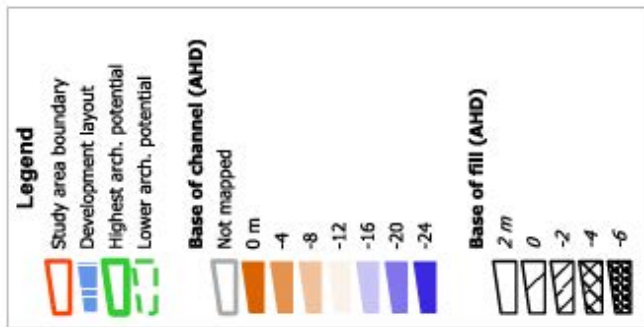
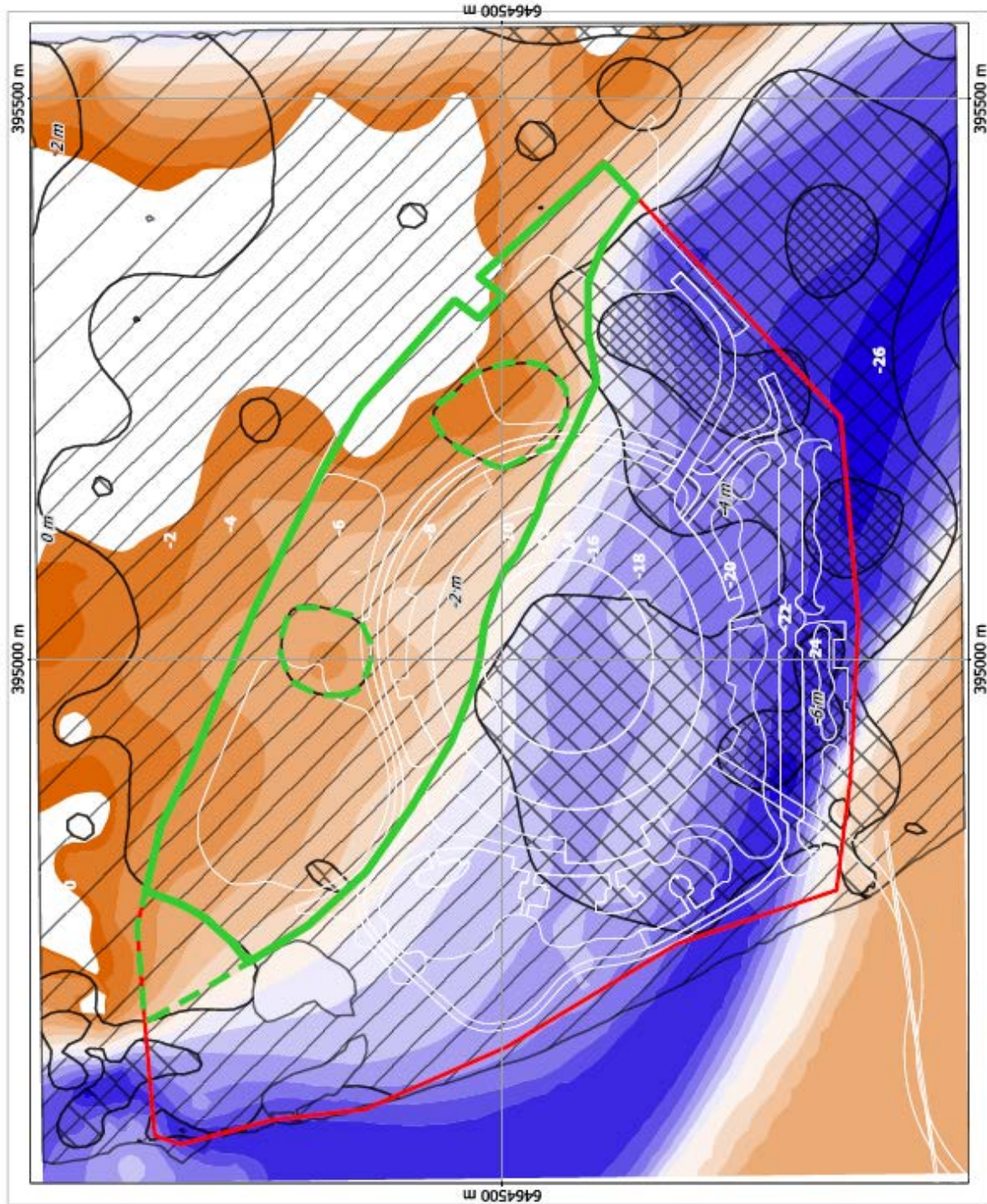
Figures



Figure 1: Master Plan



Figure 2: Map of Registered Aboriginal Sites on the proposed Burswood Peninsula



Created on the 28/11/2012 by eureka archaeological research and consulting, UWA
 Map data provided by Rio Tinto and Google Earth
 Projection (Zone): MGA94 (50K)

Figure 3: Archaeologically sensitive areas