



Aboriginal Consultation and Engagement Guidelines (On-Ground Works)

Adapted by

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Contents

1.0 Introduction 1

2.0 Background..... 1

3.0 Statutory Requirements 2

4.0 Assessing SWCC’s Responsibilities 3

5.0 Using These Guidelines 3

6.0 Assessment and Approvals Procedure 4

7.0 Decision Matrices..... 4

8.0 Implementing Key Aspects of the Procedure 5

 8.1 Undertaking Initial Site Assessments 5

 8.2 Planning and Making Contact 5

 8.3 Identifying Who to Contact 5

9.0 Payments..... 7

10.0 SWCC Support Structure..... 7

11.0 References 8

Appendix A 9

Appendix B 11

Appendix C 16

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1.0 Introduction

These guidelines have been developed to assist Natural Resource Managers in assessing and meeting Southwest Catchments Councils requirements under the *Aboriginal Heritage Act 1972*. This includes responsibility in relation to the Memorandum of Agreement with ¹Traditional Owners: and following reporting functions of SWCC;

- **On-ground works**

Purpose – Real time works or actions to achieve resource condition outcomes.

Includes – works and actions on-ground, and management of private lands covenants and agreements

2.0 Background

Aboriginal culture revolves around the environment in which we live. Water is seen not only as an essential resource for people to live but also as a key element that has moulded the landscape and provides life to the flora and fauna that inhabit it and its surrounds. Water therefore plays an important part in the lives of past and present day Aboriginal people and is central to many of their customs and spiritual beliefs.

The SWCC regards all rivers, waterways and artesian groundwater as significant sites. Therefore in cases where SWCC is the proponent of works or has funded works that impact upon these significant sites they are legally required to comply with all statutory requirements related to the *Aboriginal Heritage Act 1972* or ensure that the contractor is aware of it's obligation under the Act.

Much of the work SWCC undertakes has the objective of ensuring long term environmental and/or ecological benefit, and as such there is a commonality with the philosophy of 'caring for country' that is intrinsic in Aboriginal culture. This common goal has been taken into account in the development of these guidelines.

¹ **“Traditional Owners”** in relation to country mean members of the local descent group of Aboriginal people, Nyungars, in this region who:

- (a) have common cultural obligations through birth right to look after the spiritual and physical health of the country for which they are primarily responsible.
- (b) are entitled by Aboriginal traditional culture to hunt and gather as of right over that land.

3.0 Statutory Requirements

Aboriginal Heritage Act 1972

The *Aboriginal Heritage Act 1972* protects all known and unknown/unrecorded sites of cultural or historic significance to Aboriginal people, regardless of the land tenure where the site is located. A wide range of places can be identified as significant sites and they fall into two main categories:

- Archaeological sites

These are often easiest to identify as they contain the remains of objects connected with the traditional cultural life of Aboriginal people, past and present. For example fish traps, ceremonial markers, dwellings, modified trees, quarries, engravings and rock paintings.

- Anthropological sites

These are more difficult to identify as they are places of spiritual significance and importance to Aboriginal people. These include ethnographic, ceremonial, mythological and burial sites. Mythological sites, for example, may encompass a natural feature of the landscape, such as a waterway, that has significance to Aboriginal people.

The Act makes it an offence to conceal, knowingly damage or alter a significant site unless authorisation is received from the Registrar of Aboriginal Sites or consent is obtained from the Minister for Indigenous Affairs.

To gain authorisation in cases where disturbance of a significant site is unavoidable an approval process has been set up, referred to as Section 18 approval. The key steps involve:

- Communication between the party proposing the works and the Aboriginal people who have connection to the significant site(s).
- Investigating and recording the level of significance of the site, the impacts of the works and the agreement reached by both parties.
- Providing the records, along with a completed application form, to the Aboriginal Cultural and Material Committee (ACMC) for consideration.
- If approved then a recommendation is made to the Minister for Indigenous Affairs and approval is given in writing.

In cases where there is little or no recorded information relating to the significant sites that may be impacted upon, the ACMC are highly likely to request a full ethnographic survey be undertaken to allow the case to be appropriately assessed. This process can become both costly and time consuming and as such needs to be considered early on in the planning stage of projects.

Where sites may be at risk and the works are approved, there is likely to be the recommendation from the Minister of Indigenous Affairs that site monitors are appointed to observe the works. While not named they are usually local Aboriginal people who have been involved in the process.

4.0 Responsibilities

SWCC responsibility to meet requirements under the *Aboriginal Heritage Act 1972* will vary depending upon the type of work being undertaken and the level of management undertaken:

	Level of Involvement	
Type of work (See Section 1.0)	Project Managers or Partner Agency	Advisory Role
Management and Monitoring	SWCC must assess and meet its requirements	SWCC will assess and accordingly encourage the project managers to meet the requirements
River Care		
Planning	Include local Aboriginal people and/or Native Title Claimants as stakeholders in discussions and the development of plans	

5.0 Using These Guidelines

Depending on the type of work to be undertaken the sections of this document that are relevant vary. While staff and proponents are encouraged to become familiar with the whole document, the table below can be used to assess what sections are relevant.

In situation where problematic conditions are encountered, Section 10 provides a list of useful support structures provided internally by the SWCC.

	Relevant Sections	
Type of work (See Section 1.0)	Sections	Brief Overview
Management and Monitoring	6.0, 7.0, 8.0 & 9.0	These sections provide guidance to the complete process inclusive of flowcharts, decision matrixes, payments and specific advice for aspects of the process that have proven problematic or difficult
River Care		
Planning	8.1, 8.2 & 9.0	These sections provide advice on undertaking initial site assessments, identifying who to contact and payments

6.0 Assessment and Approvals Procedure

SWCC recognizes that a significant proportion of their work has the objective of ensuring long term environmental and/or ecological benefit, and as such there is a commonality with the philosophy of 'caring for country' that is intrinsic in Aboriginal culture. This has been incorporated into the procedure outlined herein.

Requirements under the Act are distinctly different, one is an assessment of risk and the other is an approval process. Primarily due to needing to consult with Aboriginal people for each issue.

Usually the process for gaining approval under the *Aboriginal Heritage Act 1972* becomes the dominant process, there may however be cases where this is reversed and staff will need to assess each project on its own merits.

The following three flowcharts (Appendix A) have been developed to guide officers through a process of approvals required under the *Aboriginal Heritage Act 1972*.

- Aboriginal Heritage Flowchart

Through this flowchart an attempt has been made to guide staff and proponents in assessing works and determining the appropriate level of action required. It should however be remembered that the issues surrounding Aboriginal heritage have a strong social context. Therefore not every eventuality can be accounted for and there will be cases for which these processes will not apply. In cases where there are difficulties staff and proponents are encouraged to seek support from one or more of the support structures in place within SWCC.

7.0 Decision Matrices

The following four matrices (Appendix B) support and are referenced in the flowchart. These provide tools and frameworks for making key decisions with regard to actions required, the initial level of communication, the form of communication and what records need to be kept.

- Aboriginal Heritage Risk Matrix:

This provides a framework for assessing the appropriate level of initial discussion, based on the complex range of issues related to the status of the site and type of proposed works. It should be remembered that this is a guide to the first stage of discussions only. Based on the outcome from this level of communication it is possible that the next level of discussion will need to be adopted.

The process of increasing the level of discussion may, in some situations, escalate to the most involved form of communication, i.e. a full anthropological survey. It should however be noted that for sites requiring Section 18 approval SWCC has assessed the differing types of work undertaken with a view to providing a reasonable and fair level agreement towards attaining the appropriate approvals. For example:

- For revegetation works consultation is not deemed necessary, as the works are not of a disturbing nature and will enhance the cultural, environmental and ecological values of the site.
- The installation of infrastructure requires earthworks that will disturb the site so consultation is deemed necessary as the first level of discussion.

- Correspondence Matrix:

This has been set up to provide guidelines as to what information needs to be included in the communication between both parties for each of the types of discussions in relation to Aboriginal Heritage.

- Record Matrix:

This provides details of how the correspondence and the information included therein is to be used and disseminated in relation to Aboriginal Heritage.

8.0 Implementing Key Aspects of the Procedure

Some aspects as specified in the flowcharts have been further outlined in the information given below. Additional detail has been provided as these areas have in the past proven to be where most problems occur:

8.1 Undertaking Initial Site Assessments

The location of the proposed works needs to be assessed to check whether native title does or could apply and whether there are any registered significant sites that could be impacted upon:

- *Aboriginal Heritage Act 1972*

While SWCC regards all rivers, waterways and artesian groundwater as significant sites a process for determining the level of consultation and approval to be gained has been developed. Prior to using this process the type of work and status of the area needs to be determined. To identify the status of the site the following theme on SWCC GIS Viewer should be used:

- Society → Aboriginal Sites of Significance - DIA

This provides details of identified significant sites, including sites that have been nominated but were found through due process as detailed in the Act as not constituting a significant site.

In view of the GIS theme being updated periodically it is recommended that the location of the works is also checked on the Department of Indigenous Affairs Aboriginal Heritage Inquiry System:

<http://www.dia.wa.gov.au/Heritage/Inquiry/>

8.2 Identifying Who to Contact

Aboriginal social structures can be complex and there is likely to be a variety of people for any one site, including Native Title Claimants, Traditional Owners, Elders, Custodians, etc. The following avenues currently exist to staff for identifying who to contact:

- Native Title

The names (but not contact details) of the native title claimants are listed under the Native Title Claims theme on GIS Viewer. Use the identify tool after selecting the Native Title Claims theme as the active theme.

Alternatively the Native Title Representative Bodies of the Native Title Claimant Groups may be contacted. Details of the relevant body for each region are provided on the website at:

http://www.nativetitle.wa.gov.au/Claims_WA.aspx.

- Aboriginal Heritage

As part of the assessment process the ACMC require that a representative proportion of Native Title Claimants be contacted in addition to any local Aboriginal people who speak for country.

Therefore, if Section 18 approval is required the avenues provided above for Native Title contacts should be used.

To identify other local Aboriginal people who speak for country the Department of Indigenous Affairs have a northern and southern Heritage Information Officers who may be contacted: <http://www.dia.wa.gov.au/Heritage/SitesSurveys.aspx>

- Southern: 9235 8036 southernsites@dia.wa.gov.au

- Northern: 9235 8113 northensites@dia.wa.gov.au

In addition to the above avenues staff may have access to existing community networks to assist in identifying who to contact. It is important to remember to specifically ask “*who speaks for this site*” and not “*who speaks for heritage in this area*”. This will help to reduce the risk of multiple people wanting to be involved.

Remember to be careful when making individual contact as there is a risk of becoming involved in internal community issues. By dealing with specific individual community members, there could be detrimental effects on the project and future dealings with the same community members. In several areas there are multiple families and/or individuals who claim to have connection and at times these politics are hard to decipher.

8.3 Planning and Making Contact

It is critical to consider native title and Aboriginal heritage issues early on in the planning stage of any project. This will allow appropriate resources and stages to be integrated into the project program.

- **Aboriginal Heritage**

The duration depends on the level of communication required. If a full survey is required the timeframe increases significantly and can be as long as 6 months.

In the case that a Section 18 application is required SWCC Aboriginal Co-ordinator (see Section 10 - SWCC Support Structure) is to be kept informed of progress. It is important to remember that for the application to be successful:

- The anthropological consultants who are invited to provide a quote for the works must be aware of the reporting format and contents as stipulated by DIA’s. The following link provides details:
<http://www.dia.wa.gov.au/Heritage/Standardsweb/HSReports/HSRToc.aspx>
- Ensure the anthropological consultant has checked for Native Title applicants and locally recognised Aboriginal people with a connection to the project site, as both must be consulted with.
- Ensure the anthropological consultant includes a provision for completing Aboriginal Site Recording forms for new sites that are identified during the survey.
- Ensure that representative of the project is involved in the consultations on site to be able to clearly explain the purpose and outcomes from the project, and also to be able to respond to questions and concerns raised.

Once all the information and research has been collated and documented, the application can be submitted to the ACMC. If all the relevant information has been provided then the process from this point to when Ministers decision is formally received is approximately 2 months:

<http://www.dia.wa.gov.au/Heritage/Standardsweb/s18Notice/s18Process.aspx>

staff and proponents who contact or meet with Aboriginal people are recommended to attend a Cross Cultural Awareness Workshop (see Section 10 - SWCC Support Structure) to gain an appreciation of social structures, protocols and appropriate methods of communications. The following publication is also worth reading: *Engaging with Aboriginal Western Australians (ATSIC, Sep 2005)*:

<http://www.dia.wa.gov.au/Policies/Communities/Files/ConsultingCitizensSept2005.pdf>

9.0 Payments

There are no provisions under the *Aboriginal Heritage Act 1972* for the payment of services in relation to gaining approval for works or for site monitors where required.

However, SWCC recognises that the provision of cultural knowledge and cultural supervision of on ground works is a professional service. These services may be provided during the planning, design and/or implementation period of a project and payment is deemed fair and reasonable. It is also acknowledged that within Aboriginal culture there is a responsibility to 'care for country' and as such a payment schedule has been developed that takes these two issues into account (Appendix C).

10.0 Support Structure

SWCC has set up the following overarching support structure for staff to ensure that staff has the knowledge, understanding and support to ensure that SWCC meets its obligations with the MOA requirements.

1. Guidelines (this document)

This document provides a procedure for staff to follow including flowcharts, decision tools, organisation contact details, etc.

2. Specific training courses related to the use and application of these guidelines

A half day training course covering all aspects detailed within this document and providing an overview of useful techniques such as using the Department of Indigenous Affairs Aboriginal Heritage Inquiry System and advice on appropriate communication techniques.

3. Aboriginal cross cultural awareness workshops

A course providing a broad overview of Aboriginal people and their culture, which gives the attendee a better understanding and appreciation of relevant methods of dealing and communicating with Aboriginal people.

4. Integrating Nyungar knowledge into NRM

This project is tasked with the development of setting up an integrated approach within SWCC for encompassing Aboriginal interests. It is also a place where staff and proponents can seek advice and support for all issues related to these guidelines.

In addition to the above have nominated staff members to act as Aboriginal Facilitators or similar, who can provide direct assistance to staff.

11.0 References

Aboriginal Heritage Act 1972

(http://www.austlii.edu.au/au/legis/wa/consol_act/aha1972164/)

ATSIC (September 2005), *Engaging with Aboriginal Western Australians*

Australian Tax Office website (<http://www.ato.gov.au>)

Department of Indigenous Affairs website (<http://www.dia.wa.gov.au>)

Native Title Act 1993 (http://www.austlii.edu.au/au/legis/cth/consol_act/nta1993147/)

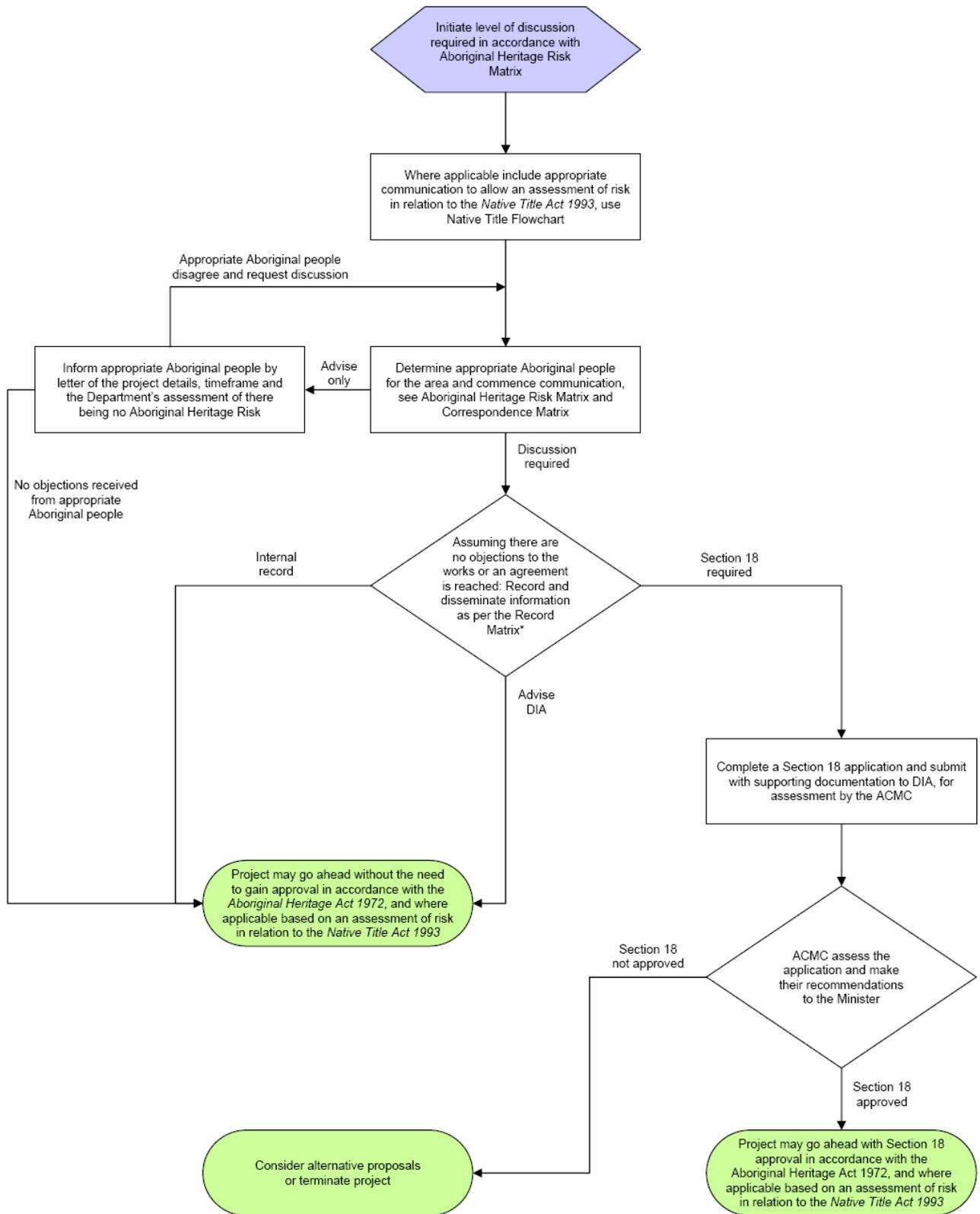
Office of Native Title Website (<http://www.nativetitle.wa.gov.au/index.aspx>)

Water and Rivers Commission (November 2002), *Water Note 30 - Safeguarding Aboriginal Heritage*

Water and Rivers Commission (Undated), *Policy and Guidelines for Consulting with Aboriginal People* [unpublished internal document]

Appendix A
Aboriginal Heritage Flowchart

Aboriginal Heritage Flowchart



*: In the event that an objection is raised and no agreement can be reached on the current or possible alternative proposals then the project is to be terminated

Appendix B

Aboriginal Heritage Risk Matrix

Correspondence Matrix

Record Matrix

Aboriginal Heritage Risk Matrix

Proposed on ground actions		Initial Level of Discussion Required ^a				
		Site Status - Not Listed ^b		Site Status - Listed ^b		
		Low Risk ^c	High Risk ^c	Interim ^d	Permanent ^d	Stored Data ^d
Revegetation exclusive of fencing	Direct seeding	No Action	No Action	Advise	Support	No Action
	tubestock planting	No Action	No Action	Advise	Support	No Action
	assisted regeneration	No Action	No Action	No Action	No Action	No Action
Fencing		No Action	Feedback	Advise	support/Consultation	No Action
Vegetation control	Chemical	No Action	No Action	Advise	Support	No Action
	Manual	No Action	No Action	Advise	Support	No Action
	Mechanical	Advise	Feedback	Support	Consultation ^f	No Action
Encouraging access	Land	No Action	Advise	Support	Support	No Action
	Water	No Action	Feedback	Support	Support	No Action
In-bed works	Manual	No Action	Feedback	Support	Support	No Action
	Mechanical	No Action	Feedback	Support	Consultation ^f	No Action
Soft engineering (survey and enhancement works)		No Action	Advise	Support	Support	No Action

Notes:

^a The levels of discussion are provided below in order. Note that there are likely to be situations where through initial level of discussion it is determined that the next level needs to be adopted. In some cases the discussion required may escalate to the most comprehensive level of Survey.

- No Action There are no identified heritage sites and hence no discussions are needed.
- Advise A heritage site may exist however there will be no disturbance of the site during the works, which will enhance the cultural, environmental and ecological values of the site. The appropriate Aboriginal people are to be made aware in writing of the proposed works and no feedback is requested.
- Feedback A heritage site may exist and there may be limited disturbance during the works, which will enhance the cultural, environmental and ecological values of the site. The appropriate Aboriginal people are to be made aware in writing of the proposed works and are invited to comment on the proposed work.
- Support A heritage site is likely to/does exist and there will be limited disturbance during the works, which will enhance the cultural, environmental and ecological values of the site. The appropriate Aboriginal people are to be made aware in writing and there written support is required.
- Consultation A heritage site is likely to/does exist and there will be disturbance during the works, which will enhance the cultural, environmental and ecological values of the site. The appropriate Aboriginal people are to be invited to provide professional input during on and/or off site meetings with an aim of providing input and agreeing to the proposed works. Their written support is required.
- Survey A heritage site does exist and there will be disturbance during the works, which will enhance the cultural, environmental and ecological values of the site. An anthropological consultant is to be contracted to undertake a full heritage survey of the area to gain professional input into the project and method of working.

Aboriginal Heritage Risk Matrix (cont'd)

Notes (cont'd):

- ^b The site status is to be determined by undertaking a search on the DIA Aboriginal Heritage Inquiry System (<http://www.dia.wa.gov.au/Heritage/Inquiry/>).
- ^c The following guidelines are to be used when allocating the level of risk:
- | | |
|-----------|---|
| Low Risk | Drains, dams (off-stream), sumps, etc. |
| High Risk | Major waterways, diversion works, swamps, lakes, estuaries, springs, dams (in-stream), etc. |
- ^d The definitions used above are as per DIA glossary (<http://www.dia.wa.gov.au/heritage/standardsweb/glossary.aspx>):
- | | |
|--------------------|---|
| Permanent Register | The Permanent Register includes only those places or objects which have been evaluated as sites under Sections 5 and 39 of the Act by the ACMC. |
| Interim Register | The Interim Register comprises information reported to the Registrar about places and objects which have not yet been evaluated by the ACMC. The Interim Register also comprises of information about those sites that ACMC have evaluated as not having sufficient information to make a determination about whether the place is a site under the terms of the Act. These sites are informally referred to as sites with Insufficient Information. |
| Stored Data | Sites deemed by the ACMC not to fulfil any of the criteria under Section 5 of the Act are entered in the Stored data index. This is also the case for those places which the ACMC finds do not have any Aboriginal association. Stored or Archived Data is retained so that these places either need not be referred to the ACMC for assessment if they are reported again later or can be re-assessed if further information is submitted at a later date. |
- ^e Programmed maintenance for works on High Risk, Interim and Permanent sites is to be included and agreed to in the discussion process. This should cover follow up work and maintenance for all project areas, e.g. weed control, second stage planting, data collection, removal of temporary infrastructure, de-silting gauging stations, etc. In situations where unforeseen maintenance is needed at these sites, as a minimum the appropriate Aboriginal people should be advised of the works.
- ^f For these cases Section 18 application must be submitted along with recorded information provided as supporting evidence. Note if the level of discussion escalates for other works and sites not similarly highlighted in this matrix, they too may require a Section 18 application (see the Record Matrix for clarification).
Details regarding the Section 18 application process can be found on the Department of Indigenous Affairs website (<http://www.dia.wa.gov.au/Heritage/Standardsweb/s18Notice/s18Toc.aspx>), this includes:
- Guidelines (<http://www.dia.wa.gov.au/Heritage/Standardsweb/s18Notice/PART%201.doc>)
 - Template form (<http://www.dia.wa.gov.au/Heritage/Standardsweb/s18Notice/Part%202.doc>)
 - Checklist (<http://www.dia.wa.gov.au/Heritage/Standardsweb/s18Notice/Part%203.doc>)

Correspondence Matrix

Site Status ¹	Record Dissemination and Use ² in Relation to Aboriginal Heritage
Advise	1. A letter should be sent to the appropriate Aboriginal people, providing details of: <ul style="list-style-type: none"> • The project title, details, purpose ³ and timeframe • A location plan and plan identifying the geographical area • A summary of why no approval is sought 2. Note that no return correspondence is requested or expected
Feedback	1. A letter should be sent to the appropriate Aboriginal people, providing details of: <ul style="list-style-type: none"> • The project title, details, purpose ³ and timeframe • A location plan and plan identifying the geographical area • An invitation to provide comment if required 2. Note that no return correspondence is directly requested; however an opportunity to respond has been made. As such as a minimum a follow up phone call should be made if no response has been received within two weeks. The details of this phone call including the time, date, names and key issues discussed should be made ⁴
Support	1. A letter should be sent to the appropriate Aboriginal people, providing details of: <ul style="list-style-type: none"> • The project title, details, purpose ³ and timeframe • A location plan and plan identifying the geographical area • A proforma response and return envelope that allows them to identify whether they support and/or decline to support the project (this must be signed by all appropriate Aboriginal people identified) 2. A response is required, however: <ul style="list-style-type: none"> • In the event that no response is received within two weeks a follow up phone call and possibly a meeting at a site chosen by the appropriate Aboriginal people made be needed. If this occurs then the people involved, time, date, venue and the key issues and agreements are to be recorded. If an agreement is reached it is important to get a written and signed statement to this effect for record purposes • In the unlikely event that no response is received from the letter and follow up phone calls do not improve the situation a report to this effect is to be drafted and used
Consultation	1. A letter should be sent to the appropriate Aboriginal people, providing details of: <ul style="list-style-type: none"> • The project title and a brief project overview (including purpose ³, timeframe and location) • A request for input to the method of working and support for the project • A proposal that a meeting be held at a location convenient to the appropriate Aboriginal people to discuss this further • Payment terms for their time 2. This letter will result in phone calls and meetings and for each of these the people involved, time, date, venue and the key issues and agreements reached must be recorded. Note any agreements reached must be in writing and signed by all parties
Survey	All correspondence is to be arranged by the contracted anthropological consultant ⁵

Notes:

¹ Descriptions of the definitions used for the level of discussion are expanded upon in the Aboriginal Heritage Risk Matrix.

² Note the details here are in relation to the correspondence with appropriate Aboriginal people and they do not cover correspondence to the Department of Indigenous Affairs, this is covered in the Record Matrix.

³ The purpose should highlight the end use or benefit of the works, such as enhancing the site, minimising the impact of future erosion, providing monitoring data to better manage the site, etc.

⁴ Discretion is required as to whether to follow up letters with a phone call, consideration needs to be made of the size, potential impact and financial risk of the works.

⁵ The Department of Indigenous Affairs provides details of organisations, which are capable of undertaking these surveys.

(<http://www.dia.wa.gov.au/Heritage/HeritageManual/C7.aspx#ProfessionalBodies>)

Record Matrix

Site Status ²	Record Dissemination and Use ¹				
	Level of Discussion for Aboriginal Heritage Issues ²				
	Advise	Feedback	Support	Consultation	Survey
Not Listed	Internal	Internal	DIA	Sect 18	Sect 18
Listed as Interim Site	Internal	Internal	DIA	Sect 18	Sect 18
Listed as Permanent Site	Internal	Internal	DIA	Sect 18	Sect 18

Notes:

¹ The meaning of the above terms are expanded upon below:

Internal: All communication is to be compiled into a summary report and filed in the SWCC project files.

DIA: All communication is to be compiled into a summary report and filed in project files. A copy of the report is to be provided to the Department of Indigenous Affairs, so it can be used for information and to assist with future projects proposed for the area by third parties.

Sect 18: All communication is to be compiled into a summary report and appended to a completed Section 18 application form. This is to be filed in the SWCC project files, as well as being submitted to the Department of Indigenous Affairs for assessment by the Aboriginal Cultural Material Council (note that the application requires 15 paper copies in colour).

² Descriptions of the definitions used for the site status and the level of discussion are expanded upon in the Aboriginal Heritage Risk Matrix.

Appendix C
Payment Schedule

Payment Schedule

Level of Involvement		Level of Payment
Aboriginal Heritage Discussions	Advise	No payment, as the level of discussion and involvement is deemed such that minimal time will be required and no site visits should be required. Any site visits undertaken are highly likely to be of a short nature and at the request of the Traditional Owner.
	Feedback	
	Support	
	Consultation	Payment as per the rates detailed below.
	Survey	
Site Monitors		Payment as per the rates detailed below, for a maximum of two site monitors per day for periods of time during which the work has the potential to disturb (e.g. excavation or drilling) or contaminate (e.g. concrete pours within the stream) a site.

Payment:

- No cash payments are to be made and all payments must be undertaken through SWALSC finance system as per service agreement. However, in special circumstances (e.g. to cover upfront costs) bank transfers can be arranged prior to the event.
- The number of community members to be consulted will be dependent upon the site and proposed works and is to be determined through negotiation with the relevant group. While a minimum number of two is recommended, the final agreed number should consider:
 - The likelihood and degree of disturbance the work will generate
 - The variety of potential sites impacted upon
 - The geographical extent of the project
 - The level of discussion required
 - The risk involved
 - The overall cost of the project
- The rate of payment is \$50.00 per hour (or part there of) up to a maximum of \$400 for an 8 hour day (inclusive of out of pocket expenses). However, when many community members are requested by the community to be consulted for relatively small projects (i.e. those with small budgets) it is acceptable to inform them of a reasonable lump sum of funding available for the consultation, to allow them to sort out who is involved and how much payment each person will receive.
- Refreshments and out of pocket expenses (including travel, accommodation and food) may be refunded in cases where long distances need to be covered and long days are required. These costs are to be based on the WA Government schedule rates, and should be assessed and included in the initial cost estimates for raising a requisition.
- Aboriginal site monitors are required to keep written records of hours spent (and when applicable kms travelled) during site monitoring duties.
- Welcome to country is a flat rate of \$200 and out of pocket expense as per earlier dot point.