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Anangu Pitjantjatjara Yankunytjatjara Consultation, Land and Heritage Assessment Process

A Consultation, Land and Heritage Impact Assessment (CL&HIA) is required by Anangu Pitjantjatjara Yankunytjatjara (APY) where any outside authority or individual requires access to the APY Lands for any purpose including, but not limited to, mining, government developments and research. Its purpose is to ensure that Traditional Owners understand and have an opportunity to discuss – and, if necessary, either modify or reject – any proposal that intrudes on or otherwise affects land within the purview of the Anangu Pitjantjatjara Yankunytjatjara Land Rights Act 1981. The standard process for a CL&HIA is as follows:

- A CL&HIA notice (including detailed topographic map/s) is sent by the applicant to the *Consultation, Land and Heritage* unit within the APY, regarding the proposed works on the Nominated Areas or tenement/licence area/s. The data is recorded and passed on to the Project Officer (and /or Anthropologist) who assesses it to ensure that it complies with APY standards and guidelines. This notice is to be provided with sufficient lead time to enable the APY to commence the necessary preparations and resolve issues (if any) that may need addressing prior to the commencement of any fieldwork surveys.
- Please note that further details may need to be provided by the applicant if the information in the CL&HIA notice is deemed to be insufficient.
- Once the CL&HIA is assessed as containing satisfactory information, Anthropology commences the consultation process to identify the relevant Traditional Owners for the area, and a community meeting when required, in which the applicant presents the proposal to the Traditional Owners. The APY's *Consultation, Land and Heritage* unit does not receive funding from the Government in relation to the CL&HIA process; consequently the applicant carries costs associated with fieldwork consultations and meetings.
- At the meeting the proposed work is presented to the Traditional Owners by the applicant. Although staff from the APY can present on the applicant's behalf, it is the APY's preference

to have a representative of the applicant attend, as questions can then be directly answered and any concerns addressed. A discussion then takes place amongst the Traditional Owners on how they would like to proceed with the proposed work program (e.g. go to the area where the proposed work is to take place, if an official anthropological and/or archaeological report is required and if a consultant is required, investigate whether there are sites of significance that specifically require a male or female consultant or both, and so on).

- The APY does not, in any way, influence any decisions made by Anangu Tjuta. The outcome of the meeting is decided by the Traditional Owners.
- If a work area assessment survey is requested, the logistical work of programming, organising staff, hiring the consultants (if required), arranging vehicles, catering etc then commences. A CL&HIA survey quote is then created and submitted for the applicant's approval. Almost all aspects of the CL&HIA survey are handled by the APY's Consultation, Land & Heritage unit. However, if a helicopter is required, we do ask that the applicant hires them direct.
- At the CL&HIA survey, the Traditional Owners identify areas of concern. Some areas which are to be cleared draw practical advice from the Traditional Owners. For example, there may be areas which are well known to be inaccessible at certain times of the year and may be unsuitable for the proposed activities.
- Following the CL&HIA survey, the consultant's report is generated, reviewed and published by the Anthropologists; then forwarded to the applicant for their information. The initial CL&HIA survey quote is also reviewed upon completion of the survey and acting on the advice APY receives back from the staff involved in the clearance, it is adjusted to reflect **actual** costs along with the APY CL&HIA clearance report.

APY sets out a schedule from the beginning of the year and each meeting and CL&HIA survey is carefully coordinated to fit in conjunction with the Traditional Owners' other interests and the availability of staff and consultants. **Thus we advise that you submit proposed development plans a minimum of 6 months in advance. All APY CL&HIA surveys need to be conducted between February and November. APY do not schedule any surveys outside this period (November-February) due to cultural Law Business, the difficulty in incumbent weather conditions and accounting for the health and safety of frequently elderly Traditional Owners. Please note this period is additional to the 6 month recommendation for the submission of proposed work plans.** For your information we have attached a copy of the CL&HIA Essential Criteria. The next step is for the applicant to submit a CL&HIA request so that any potential meetings and/or field surveys for 2018 can be scheduled accordingly.

Should you have any queries on this process please contact Cecilia Tucker on (08) 89540195 or email cecilia.tucker@anangu.com.au