



# 03 Engagement and consent

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## New opportunities can often mean taking risks

When asked to consent (or agree) to a new opportunity on Country it is important to be aware of the project details.

If you are not the project owner, you will want to know how the project might impact Community and Country. You will also want to know who has the 'legal right' to make decisions during the project.

This helps you understand how much influence you can have, especially if Traditional Owners don't have the 'legal right' to say no.

The person or organisation asking about a project may have competing rights or interests, or specific legal requirements that need to be met. This could affect your role and decisions throughout the project.

Before getting involved or signing anything, make sure you are given clear and honest details about how decisions are made and who is in charge.

## This document outlines what to expect during engagement and before consent.

True collaboration should happen early—before plans are set and before any work begins.

Key project stages:

- |  |                          |
|--|--------------------------|
| 1. Designing the project                                       | } Engagement and consent |
| 2. Planning the project details                                |                          |
| 3. Starting the project  |                          |
| 4. Reviewing the project outcomes during and after it finishes |                          |

## If you are asked to get involved in a new project, it's important to find out:

Question	Purpose
<b>What</b>	What is the project about, what will happen, what resources will it need, what benefits are there for the Community?
<b>Why</b>	Why is this project important to them? Why do you think this project is important to Community?
<b>Who</b>	Who are the decision makers at all stages of the project? Who will benefit?
<b>When</b>	When will it happen and how long will it take? Break it up into phases.
<b>How</b>	How will we be engaged?

Understanding the purpose (what, why, who, when and how) can help to:

- Avoid unnecessary cost and effort
- Reduce risks
- Maximise influence
- Enable benefit sharing

The following page shows a list of things to look out for when someone is asking you to get involved in, or consent to, a project on Country.

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## What to expect

Use these questions to guide conversations with project partners.

Asking for details (what, why, who, when, how) – and getting them in writing – helps build trust and strong partnerships.

### 1. Respect for our rights, interests, and culture

- ☐ Has our Country been acknowledged?
- ☐ Are our rights being understood and applied?
- ☐ Is our right to self-determination being recognised?
- ☐ Have they taken time to learn about our Community, our language, our Culture?
- ☐ Are our cultural protocols being respected and followed?

### 2. Enough time to build trust and consider what is being asked (consent)

- ☐ Are we being asked for consent without being pressured into a decision?
- ☐ Are we being asked to get involved or provide consent before the project has started? If not, why not?
- ☐ Are timeframes constrained by legislation or other factors?
- ☐ Will we be paid for our time?
- ☐ Are they respectful to our community, governance and leadership?
- ☐ Are they taking time to build a relationship with us?
- ☐ Can we withdraw our consent if we want to? (This must be in writing)

### 3. Meaningful engagement and shared decision-making

- ☐ Are we being included in the design, planning, and development of the project?
- ☐ Is there a shared understanding of co-design and is this built into the project?
- ☐ Have we been given enough time to think and talk with Community?
- ☐ Are our community decision-making processes being respected?
- ☐ Will they listen to what matters to us throughout the project?
- ☐ Do we have all the information we need to make a decision?
- ☐ Are we confident that the information provided is correct?

### 4. Clear agreements, protection of cultural knowledge and data sovereignty

- ☐ Have agreements been put in writing so expectations are clear?
- ☐ Is our data sovereignty being respected? What is the evidence for this?
- ☐ Can we withdraw our consent for the use of our cultural knowledge?

### 5. Monitoring and accountability

- ☐ Are they being open and honest about their intentions and actions?
- ☐ Are they taking our feedback seriously and acting on it?
- ☐ Will they keep us up-to-date?
- ☐ Are we involved in monitoring how things are going and will we be paid?
- ☐ Are our cultural values being included in the monitoring process?

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### 6. Real benefits for Community

- ☐ Has the long-term impact on Country been considered?
- ☐ Are there real and tangible benefits for our Community and have these been recorded in an agreement or contract?
- ☐ Have we had a say in how these benefits are shared?
- ☐ Are these benefits shared fairly