

STAKEHOLDER ENGAGEMENT AND DISPUTE RESOLUTION POLICY AND PROCEDURE



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Purpose and scope

Australian Bluegum Plantations (ABP) acknowledges that forest management decisions and operations have the potential to affect a wide range of individuals, businesses and organisations, including Indigenous peoples, interest groups and neighbours.

This policy provides the framework ABP will plan and implement stakeholder engagement and resolve complaints/disputes. The vision of ABP is for stakeholders to have the opportunity to engage in a manner that allows stakeholders needs and interests to be consistently, transparently and meaningfully considered in ABP's forest management processes and activities.

ABP's stakeholder engagement procedures have the overall goal of effectively communicating and actively engaging community members, including members of the public, stakeholders and indigenous people to develop strong positive relationships and mutual understanding of economic, social and environmental values.

To achieve this goal, ABP has set the following objectives:

- To communicate effectively and engage with stakeholders.
- To facilitate our ability to understand stakeholder concerns and interests and incorporate them into decision-making processes.
- To increase the transparency of our forest management processes and activities.
- To build the trust and respect of our stakeholders.
- To build stakeholder confidence in ABP and our forest management processes to strengthen our corporate reputation within the communities in which we operate.

This policy and procedure provide a guideline for establishing and maintaining good relationships with stakeholders throughout the course of ABP's normal business activities, including, but not limited to: forest management planning, plantation establishment operations, plantation harvesting and haulage operations, port operations and emergency situations. It also outlines the process to be followed with regards to complaints/dispute resolution.

Related documents

Integrated Management System (IMS)

Natural Values Management Plan (MP-2058)

Privacy Policy

Regional Stakeholder Registers

ABP Risk Register

Legal Compliance Register

Property Assessment Procedure (PO-7006)

Definitions and terms

Affected stakeholder	<p>Any person, group of persons or entity that is or is likely to be subject to the effects of the activities of a Management Unit. Examples include, but are not restricted to persons, groups of persons or entities located in the neighborhood of the Management Unit. The following are examples of affected stakeholders:</p> <ul style="list-style-type: none"> • Local communities • Indigenous Peoples • Workers (including contractors and service providers) • Neighbours • Local processors • Local businesses • Tenure and use rights holders, including landowners • Organisations authorised or known to act on behalf of affected stakeholders, for example social and environmental NGOs, labour unions, etc. (Source: FSC® National Forest Stewardship Standard of Australia (FSC-STD-AUS-01-2018 EN). License Code FSC-C019740).
Dispute	<p>An expression of dissatisfaction by any person or organisation presented as a complaint to The Organisation, relating to its management activities or its conformity with the FSC Principles and Criteria, where a response is expected. (Source: based on FSC-PRO-01-005 V3-0 Processing Appeals).</p> <p>(Source: FSC National Forest Stewardship Standard of Australia (FSC-STD-AUS-01-2018 EN).</p>
Dispute of substantial duration:	<p>Dispute that continues for more than twice as long as the predefined timelines in the FSC system (this is for more than six months after receiving the complaint), with consideration to existing court proceedings and timelines.</p> <p>(Source: FSC National Forest Stewardship Standard of Australia (FSC-STD-AUS-01-2018 EN).</p>
Dispute of substantial magnitude	<p>A dispute of substantial magnitude is a dispute that involves one or more of the following:</p> <ul style="list-style-type: none"> • It affects the legal or customary rights of Indigenous Peoples and local communities; • The negative impact of management activities is of such a scale that it cannot be reversed or mitigated; • Acts of intimidation, physical violence and/or destruction of property against forest workers and/or stakeholders. <p>(Source: FSC National Forest Stewardship Standard of Australia (FSC-STD-AUS-01-2018 EN).</p>
Engagement	<p>The process by which ABP communicates, consults and/or provides for the participation of interested and/or affected stakeholders ensuring that their concerns, desires, expectations, needs, rights and opportunities are considered in the establishment, implementation and updating of the Management Plan. (Source: FSC-STD-01-001 V5-0)</p>
Forest management	<p>Forest management concerns the overall management of forests, including administrative, economic, legal, social and technical aspects such as strategic and</p>

	operational forest planning, silvicultural operations (e.g. plantation establishment, research and development) and extractive operations (e.g. harvest, processing and haulage).
Free, prior and informed consent (FPIC)	A legal condition whereby a person or community can be said to have given consent to an action prior to its commencement, based upon a clear appreciation and understanding of the facts, implications and future consequences of that action, and the possession of all relevant facts at the time when consent was given. Free, prior and informed consent includes the right to grant, modify, withhold or withdraw approval. (Source: Based on the Preliminary working paper on the principle of Free, Prior and Informed Consent of Indigenous Peoples [...] (E/CN.4/Sub.2/AC.4/2004/4 8 July 2004) of the 22nd Session of the United Nations Commission on Human Rights, Sub-commission on the Promotion and Protection of Human Rights, Working Group on Indigenous Populations, 19–23 July 2004).
Indigenous Peoples	<p>People and groups of people that can be identified or characterised as follows:</p> <ul style="list-style-type: none"> • The key characteristic or Criterion is self-identification as Indigenous Peoples at the individual level and acceptance by the community as their member; • Historical continuity with pre-colonial and/or pre-settler societies; • Strong link to territories and surrounding natural resources; • Distinct social, economic or political systems; • Distinct language, culture and beliefs; • Form non-dominant groups of society; • Resolve to maintain and reproduce their ancestral environments and systems as distinctive peoples and communities. <p>(Source: Adapted from United Nations Permanent Forum on Indigenous, Factsheet 'Who are Indigenous Peoples' October 2007; United Nations Development Group, 'Guidelines on Indigenous Peoples' Issues' United Nations 2009, United Nations Declaration on the Rights of Indigenous Peoples, 13 September 2007)</p>
Intellectual property	Practices as well as knowledge, innovations and other creations of the mind. (Source: Based on the Convention on Biological Diversity, Article 8(j); and World Intellectual Property Organisation. What is Intellectual Property? WIPO Publication No. 450(E)).
Interested stakeholder	<p>Any person, group of persons, or entity that has shown an interest, or is known to have an interest, in the activities of a Management Unit. The following are examples of interested stakeholders:</p> <ul style="list-style-type: none"> • Conservation organisations, for example environmental NGOs • Labor (rights) organisations, for example labour unions • Human rights organisations, for example social NGOs • Local development projects • Local governments • National government departments functioning in the region • FSC National Offices • Experts on particular issues, for example High Conservation Values. <p>(Source: FSC National Forest Stewardship Standard of Australia (FSC-STD-AUS-01-2018 EN).</p>

Local communities	Communities of any size that are in or adjacent to the Management Unit, and also those that are close enough to have a significant impact on the economy or the environmental values of the Management Unit or to have their economies, rights or environments significantly affected by the management activities or the biophysical aspects of the Management Unit (Source: FSC-STD-01-001 V5-0). For example recreational areas/users – bird watching groups, bushwalking groups, walking trails, areas of research trials
Traditional knowledge	Information, know-how, skills and practices that are developed, sustained and passed on from generation to generation within a community, often forming part of its cultural or spiritual identity. (Source: based on the definition by the World Intellectual Property Organisation (WIPO). Glossary definition as provided under Policy/Traditional Knowledge on the WIPO website)

Policy

ABP is committed to developing effective working relationships with relevant stakeholders and will make every reasonable effort to work with stakeholders to resolve issues that occur while carrying out the management of the ABP estate.

ABP will advise stakeholders of relevant forest operations in accordance with all relevant legislation and procedures. ABP will provide opportunity for stakeholders to provide input into forest management

Stakeholders who engage with ABP will be advised of how their views may be considered in decision-making processes and which aspects of forest operations and planning can be influenced by stakeholder input.

ABP will use a variety of methods to engage stakeholders recognising that tools and strategies must be tailored to suit the decisions, activities and processes we are seeking to engage on.

ABP is committed to:

- Being open and honest with stakeholders
- Providing accurate and timely information to stakeholders
- Listening to and responding to stakeholder views and concerns
- Evaluating the effectiveness of ABP stakeholder **engagement** activities and working to continually improve **engagement** performance.

Procedure

ABP stakeholder **engagement** processes are guided by three **engagement** principles which provide a basis for acceptable standards and good practice of stakeholder engagement:

Principle 1 – Inclusivity

ABP will engage with a broad range of stakeholders potentially affected by, or interested in, forest management processes and activities, and provide them with the opportunities and information they need to participate in a meaningful way.

Principle 2 – Transparency

ABP will act openly and honestly with stakeholders in the **engagement** process, and subsequent decision-making processes.

Principle 3 – Emphasis on mutual learning and relationship development

ABP will create opportunities for stakeholder **engagement** that emphasises mutual learning outcomes and the development of relationships. **Engagement** approaches will welcome the sharing of diverse knowledge and values without prejudice or judgement.

Legal obligations

In implementing this Stakeholder Engagement Procedure ABP must comply with all applicable laws, regulations, and corporate commitments (eg. forest certification) on stakeholder **engagement** and community consultation as listed in the ABP Legal Compliance Register.

Stakeholder identification and engagement

In pursuing stakeholder **engagement** best practice, ABP will:

- Develop a Stakeholder Register to record relevant stakeholder information, including contact details, whether they are an affected or **interested stakeholder**, details of interactions including concerns and management actions taken to address concerns. Stakeholder contact information will only be recorded with permission and used in accordance with the relevant State and Federal regulations (e.g. Privacy Act). The Stakeholder Registers will be monitored monthly by the Environmental Manager to ensure complaints received are closed within the required time frame (see Complaints)
- Identify neighbors adjacent to operations, and other relevant **affected stakeholders** within close proximity of operations who may be impacted (including sensitive neighbors such as vineyards, organic farms, or fish/marron farms), using the Land Resource Management (LRM) form and consultation with ABP staff and adjacent landowners. Neighbors are advised of operations and any concerns addressed prior to operations commencing.
- Notify responsible authorities and lodge requisite documentation with the relevant authorities prior to operations commencing.
- Maintain communication with directly **affected stakeholders** throughout the duration of relevant forest operations where required.
- Respond to stakeholder questions and enquiries in a timely manner.
- Documenting the views and concerns of stakeholders in the Stakeholder Register to provide a systematic understanding of the nature of the social impacts of ABP forest management activities, and to identify sensitive issues in advance. Social impact studies may also be used to gauge impacts.
- Seek to engage with special interest groups with a relevant interest in ABP forest management and operations (e.g. wildlife carers, land care organisations).
- Provide stakeholders with an opportunity to engage in the development of the Plantation Management Plan and related documents. The level of **engagement** sought will depend on the scale and intensity of planned operations.
- Demonstrate how stakeholder concerns and input have been considered in decision-making using a method commensurate with the level of input and the scale of operations (e.g. verbal response, formal letter, summary report).
- Actively participate in relevant advisory groups and strategic partnerships to achieve mutual goals and/or develop strategies when considered important for ABP operations or the forest industry

Indigenous heritage

To protect and maintain Indigenous heritage, ABP will:

- Identify **Indigenous peoples** that exist within ABP's estate or those affected by our management activities through database searches and consultation with relevant stakeholders.
- Engage with the identified **Indigenous peoples** to identify and subsequently document the following:
 - Their legal rights of tenure;

- Their cultural responsibilities to care for country, including use rights of the forest resources and ecosystem services that apply within the ABP estate;
- The agreed and reasonable evidence supporting these rights, responsibilities and obligations;
- Areas where rights and responsibilities are contested between **Indigenous Peoples** connected to ABP's estate, governments and/or others;
- Summarise how the legal rights, cultural responsibilities and any contested rights, are acknowledged by ABP; and
- The aspirations and goals of **Indigenous Peoples** related to their identified legal rights and cultural responsibilities.
- Provide identified **Indigenous Peoples** with an opportunity to request modifications to ABP's management activities to the extent necessary to protect their rights, cultural responsibility, resources and lands and territories. Seek to attend and participate in relevant forums and meetings in response to Indigenous heritage sites, or for other purposes upon request.

Local communities

ABP will identify **local communities** within their estate and those that are affected by management activities using a social impact assessment approach as follows:

1. Identify potential communities through data collection; research; and consultation with stakeholders and ABP operations staff.
2. Identify any impact ABP's activities may have on the community.
3. Rank the impact using ABP's risk ranking matrix.
4. Identify controls to address any impacts. For example, engage **local communities** in the development of THP's, providing information notices, and invitations to comment on plantation management plans or operations plans.
5. Record assessment results in the ABP Risk Register.

In the event there are **local communities** identified that could potentially have a legal right to the management unit or a long-established use during the social impact assessment, ABP will engage with the local community to identify and document:

- Their *legal* rights of access to the *forest*, and use rights of the *forest* resources and *ecosystem services**;
- Their demonstrated long and established use or association;
- Their *legal* rights and obligations that apply within ABP's estate;
- The evidence supporting these rights, associations and obligations;
- Areas where these rights, associations and obligations are contested between ABP, local communities, governments and/or others; and
- Summary of how the legal and contested rights, association and uses are acknowledged by ABP.

Where such a legal right or long-established use or association is established, the local community will be provided with opportunity to comment and request modification to any management activity likely to impact their legal rights or use of the management unit through direct consultation.

Records of legal rights and/or established long term use/association to the management unit shall be documented in the LRM system as a red flag warning and then shown on E&H maps.

Traditional knowledge and associated intellectual property

Traditional knowledge and its associated **intellectual property** are protected and are only used when the owners of that traditional knowledge have provided their **Free, Prior and Informed Consent (FPIC)** formalised through a binding agreement.

Indigenous Peoples and local communities are compensated according to the legally binding agreement reached through FPIC for the use of traditional knowledge and intellectual property.

Free, Prior and Informed Consent (FPIC)

Prior to any management activities that affect the rights of Indigenous Peoples and local communities, FPIC is provided through a process that includes:

- Informing the Indigenous Peoples and/or local communities of their right to withhold or modify consent to the proposed management activities to the extent necessary to protect their rights, resources, land and territories; and
- Informing the Indigenous Peoples and/or local communities of the current and future planned forest management activities.

Stakeholder Engagement Methods

ABP recognises that different levels of stakeholder **engagement** are appropriate depending on the **engagement** objectives, relevant regulatory requirements, timeframes, resources and the concerns or issues being considered.

Monitoring and evaluation of social impacts

In order to monitor and evaluate social impacts, ABP will:

- Review and assess all information received from stakeholders pertaining to real or perceived social impacts and add to the ABP Risk Register.
- In accordance to the scale and intensity of operations, actively engage with stakeholders to identify and evaluate potential social impacts.
- Use available information sources (e.g. research and consulting reports, ABS online statistics) to assist in the effective evaluation of social impacts.
- Maintain communication and relationships with a range of stakeholders including local councils, relevant government agencies, and various stakeholder groups.
- Attend and/or address relevant events including stakeholder group meetings.

Complaints/dispute resolution

ABP will ensure that all grievances or complaints regarding company activities and issues of statutory or customary law are addressed in a consistent manner with a guarantee of protection from harassment, prosecution or any other form of reprisal or retaliation.

The following grievance process is to be used in the event that a stakeholder is not satisfied with ABP's response. The stakeholder will be notified of this process.

- a) The stakeholder should seek first to resolve their complaint directly with the specific ABP staff member, or his/her direct manager, whose action or decision they challenge.
- b) Stakeholders who are unable to resolve their issue directly should be referred to the Chief Executive Officer (CEO) to lodge their complaint, in writing, within 30 days. The stakeholder should describe the basis for the complaint; identify potential parties involved in the complaint; summarise the proceedings and results to date; and suggest a solution.

- c) The CEO will decide whether the issue can be addressed by him/herself. If not, the CEO will appoint a Dispute Resolution Committee or request that the dispute be heard by the Dispute Settlement Centre (or equivalent body). Operations will cease where **disputes are of substantial magnitude, substantial duration** or involve a significant number of threats.
- d) This Dispute Resolution committee, will be chaired by the CEO or someone nominated by the CEO. The CEO will appoint two other ABP representatives to the committee and invite external members where appropriate.
- e) The principal tool for resolving the dispute will be written submissions. However, the Dispute Resolution Committee has discretion to conduct face-to-face negotiations and site visits where necessary. Complainants will receive copies of all documents filed regarding the dispute.
- f) ABP will bear the costs of routine communication with parties to the dispute. Additional expenses must be agreed, in advance, in writing, between the parties.
- g) The committee chairman will communicate, in writing, the outcome of the dispute resolution procedure to all parties directly involved within 60 days of receipt of the complaint.

All complaints shall be recorded in the Stakeholder Register. Corrective Actions shall be added to the Stakeholder Register and tracked by ABP staff member involved to completion.

Media Comment

Staff are to be polite and courteous to all media enquiries, however media comment is restricted to:

- CEO for general comment
- General Manager - Marketing to comment on matters within the regions with prior approval of the CEO.

No other staff member is permitted to make comment to the media without the approval of the CEO.

Reviewing this policy and procedure

ABP is committed to continually improving the effectiveness of stakeholder **engagement**. A key element of this improvement will be evaluating our performance under these Policy and Procedures and, if necessary, amending and adding to this document.

Informal monitoring of the effectiveness of the Policy and Procedures will be ongoing and incorporate feedback from staff and stakeholders. A formal systematic review will be undertaken every three years, or earlier if considered necessary.

Records

Records of stakeholder communications are kept in the Stakeholder Register on the Integrated Management System (IMS).