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# Guideline for stakeholder engagement on aquatic resource management-related processes



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## Purpose and scope

This guideline sets out the approach of the Department of Fisheries (the Department) to stakeholder engagement on processes associated with the management of the State's fisheries and aquatic resources<sup>1</sup>. It is consistent with, and builds on, the statutory consultation requirements under the *Fish Resources Management Act 1994* (FRMA). It does not affect the consultation arrangements outlined in existing Funding and Service Level Agreements with the Western Australian Fishing Industry Council (WAFIC) and Recfishwest (RFW).

## Benefits of stakeholder engagement

Effective stakeholder engagement is about ensuring that different viewpoints and values are taken into account in the decision-making process and about achieving well-considered and efficient outcomes.

By consulting with a wide range of stakeholders the Department is able to tap into expertise and local knowledge and gains an understanding of the diversity of interests in aquatic resources and the marine environment.

For stakeholders, an effective engagement process provides:

- greater opportunities to contribute to policy and program development and participate in fishery management processes;
- more open and transparent lines of communication with the Department and Government;
- improved access to decision-making processes and, consequently, more opportunity to actively contribute to the achievement of outcomes; and
- Improved information about fisheries management and Department initiatives.

The resulting synergy encourages the development of integrated and comprehensive solutions to complex problems and increases the capacity of the Department to provide better management of fisheries and aquatic ecosystems on behalf of the WA community.

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<sup>1</sup> Note that specific consultation protocols/guidelines are in place for a number of other aquatic management-related processes, including biosecurity and environmental incident response-related processes and, through Ministerial Policy Guideline No. 8, for aquaculture/pearling authorisations.

## Who are our stakeholders?





In accordance with our responsibility of delivering ecologically sustainable management and development of WA's fisheries and aquatic resources, we regard as our stakeholders:

- the fishing sector, including commercial, recreational, aquaculture, pearling, customary, fish processing and fishing charter interests;
- any person or organisation whose livelihood directly or indirectly depends on sustainable fisheries (e.g. others involved in the commercial use of WA's aquatic resources);
- State and Commonwealth departments with intersecting natural resource management or development responsibilities (e.g. Department of Parks and Wildlife (DPaW), Department of Water (DoW), Department of the Environment (DotE – Commonwealth), Australian Fisheries Management Authority (AFMA – Commonwealth));
- Native Title holders or claimant groups and other relevant Aboriginal community bodies (e.g. Native Title representative bodies, Joint Management bodies, Aboriginal community corporate bodies);
- conservation sector Non-Government Organisations (NGOs);
- relevant statutory advisory committees (e.g. World Heritage Committees), Natural Resource Management (NRM) bodies, Regional Development Commissions, catchment councils, local government, research institutes and tertiary education institutions; and
- any person or organisation with an interest in the State's aquatic resources (e.g. local community/Indigenous groups, environmentalist and other interested parties).

## How do we engage stakeholders?

The Department's approach to stakeholder engagement is based on a framework designed to assist with selecting the appropriate level of engagement for different stakeholder groups<sup>2</sup>. The framework consists of four levels of engagement as set out in Table 1 below.

Table 1: Levels of stakeholder engagement.

	Goal	Promise to stakeholder	Methods of engagement
 <p><b>COLLABORATE</b></p>	To collaborate with key stakeholders on the development of project outcomes.	We will work with you in formulating solutions and will incorporate your advice and recommendations into the outcomes to the maximum extent possible.	Collaboration through a tasked working group, panel, committee, workshop, meeting or other form of project-specific discussion.
 <p><b>INVOLVE</b></p>	To work directly with key stakeholders to ensure that their concerns and needs are understood and considered.	We will actively seek your involvement to ensure your concerns and aspirations contribute to the outcomes and will provide feedback on how stakeholder input influenced the outcomes.	Seek advice prior to or during the development process; and/or Seek key stakeholder input on draft document(s).
 <p><b>CONSULT</b></p>	To obtain public feedback on analysis, alternatives and/or outcomes.	We will keep you informed, listen to, acknowledge and consider your concerns and aspirations and will provide feedback on how stakeholder input influenced the outcomes.	Seek input on draft document(s) as part of a public consultation process (e.g. through the Department's website or targeted input).
 <p><b>INFORM</b></p>	To provide interested parties with balanced, objective and accurate information to assist them in understanding the issues.	We will keep you informed.	Publication of a decision/policy (e.g. in the Government Gazette, Annual Report, fishery status reports or on the Department's website).

<sup>2</sup> Based on an adaptation of the International Association for Public Participation (IAP2) Spectrum, [www.iap2.org](http://www.iap2.org)

The framework recognises that approaches require a degree of flexibility and that stakeholder groups may need to be engaged in different ways depending on the process or issue.

Generally speaking and where appropriate, the Department will:

- collaborate with or involve WAFIC/commercial fishing sector bodies – as the industry peak bodies representing the commercial fishing, pearling and aquaculture sectors;
- collaborate with or involve RFW – as the peak body representing the recreational fishing and fishing charter sectors;
- actively seek to involve key stakeholders (other than WAFIC/sector bodies and RFW); and
- consult or inform other stakeholders, interested parties and the public as appropriate.

## **How do we identify key stakeholders?**

The Department's approach to stakeholder engagement requires a consistent method for identifying key stakeholders – defined as individuals or groups with a direct and material interest in an issue or proposed decision – from a larger group of stakeholders and interested parties.

Table 2 presents some guiding questions that may be used to this end. Additional key stakeholders may need to be determined on a case-by-case basis.

Table 2: List of guiding questions used for the identification of key stakeholders.

Guiding questions	Key Stakeholder
<b>Is the proposal, issue or proposed change likely to:</b>	
Affect commercial fishers, pearlers or aquaculture venture operators?	WAFIC/sector bodies / licence holders
Affect recreational fishers or fishing charter operators?	Recfishwest / fishing charter operators
Affect interests associated with Native Title or customary fishing rights or an Aboriginal community?	Native Title representative bodies (including the prescribed Body Corporate) / Department of Aboriginal Affairs (DAA)/or other structure <sup>3</sup>
Have a material effect on the environment?	Conservation sector NGOs
Have an effect on environmental or cultural values of the Houtman Abrolhos Islands?	Houtman Abrolhos Islands Bodies Corporate
Have an effect on World Heritage sites or values?	World Heritage Committee (WHC)
Affect the community (e.g. by affecting social use-related activities)?	Local Government (e.g. council, shire)
Affect WA Marine Park / Reserve values or have implications for an endangered, threatened or otherwise protected species/community?	Department of Parks and Wildlife (DPaW)
Have implications for conserving, protecting and managing water resources? <sup>4</sup>	Department of Water (DoW)
Have implications for Rottnest Island Marine Reserve values?	Rottnest Island Authority (RIA)
Have implications for Swan Canning Riverpark values?	Swan River Trust (DPaW)
Affect Environmental Values established for Cockburn Sound?	Cockburn Sound Management Council
Have implications for a Joint Managed or Commonwealth fishery?	Australian Fisheries Management Authority (AFMA - Commonwealth)
Have implications for matters of national environmental significance (MNES) under the EPBC Act?	Department of the Environment (DotE - Commonwealth)

Key stakeholders are consulted in accordance with the guideline provided in Figure 1.

<sup>3</sup> Potential parties to consult with include: Prescribed Bodies Corporate, Native Title Representative Bodies, Joint Management Groups, relevant Aboriginal Community corporate bodies that may be impacted (e.g. ACCFL holders), Office of Native Title, Department of the Premier and Cabinet (in relation to Kimberley Science and Conservation Strategy matters, marine parks and other specific negotiations), Department of Aboriginal Affairs (in relation to Heritage Act, ALT land and general Aboriginal policy issues). **In cases where interest associated with Native Title, customary fishing rights or local Aboriginal communities may be affected, staff should seek advice from the Department of Fisheries Policy & Reform Branch.**

<sup>4</sup> The *Water Agencies (Powers Act) 1984* defines 'water resources' as including: (a) watercourses, reservoirs, wetlands, estuaries and inlets, together with their beds and banks; (b) aquifers and underground water; and (c) drainage, surface and surplus water.

The list of key stakeholders in Table 2 is not exhaustive and, particularly for major proposals (e.g. new aquaculture zones), may include additional key stakeholders such as the Environmental Protection Authority, the Department of Transport, the departments of State and/or Regional Development, Regional Development Commissions, Department of Environment Regulation, Department of Planning, port authorities, Department of Mines and Petroleum, Department of Lands, research institutions, WA Museum and/or Tourism WA.

The guideline does not prevent the Department from considering other interested parties as key stakeholders in respect of a particular proposal, such as Natural Resource Management bodies, catchment councils and/or community groups.

Stakeholders may request, in writing to the CEO of the Department, to be considered as a key stakeholder in relation to particular issues for which they can demonstrate a direct and material interest.

## The guideline

The Department's general approach to stakeholder engagement on a set of key aquatic resource management-related processes is provided in Figure 1. The colour of each cell depicts the suggested minimum level of engagement for a particular process and stakeholder group.

Note that separate levels of consultation have been proposed for WAFIC/commercial sector bodies and RFW whereas all other key stakeholders (as identified in accordance with the guidance provided in the previous section) have been grouped together. Non-key stakeholders and interested parties constitute the last group.

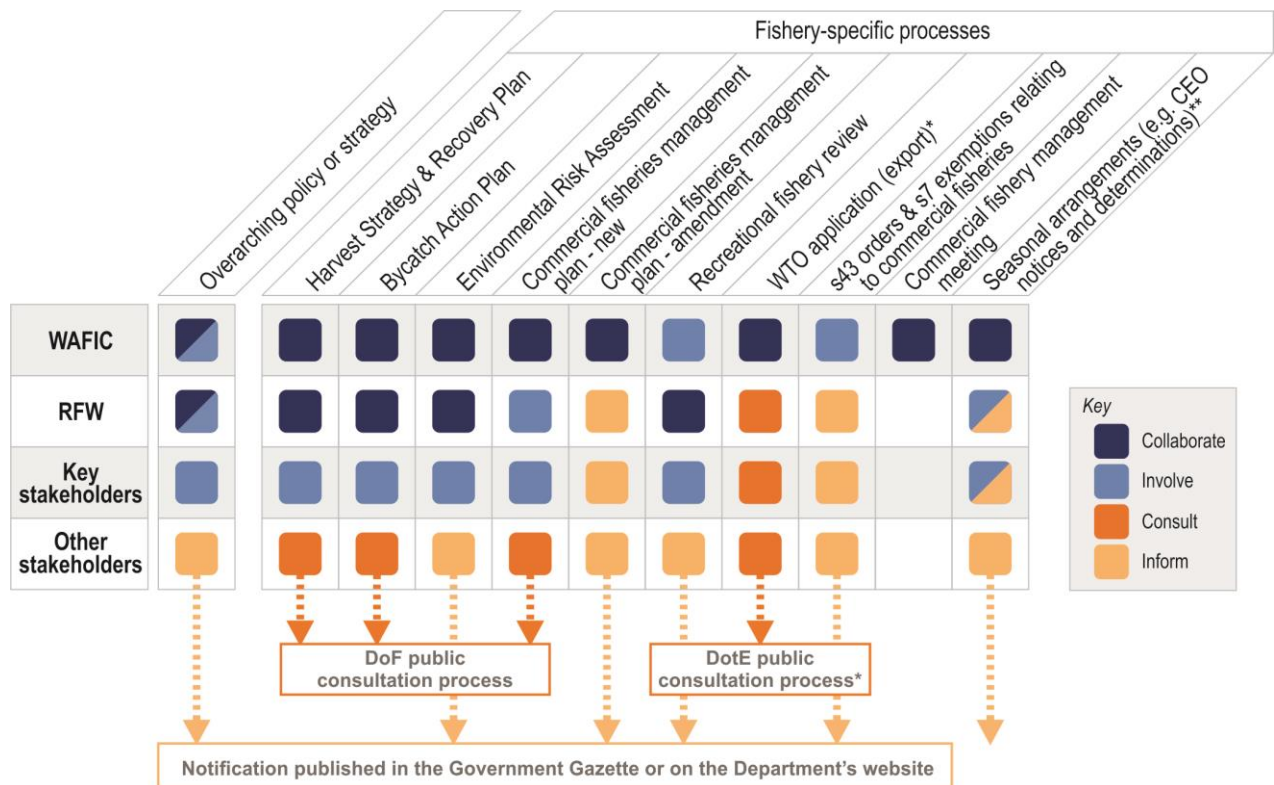
Public consultation documents for which the Department is responsible, i.e. harvest strategies, recovery plans, bycatch action plans and new fisheries management plans, will be made available (along with the details of the public consultation process) on the Department's website. Note that for new management plans, s64 of the FRMA sets out additional consultation requirements.

Similarly, notification of decisions, arrangements or policies to stakeholders and other interested parties will generally involve publication of the relevant details on the Department's website, unless publication is required elsewhere under the FRMA – e.g. such as in the case of Management Plan amendments, s43 orders and CEO notices and determinations, all of which are required to be published in the Government Gazette



and/or on the State Law Publisher website. Note the Department is currently investigating options to enable interested parties to subscribe to news feeds and/or register as an interested party through the website, which will allow automatic notifications to be sent (e.g. in relation to documents released for public comment and information regarding decisions, arrangements or initiatives).

Figure 1: Suggested minimum levels of stakeholder engagement for each stakeholder group and for each of a number of key processes associated with the management of the State's fisheries and aquatic resources. Abbreviations: DoF = Department of Fisheries (WA).



\* Note that the public consultation process associated with an application for an approved Wildlife Trade Operation (WTO) is required under the provisions of the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) and, hence, is a process managed by the Commonwealth Department of the Environment (DotE).

\*\* The category 'seasonal arrangements' only relates to commercial fisheries and covers a diverse group of processes, some of which involve operational issues that require immediate consideration and/or an urgent determination and for which consultation with stakeholders (other than licensees) is not practicable. For less urgent and broader proposed changes to seasonal arrangements of commercial fisheries the Department will endeavour to consult with RFW and other key stakeholders as indicated.

The information in Figure 1 gives an indication of the minimum level of consultation the Department will generally conduct, but note that it provides guidance only. Ultimately, decisions relating to how, when and whom to engage are made on a case-by-case basis, after taking into account all relevant circumstances.