A Survey of Community Engagement in Australian Local Government

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Abstract

In the quest for both enhanced local democracy (Aulich 2009) and increased economic prosperity founded in 'place-based' policy-making (Lyons 2007), community engagement has become an established technique of Australian local government planning and decision-making. While several commentators have considered the normative validity of community engagement strategies (see, for example, Grant and Dollery 2011) and others have conducted detailed studies of particular jurisdictional contexts (Prior and Herriman 2010; Wiseman 2006), to date a comparative study of the different Australian local government systems has not been forthcoming. As an initial step toward undertaking this comprehensive empirical task, this paper examines the legislative and regulatory frameworks for community engagement in Australian local government jurisdictions. It is argued that the characteristics of Australia's federal system are played out in this policy arena, such that differences between the state and territory frameworks enable the promise of place-based policy making to be felt at the local community level.

Keywords: Community engagement; economic development; local government; place-shaping; planning.

1 Introduction: Community Engagement in Australia

Bell and Hindmoor (2008 137–8) defined community engagement as ‘a wide range of governance engagements or partnerships between governments, citizens and communities’. They asserted that ‘the scale and scope of engagement efforts have increased over the last decade or more’ for several reasons. First, democratic theorists have successfully argued the case for forms of participation and deliberation as an adjunct to representative arrangements. Second, the value of an ‘active citizenry’ has formed an increasing element to policy in key western polities. Third, governments have come to realise that community engagement can assist in policy formulation and implementation, as well as increasing the legitimacy of particular administrations. Finally, advances in information and communications technology have greatly assisted governments’ soliciting the opinions of citizens.

Conceptualised in such broad terms, community engagement has by no means been the exclusive preserve of local governments in Australia (see, for example, Australia 2020 2008; Bishop (2002, 13). However, as electorally appealing as community engagement may be to both Australian state and federal governments, it is most empirically salient in Australia at the level of local government, as indeed it is globally, in both developed countries (see, for example, OECD 2001) and developing contexts (see, for example, World Bank 2008). In fact, all Australian state jurisdictions have implemented community engagement strategies as an increasingly central element to planning procedures, thereby prescribing not merely the processes of decision-making, but also affecting the kinds of decisions that are made through these processes.
Broadly speaking, three types of justifications for community engagement at the local level can be added to the observations of Bell and Hindmoor (2008). The first of these coalesces with arguments for sub-national government at the level of political theory. For example, Chandler (2008) has noted J.S. Mill's argument that the central defence of local government lies in its roles of both inculcating the values of democracy through participation, and acting as a 'training ground' for politicians on the broader national stage. More recent discussions have taken up the importance of the concept of community identified as 'between the state and individual' (see, for example, Studdert 2005). Second, at the level of philosophy, the empirical validity of irreducibly different communities based upon particular experiences of place has been cogently asserted (see, in particular, Malpas 1999). Third, perhaps the most pressing justification for community engagement resides in arguments concerned with economic development. In particular, the theoretical work of fiscal federalists (Tiebout 1956; Buchanan 1980) and public choice theorists (Oates 1990) has emphasised that the difference between communities ought to have an economic dividend, wherein relatively discrete polities, accountable to their own members, can develop particular economic trajectories. As such, both compete against and cooperate with one another, generating efficiencies through experimentation (see, for example, Dollery and Robotti 2009; Shah 2006).

Important questions concerning community engagement and local government arise at this juncture. For example, what is the comparative legislative shape of community engagement strategies? To what extent have these strategies been taken up by particular local governments in comparative jurisdictions? More critically, are community engagement strategies reinforcing the promise of arguments for place-based policy making in a variety of existent literatures?

In the Australian context, a number of studies have sought to address these questions with respect to particular local government jurisdictions. For example, Prior and Herriman (2010) examined community engagement in NSW; Wiseman (2006) provided an account of the phenomena in Victoria; Reddel and Woolcock (2004) discussed participatory governance in Queensland; and Cavaye (2004) and Aulich (2009) have provided consecutive overviews of the Australian experience. More recently, Pillora and McKinlay (2011) have produced an Australia-wide literature review of community governance. Nevertheless, this field of policy making is a fast-moving one, such that a contemporary, comparative overview of community engagement strategies is now required.

A comprehensive survey of all community engagement strategies in Australian local government and their assessment is a task beyond the scope of any particular paper. Our concern in the present context is to augment studies of particular jurisdictions, as well as those more general overviews of the Australian experience of community engagement, with an overview and characterisation of the legislative and regulatory frameworks for community engagement across Australian local government jurisdictions. The paper is divided into four main parts. Section 2 provides a synoptic account of the contemporary legislative and regulatory environment in each Australian local government jurisdiction. Section 3 undertakes a comparative discussion of these frameworks. The paper concludes in Section 4 by way of some brief remarks.
2 Contemporary Legislative and Regulatory Contexts

2.1 New South Wales

NSW has undergone significant legislative reform to encourage community engagement. The Local Government Amendment (Planning and Reporting) Act 2009 introduced changes to the Local Government Act 1993 (NSW) requiring local governments to implement Community Plans, also referred to in the Act as Community Strategic Plans (CSPs) (NSW Government, 2009). These amendments are conceived as part of reforms to the planning and reporting structures of local government. This is best illustrated by emphasising that the NSW Division of Local Government conceives the reforms as part of the Integrated Planning and Reporting (IP&R) framework, the justification of which states: ‘It is recognised that communities do not exist in isolation – they are part of a larger natural, social, economic and political environment that influences and shapes their future direction’ (DLG [NSW] 2009, 3). Further, the amendments to the 1993 Act require that a range of factors, such as 'civic leadership' and 'social justice principles of equity, access, participation and rights', be taken into account in the preparation of CSPs (NSW Government 2009, s. 402 (3a)-(3b)). As such, the amendments to the 1993 Act combine these criteria into the rules for land use as a foundation for economic development.

In its summary of amendments to the 1993 Act, the NSW Division of Local Government stated that 'the new planning and reporting framework replaces the former Management Plan, Social Plan and Annual Reporting requirements' with what it called a 'hierarchy of documents' consisting of 'a long term Community Strategic Plan, a Resourcing Strategy and a Delivery Program for each elected council term' (DLG [NSW] 2009, 3). Further, the summation stated that 'by 2012, all councils will need to have in place the following documents:

- A Community Strategic Plan [with a minimum 10-year duration]
- A Community Engagement Strategy that sets out how each council will engage its community when developing its Community Strategic Plan
- A Resourcing Strategy that includes a long term financial plan, a workforce management strategy and an asset management policy, strategy and plans
- A Delivery Program
- An Operational Plan, including a statement of revenue policy, and a detailed annual budget

The requirements for these documents are specified in the 2009 amendments to the 1993 Act (NSW Government 2009, 402–5). These requirements frame a series of reporting processes (an Annual Report, audited financial statements as part of the latter and an 'End of Term Report' for outgoing councils) with the DLG [NSW] (2009, 5–6) also specifying roles for the General Manager, senior staff, Councillors, community members and government agencies within the planning process. More specifically, the Community Strategic Plan (CSP) 'must include':[i] a 'Community Vision Statement'; [ii] a 'Series of Strategic Objectives for the Community'; [iii] 'Strategies for
Achieving each Objective'; and [iv] 'Assessment Methods' for determining whether the objectives are being achieved (DLG [NSW] 2009, 7).

Since the introduction of these reforms the DLG has produced two documents which further specify the content of the CSPs. First is a 23-page Guidelines paper (DLG [NSW] 2010a) that places the CSPs alongside other mandatory planning instruments, namely a Long Term Financial Plan, an Asset Management Plan (both of which are to cover a minimum of ten years) and a fouryear Workforce Management Plan. Second, the DLG has also produced a 115-page Manual, approximately one-fifth of which provides instruction for the development of CSPs ('Identifying the Big Issues', 'Engaging the Community', 'Developing Strategies', for example) alongside fulfilling other requirements to the reformed Act ('The Resourcing Strategy', 'The Delivery Program', 'The Operational Plan' and 'The Annual Report') (DLG [NSW] 2010b). Alongside the minutiae of these documents, it is notable that the reforms to the 1993 Act specified inter alia that CSPs are 'developed having due regard to the State Government's State Plan and other relevant State and regional plans of State government' (NSW Government 2009, 5–6). Finally, the introduction of CSPs required councils to choose to be in one of three groups, completing the CSP and Delivery Program to be adopted by 30 June 2010, 30 June 2011 or 30 June 2012 (DLG [NSW] n.d.).

We return to reconsider NSW in our comparative remarks below. However, several features of this planning framework are immediately noteworthy. First, the framework clearly specifies a long term (10+ years) CSPs. Second, the 2009 Amendments to the 1993 Act combine goals such as civic leadership, equity and social justice as elements to this framework, which nevertheless recognises the particularity of each individual plan. Third, the reporting requirements for both community engagement and CSPs in this jurisdiction can be described as intricate, if not complex.

2.2 Victoria

Community engagement in Victoria has a more heterogeneous institutional and legislative basis than in NSW. The Local Government Act 1989 (Victoria) was reformed through the implementation of Local Government (Democratic Reform) Bill 2003. This included the mandatory preparation of three plans for all councils: A Council Plan, a Municipal Strategic Statement (MSS) and a Municipal Public Health Plan (MPHP) (DP&CD [Vic] 2009). However, in contrast to the changes in NSW, community engagement is implied rather than explicit in the specifications for all three plans.

A recent account of the plans by the Local Government Professionals Corporate Planner's Network, LG Pro (2008) provided a summary of the relationship between the three mandatory plans and community engagement. First, with respect to the Council Plan, it observed: 'No requirements for community consultation are set out with regard to the development of the [4-year] Council Plan', (LGPro 2008, 22). Rather, this relies upon standard channels of accountability such as submissions and council meetings. Second, the Municipal Strategic Statement (MSS) – principally a land-use planning document – rests inside a broader local planning mechanism, the Local Planning Policy Framework (LPPF), which is in turn dependent upon the State Planning Policy Framework (SPPF). Again, according to LG Pro (2008, 23), the latter 'makes no specific provision for including the community in land-use planning'. The third mandatory plan is a three-year Municipal Public Health Plan (MPHP). According to LG Pro, these 'exhibit the strongest commitment to involving the community in its planning process', with the relevant section of the (amended) 1989 Act stating: 'The involvement and participation of the
municipal community in the development of the MPHP is an important part of the planning process'. Further, the MPHP documents specify that:

Community participation involves engaging people as members of communities in identifying, deciding about, planning for, managing and/or delivering programs and policy. Ideas of social justice and equity involve inclusion and participation and the need to include not just other service providers but the users of those services (MPHP, cited by LGPro 2008, 23).

While the latter statement represents a responsibility to undertake community engagement when designing the three-year MPHPs, it also indicates that, from the election of the Bracks Labor Government in 1999, community engagement initially formed a part of the welfare function of state government, rather than being perceived primarily as a tool of local government economic planning. The former Department of Communities actively pursued a place-based welfare policy, as evidenced in the 2005 document A Fairer Victoria: Creating Opportunity and Addressing Disadvantage (Victorian Government 2005). This document included 14 strategies, three of which – 'Building Stronger Communities', 'Changing the Way we Work with Communities' and 'Developing Better Ways of Working Together at a Regional and Local Level' – nevertheless can be viewed as combining welfare functions and community engagement functions (for an extended discussion, see Wiseman 2006).

This combining of welfare and community engagement functions continued in the more comprehensive Strong Communities: Ways Forward (MACVC 2006), a report prepared by a Ministerial Advisory Committee for the Department of Communities and chaired by former premier the Hon. Joan Kirner. Listing its 'three core values' as: 'Communities first – planning and engaging with people…'; 'People and place, not function', and 'Doing things differently – brokering for communities and acting as a catalyst to streamline and simplify services and programs', the Report inter alia stated that 'Communities want to be "worked with" rather than "worked on" by all sectors with whom they engage' (MACVC 2006, 7–8). In its suite of nine broad recommendations, 'Community Planning' and 'Place-Based Community Renewal' were the second and third, respectively.

Strong Communities: Ways Forward (MACVC 2006, 14–15) also contained a commitment to 'Measurement and Evaluation' of community engagement, or what it labelled 'Captur[ing] economic, social and environmental benefits'. This commitment to empirical social science information was reflected in Victorian Community Indicators Project (VCIP), a multi-institutional partnership project that ran alongside the Strong Communities: Ways Forward project. The VCIP Report Measuring Wellbeing: Engaging Communities: Developing a Community Indicators Framework for Victoria: The Final Report of the Victorian Community Indicators Project (VCIP 2006, 5) Executive Summary stated:

The work and recommendations of the VCIP needs to be seen as part of a rapidly expanding international movement focused on the development of integrated frameworks for measuring the progress and sustainability of societies and communities across social, economic, cultural, environmental and governance dimensions. The particular importance of local community wellbeing indicators lies in their capacity to be:
¡A democratic tool, for engaging citizens and communities in informed discussions about shared goals and priorities. ii A policy tool, guiding evidence-based planning and action to address the issues identified as important by communities.

iii A reporting tool, tracking and communicating progress towards agreed goals and outcomes.

Further, the strategy was supported by a data tool developed by the project, which specified the type of data useful for community wellbeing reports, the sources from which this data could be derived and the reporting plan to which the data was appropriate.

The extent to which this level of detail has in fact formed the basis of the three plans required by Victorian legislation is an empirical question beyond the scope of this paper. Nevertheless, as an instrument of governance it has to be assessed as qualitatively very distinct from the requirements for community engagement described elsewhere in this paper, and as a framework that deprivileges economic development over welfare, and, to a lesser extent, community engagement as an end in itself. Again, we return to this point in the comparative remarks below.

2.3 Queensland

In common with NSW, and distinct from Victoria, community engagement as the basis of community planning in Queensland derives its importance as an element to planning policy centred on economic development. In 2009, planning in Queensland received a substantial overhaul with the introduction of two major new Acts, the Sustainable Planning Act 2009 and the Local Government Act 2009. The former governs statewide planning and, befitting Queensland's geographic size, exhibits an emphasis on regional planning. As well as the State Plan, Regional Plans and Local Plans, the Sustainable Planning Act 2009 governs what are termed 'Master planned areas', defined as: 'typically greenfield sites which are to transition from rural, nonurban land to urban land', five of which currently exist (DLG&P [Qld] 2011a). This Act also specifies relationships between the three levels of planning and the establishment and form of regional planning committees. At the time of writing, the Queensland Department of Local Government (DLG&P [Qld]) was calling for submissions to its 'Regionalisation Strategy', commenced July 2011 (DLG&P [Qld] 2011b).

Despite this emergent emphasis on regional planning, the Sustainable Planning Act 2009 still devotes a chapter to 'Local Planning Instruments'. This chapter sets out three main requirements of planning schemes:[i] they must meet the satisfaction of both the Minister for Local Government and the particular local government (s. 88(1)); [ii] all local governments must review their planning scheme every ten years (s. 91); and [iii] the state government has specified powers in relation to local planning (Queensland Government 2009a).

The Local Government Act 2009 also stipulates local government responsibilities in terms of community engagement. Section 4 of Chapter 1 ('Preliminary') states that all actions of individuals in relation to the Act are to be guided by five 'local government principles':

(a) Transparent and effective processes, and decision-making in the public interest; and

(b) Sustainable development and management of assets and infrastructure, and delivery of effective services; and
Democratic representation, social inclusion and meaningful community engagement; and

Good governance of, and by, local government; and

Ethical and legal behaviour of councillors and local government employees (Queensland Government 2009b, 19).

The Local Government Act specifies the role of the community in two respects. First, ss. 81–91 stipulate that in the case of Indigenous Regional Councils (of which there were two at the time the Act was assented to) a 'Community Forum' and a 'Convenor' of that forum be established by the Minister in consultation with the local community. Second, as part of the requirements for financial sustainability, s. 104 of the Act specifies a series of documents are necessary, including a Long Term Community Plan to cover a period of 'at least 10 years' (in accordance with the Sustainable Planning Act 2009). This requirement accompanies both a Long Term Financial Plan and a Long Term Asset Management Plan in the same section (104) of the Act. Taken together, these plans comprise a local government's planning scheme. The Department of Planning and Local Government lists several goals of the plans, including to 'identify the strategic outcomes for the area' and to 'coordinate and integrate community, state and regional needs and wants' (DP&LG [Qld] 2011c). Further, the Department also states that: 'Local planning integrates and balances economic, social and environmental needs and aspirations of the local community to provide an orderly approach to land use and change. They focus on land use, development, infrastructure and 'valuable features of the area' (DP&LG [Qld] 2011c).

Using this legislative framework, the overwhelming majority of Queensland local governments have developed a planning scheme. In some instances, these planning schemes have been carried over from the period prior to the amalgamation program in 2008. For example, the Planning Scheme for Toowoomba Regional Council is scheduled to be introduced in 2012. However, planning schemes exist for what are now eight 'service centres' which nevertheless formed municipalities in their own right under the pre-2007 boundaries (see DP&LG [Qld] 2011c).

The Department of Planning and Local Government gives assistance in designing community engagement for Local Area Planning. For example, the Department's website incorporated a link to the Strong Communities Handbook. Coedited by Simone Cures and Jamaica Hewtson from Queensland University of Technology (QUT) in 2006, this document contains instructions for community engagement alongside several other 'planning activity areas' ('Planning for Cultural Diversity', 'Political Engagement in Planning', 'Enhancing Access and Mobility', Urban Design', Housing' and Indicators for Use in Identifying and Measuring Community Strengths' (Cures and Hewtson 2006, ii).

In sum, despite being a relative 'latecomer' to community strategic plans and community engagement as an element to these plans, through the Sustainable Planning Act 2009 and the Local Government Act 2009 Queensland has now reached a point of relative uniformity with NSW. Nevertheless, evidence of community strategic plans (the 10 year mandatory plan under the new Local Government Act 2009) is far thinner on the ground than in NSW, despite the local planning schemes being in place. The Queensland community planning landscape is also characterised by a distinct lack of third-sector players (contra the Victorian case) as is evidenced in the fact that one of these – the QUT Strong Communities Handbook – is linked to the Departmental website, rather than existing in a competitive field of third-sector operators.
Western Australia

The authority for requiring community involvement in local area planning in Western Australia derives from the Western Australian Local Government Act (1995) as well as from the Local Government (Administration) Regulations 1996. Amendments to this latter Act, due to be gazetted in July 2011, then enforced from 30 June 2013, stipulate that Section 5.56(1) and (2) of the Act requires that each local government is 'to plan for the future of the district by developing plans in accordance with the regulations', inclusive of both [i] a Community Strategic Plan, and [ii] a Corporate Business Plan (DLG [WA] 2011a).

Western Australia Community Strategic Plans (CSP) must provide community-based, long-term (10+ years) plans based upon what the Act refers to as 'vision, values, aspirations and priorities' (DLG [WA] 2011b; emphasis in original). Further, while initially CSPs are obliged to refer to other local government plans, information and resourcing capabilities, the Act also specifies that 'ultimately [they will] be the driver for all other planning (DLG [WA] 2011b; emphasis in original). Moreover, under 'Who is Involved?' the DLG [WA] (2011b) specifies that (i) local government administration 'facilitates the [CSP] process by providing the necessary information, plans and strategies'; and that the Council (i.e., the elected members) has an important role to play in terms of, inter alia, 'approv[ing] the process and structure of the community engagement model' and 'adopt[ing] the Strategic Community Plan'. The DLG [WA] (2011b) states that CSPs ought to involve 'genuine and, as far as practicable, representative community input'.

As is the case in NSW and Queensland, CSPs in WA form an element of a broader planning scheme, the 'Integrated Planning and Reporting Guidelines'. Under these, the DLG [WA] (2011c) has provided what may be labelled as a 'blueprint' of how to go about achieving a Strategic Community Plan. This provides extensive guidelines for 'Getting Started', 'What do I do' and 'What do I end up with', including 'identified service expectations', 'identified asset expectations' and 'informing strategies' (DLG [WA] 2011c). Alongside these guidelines the DLG [WA] also provides 'Strategic Community Plan Case Studies' in three categories: 'Plans by large local governments' ('City of Rockingham Strategic Community Plan' and 'Sustainable Blue Mountains 2025'); 'Plans by medium sized local governments' (City of South Perth Strategic Plan 2010–2015', 'Shire of Roebourne (WA)', 'Vision 2030: Community Plan Bassendean, WA' and 'Shire of Broome – Strategic and Corporate Plan 2011–2016') and 'Plans by small local governments' (Tenterfield, NSW and Walcha, NSW) (DLG [WA] 2011d).

While Integrated Planning is defined by the DLG [WA] (2011e) as 'the development of a Strategic Community Plan and Corporate Business Plan', it is also supported by other strategies, including Asset Management consisting of an Asset Management Policy, Strategy and Plans, and Long Term Financial Planning and Workforce Planning. The DLG [WA] (2011e) also makes it clear that these planning instruments 'have been developed as part of the State Government's Local Government Reform Program', which includes considerable emphasis on structural reform and is supported by a Local Government Advisory Planning Board, alongside the (pre-existing) Local Government Grants Commission and the State-Local Government Agreement, signed on 6 August 2010. The latter document stipulates that: 'Underpinning the Agreement is the understanding that the relationship it is not one of a sharing of powers but, rather, a delegation of powers by the State to local government' (DLG [WA] 2010; emphasis added).
As such, Community Strategic Planning in WA ought to be viewed as an element of a systematic program of mandatory reform processes and instruments designed by the government. The specific agencies listed as providing input are the Institute of Public Works Engineering Australia, Department of Planning, Department of Treasury and Finance and the Department of Regional Development and Lands), alongside the WA Local Government Association and the Local Government Managers Association [WA Division]. Nevertheless, Western Australia's planning structure, akin to those of both NSW and Queensland, can be labelled as endorsing a 'place-shaping' approach to economic development, in substance if not in name.

2.5 South Australia

Reforms since 2008 to the overall planning architecture in South Australia have included the publication of a 30-year plan for greater Adelaide and the launch of five new Regional Plans for country South Australia (DP&LG [SA] 2010). Alongside these reforms, the Local Government Act 1999 (South Australia) has remained comparatively intact. The Act specifies local governments' obligations to local communities. Chapter 1 ('Preliminary') s. 3 stipulates the 'The Objects of this Act', which inter alia include 'to encourage the participation of local communities in the affairs of local government and to provide local communities, through their councils, with sufficient autonomy to manage the local affairs of their area' (South Australian Government 1999, 1; emphasis added). Further, s. 6 lists five 'Principal Roles' of councils, the third of which is 'to encourage and develop initiatives within its community for improving the quality of life of the community' (South Australian Government 1999, 1). As such, as in other jurisdictions, participation of local communities in local government affairs is legislatively prescribed, which effectively opens the possibility of pursuing community involvement in planning, through a community engagement process or otherwise. Nevertheless, community engagement does not form a mandated element to the planning requirements in the 1999 Act or ancillary regulations.

In terms of planning, s. 122 of the 1999 Act specifies the requirements for an Annual Report as well as several other plans, the most salient of which are [i] a Long Term Financial Plan and [ii] an Infrastructure and Asset Management Plan, both of which must cover 'a period of at least 10 years' (South Australian Government 1999, s 122, 1). Further, under the same section of the 1999 Act, Strategic Management Plans must be implemented and must be reviewed 'within 2 years after each general election of the council' (Government of South Australia 1999, s 122, 3).

Yet there is no requirement for a long-term community plan in the 1999 Act itself. Rather, the impetus for community engagement has been provided by the Local Government Association of South Australia (LGASA). The Association provides an account of its own activities in this regard, stating:

*LGA has undertaken work with the International Association for Public Participation's public participation spectrum, recognising that a range of processes and activities are parts of a whole and the whole rests on the need for a community well educated about civics and well informed on key issues affecting the community (LGASA n.d).*

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1 Note: All Sections of the Local Government Act 1999 (South Australia) are individually paginated.
Borrowing from the Western Australian Government, it defined community engagement as 'involving the community in the decision making process', asserting that 'it is critical in the successful development of acceptable policies and decisions in government, the private sector and the community' (LGASA n.d.).

With this underlying definition and justification, the LGASA undertook a 'Citizen/Community Engagement Survey' from March 2007 (LGASA 2007a) to determine levels of community engagement in planning, producing a 'Community Engagement Snapshot' of Councils in April of 2007. The survey was completed by 26 councils (12 metropolitan and 14 country). The resultant portrait of community engagement had several features, principal of which is that the interface between councils and communities at the time was conceived as a 'Public Consultation Policy' (as per the 1999 Act) rather than community engagement per se. The survey also produced tables documenting the types of consultation, selection processes for representatives and who was involved (with a focus on recording the diversity of groups in the community – youth, Aboriginal people, low income and the aged, for example – see LGASA 2007b, 6).

Nevertheless, the survey also revealed a trend toward adopting community engagement. For example, it noted that 'several larger councils state[d] that they have embraced and adopted the IAP2 [International Association for Public Participation] principles and are moving towards an integrated community engagement framework across their organisations' (LGASA 2007b, 3); that 'more than half' of the respondents allocated some budget resources to the process of 'engaging communities in decision-making' and that 35% had 'prepared handbooks, charters, guidelines to assist in the design of strategies to engage communities in decision-making processes (LGASA 2007b, 4). However, only three of the participating councils had developed processes of evaluating citizen/community engagement initiatives (LGASA 2007b, 7). 10

Since the survey, the LGASA, in conjunction with the South Australian Office of State/Local Government Relations (an element of the Department of Planning and Local Government), has developed several documents to encourage the take-up of community engagement as an element to local government planning. These include, first, the 'Community Engagement Showcase: Lead Practice Examples in Local Government in South Australia' (LGASA/GoSA 2007) and, second, the 'Community Engagement Handbook: A Model Framework for Leading Practice in Local Government in South Australia' (LGASA/GoSA 2008). The former document provides case studies of community engagement strategies adopted for specific projects (rather than overall council plans, as is the case, for example, in NSW, Queensland and Western Australia) which were nevertheless organised around several themes, including 'Building Communities', 'Listening and Responding to Aboriginal Communities', 'Local Democracy' (aimed at greater voter turnout for local elections) and 'Strategic Planning, Financial Management and Service Review' (LGASA/GoSA 2007). The 'Community Engagement Handbook' is a comprehensive instruction booklet, with 11 appendices of templates for engagement strategies (for example, a 'Community Engagement Table of Techniques'; Public Consultation 'Stakeholder Lists', with the instruction 'Adjust this template to suit your needs' – LGASA/GoSA 2008, 56), which incorporated a five-phase process ('Planning', 'Strategy Development', 'Implementation' [of community engagement], 'Providing Feedback' and Compile Evaluation' – LGASA/GoSA 2008, 3–4). Both documents emphasised the International Association of Participation Spectrum, the goals of which range from 'Informing', through 'Consulting', 'Involving', 'Collaborating With' then 'Empowering the Community'(LGASA/GoSA 2007, 3; 2008, 3).
In the context of this comparative discussion dealing with the legislative frameworks and regulations of community planning, two general features of this jurisdiction can be highlighted. First, the framework for community engagement as an element to planning in South Australia is atypical when compared with other Australian jurisdictions, due to its not being mandated in the 1999 Act. However, it has nevertheless been actively pursued by the South Australian LGA, which has successfully encouraged the Office of State/Local Government Relations to develop as a complementary point from which to encourage the implementation of community engagement. The overview of the program frameworks provided here suggests that the South Australian situation is atypical also in the sense that community engagement is program-specific, rather than being embedded in the overall planning of municipalities.

2.6 Tasmania

Community engagement in Tasmania has taken a similar form to its counterpart in South Australia. Under s. 20 'Functions and Powers' of the Local Government Act 1993 (Tasmania) local governments have a responsibility to 'represent and promote the interests of the community'; further, 'in performing these functions, a council is to consult, involve and be accountable to the community' (Tasmanian Government 1993). Moreover, under s. 66, 'Strategic Plan', mandatory strategic plans are required 'to be in respect of at least a 5 year period and updated as required', and 'in preparing a proposed strategic plan or updating an existing strategic plan, a council is to consult with the community in its municipal area and the authorities and bodies it considers appropriate' (Tasmanian Government 1993).

The 1993 Act was significantly reformed in 2002, particularly with respect to both procedural and managerial functions; a Code of Conduct for councillors was introduced, as were 'more Comprehensive pecuniary interest provisions' (DPAC [Tas] 2010a). However, the issue of community engagement and community involvement in planning was not reinforced at this point. Rather, as in South Australia, the impetus for an increased salience in community engagement has derived from the Local Government Association of Tasmania (LGAT), as opposed to legislatively or from the relatively small Division of Local Government in the Department of Premier and Cabinet (see DPAC [Tas] 2010b).

In March 2003 an intergovernmental agreement, 'Statewide Partnership between Government of Tasmania and Tasmanian Councils on Communication and Consultation', was signed by the Premier and the President of the LGAT. The IGA contained commitments from both parties to communicate and consult (the latter being defined as 'a more formal, structured framework for participation, requiring feedback, opinion or advice' (IGA # 1 [Tas], 9)). Organisationally, a Premier's Local Government Council was matched by a LGAT Legislative Committee, with various undertakings with respect to consultation and decision-making being given by both parties in the Agreement, inclusive of issues identified as of primary or secondary importance to local government (IGA # 1 [Tas], 17). In December 2008 a second IGA was signed, which further codified responsibilities of the two tiers of government with respect to one another, including that 'cabinet minutes ... include information on consultation with local government on all relevant matters' (IGA, # 2 [Tas], 8) and a specific commitment to communicate on issues flowing from COAG initiatives and national reforms (IGA # 2 [Tas], 12) as well as in

2 Note: The Local Government Act 1993 (Tasmania) cited here is online (not a PDF file). As such, all references refer to individual Sections of the Act.
other areas of state policy. In this way, local government was included in the Together 2020 twenty-year social, 
environmental and economic plan for the future development of the state (IGA # 2 [Tas], 3).

Alongside this galvanising of intergovernmental relations, the LGAT, rather than the DPAC itself, has 
emphasised the importance of community engagement within individual councils. In particular, the LGAT has 
stated: 'The community expects that any government will keep it informed about programs, services and matters 
which may affect its benefits, rights and obligations', and that: 'The community also expects government to listen: 
to find out its views, priorities, needs and expectations. It wants communication that is understandable and that 
takes into account the needs of a diverse society' (LGAT n.d.). Moreover, the LGAT provides tools for those 
working in the sector to fulfil these dual roles. On its website, listed under 'For Council Employees' it has provided 
hotlinks to several external community engagement procedures, including 'Connecting with Communities' (IDeA) 
UK, 'Local Government Consultation and Engagement' (Victoria) and 'ADBasics'(USA) (see LGAT n.d.).

Despite the stance taken by the LGAT in this regard, and the two intergovernmental agreements which 
have sought to fold the two spheres of governmental activity more heavily into one another, it is clear that both 
the legislative guidelines and the surrounding regulatory framework for community engagement and community 
involvement in planning have not been as fully codified as in other Australian jurisdictions thus far discussed. 
This is perhaps best represented in the LGAT argument of the dual benefits of communications cited above – 
being beneficial for both constituents and local governments. Arguably, at least at the rhetorical level, the shift 
has not been made from community involvement in local government to participatory governance in Aulich's 
(2009) sense. It is also readily demonstrated that no single template of community engagement is offered; rather, 
several imported ones are linked to a site designed for employees' (as opposed to citizens') use. Nevertheless, this 
lack of mandatory requirements surrounding community engagement with planning does not proscribe individual 
councils adopting aggressive community engagement strategies with respect to strategic planning.

2.7 Northern Territory

Local government in the Northern Territory has undergone significant reform since 2008, first with the 
implementation of a consolidation program which saw the number of LGAs reduced from 61 to 16, effective on 
1 July 2008 (DITRDLG 2010, 8) and, second, with the introduction of the Local Government Act 2009(Northern 
Territory). Within the 'Preamble' of the new Act (in force 1 March 2011) local governments are afforded with what 
may be described as a broader custodial role than is the case with comparable acts in other Australian jurisdictions, 
with an eye to 'the diverse interests and needs of the many communities within the Territory' (NTG 2011, 1). In 
particular:

The rights and interests of Indigenous traditional owners, as enshrined in the Aboriginal Land Rights 
(Northern Territory) Act 1976 (Cth) and the Native Title Act 1993 (Cth), must also be recognised and 
the delivery of local government services must be in harmony with those laws' (NTG 2011, 1).

Nevertheless, the Preamble also states that local government 'needs to be comprehensive, democratic, responsive 
to community needs and accountable to both local communities and the public generally' (NTG 2011, 1) and that 
it is required 'to promote and assist constructive participation by their local communities in achieving effective 
local government for their areas' (NTG 2011, 2).
More specifically, participation in planning is required at two levels and is of two different kinds. First, the Northern Territory is divided into regions. Under s. 16(1) ‘There must be a regional management plan for the region’, and under s. 16(2) ‘A regional management plan is to be primarily the product of consultation’ (NTG 2011, 12). However, this consultation is between councils of the specified region as well as ‘The Agency’ (defined as ‘The Department or departmental unit to which responsibility for administering this Act is allocated’ – NTG 2011, 6) and, if it so chooses, the Local Government Association of the Northern Territory (LGANT). Other than this, specifications for regional plans are quite broad, save for the provision that they must be revisited every four years (s. 18(1)) that a draft must be publically accessible and free of charge (s. 21) (NTG 2011, 13–15).

Second, under s. 22 of the 2009 Act, both municipalities and shires are required to have plans for their areas, and these plans must contain the council’s long-term financial plan (which is specified further in the Act as ‘at least 4 financial years’ under s. 126 – NTG 2011, 62). However, while the plans must be reviewed annually and be publically available, and while councils are obliged to consider submissions made to the planning process, long-term community plans are optional. While the municipal/shire plan ‘must contain, or incorporate by reference ... any long term community or strategic plan adopted by the council or local board and relevant to the period to which the municipal or shire plan relates’ (s. 23(1) – NTG 2011, 16), LGAs are not required to formulate these plans.

In addition to the 2008 Act, the Northern Territory Government houses two departments which touch upon community engagement in planning. First, the Department of Lands and Planning is responsible ‘for developing and providing the strategic planning and growth frameworks, strategies and infrastructure plans required to sustainably develop the Territory (DLP [NT] 2011a). However, despite this ambit, neither the Northern Territory Planning System (NTPS [NT] 2011a) nor the more specific Northern Territory Planning Scheme (NTPSb [NT] 2011b) contains requirements for community engagement in strategic planning or an interface with local government in that regard. The Planning Act (in force 16 September 2009) s. 2A(f) lists one of its objectives as ‘ensuring, as far as possible, that planning reflects the wishes and needs of the community through appropriate public consultation and input in both the formulation and implementation of planning schemes’ (Planning Act [NT] 2009, 2). However, the Act contains no formal mechanism for ensuring this is the case. Further, in terms of Indigenous land use planning, the DLP states, inter alia, that ‘Area Plans are progressively being prepared for remote communities’; ‘The Department of Lands and Planning's Indigenous Land Use Planning unit is working with landowners, leaseholders and residents to develop the plans'; and 'Under the Northern Territory National Emergency Response Act 2007 the Commonwealth hold statutory 5 year leases over most communities' (DLP [NT] 2011b). Further, while it states that some ‘area plans have been finalised’, these are land use plans represented diagrammatically and provide no detail of community engagement or involvement (DLP [NT] 2011c).

Second, the Northern Territory Government also houses the Department of Housing, Local Government and Regional Services. This Department is primarily service-focused, with the Local Government element concentrating on regulations, application processes for specific amenities and grant application documents (DHLGRS [NT] 2011a). However, the Regional Services component of the Department lists five functions: ‘Service Delivery Coordination'; ‘Regional Economic Development'; ‘Indigenous Policy' (specifically, implementing Closing the Gap strategies); Indigenous Economic Development and 'Remote and Regional Communities in our Delivery Areas' (DHLGRS [NT] 2011b). Alongside these functions, specified regional centres, called 'Territory Growth Towns' (of which there are 15) have a Local Implementation Plan (LIP).
These plans are 'built around the Closing the Gap Building Blocks of early childhood, economic participation, governance and leadership, health, healthy homes, safe communities and schooling', and, as 'living documents', they 'set out the priorities for each community and include targets, actions, success measures and timelines for achieving those priorities' (DHLGRS 2011c). Further, 'existing plans and agreements also complement the LIP in each community'. Moreover, the Department states:

*LIPs are developed through close consultation between governments and Local Reference Groups in each community. Transforming the communities into Territory Growth Towns will require a two-way commitment to change (DHLGRS 2011c).*

In this mode, community engagement in planning resides in the coordination of service delivery based around the achievement of nationally prescribed welfare targets. As such, community engagement as an element to planning in the Northern Territory resides primarily at the point of service delivery for communities struggling with disadvantage.

3 COMPARATIVE OBSERVATIONS

Turning to make some comparative observations, two important caveats have to be introduced.

First, the examination of the legislative frameworks and ancillary regulations in this context does not provide a platform to compare community plans per se; this is a different, although related, empirical task. Second, the preceding discussion has not documented the influence of the federal government on state and territory legislative and regulatory frameworks for community planning. For example, the Local Government National Report 2007–2008 noted the prescribed influence of the Local Government Planning Ministers' Council upon planning decisions in both Australia and New Zealand, with the Council's Terms of Reference including to 'agree to policy and strategic approaches for local government planning issues', and 'to exchange information and brief jurisdictions concerning trends in planning, to promote intergovernmental cooperation and 'liaise with other ministerial councils … on matters relevant to the activities of the Council' (DITRDLG 2010, 10). The LGPMC, in turn, is supported and advised by the Development Assessment Forum (DAF), which describes itself as 'an independent think tank and advisory forum of government, industry, and the professions, which develops and recommends leading practices for planning systems and development assessment in Australia' comprised of representatives of the three tiers of government as well as from the Property Council of Australia' and 'related professional associations' (DAF 2011). The question of to what extent the influence of these organisations has thus far influenced particular state and territory planning regimes – in particular community engagement as an element to these frameworks – lies outside the scope of this paper. However, no evidence of conformity to the requirements of these federal structures was detected in undertaking research for the present discussion. The preceding discussion highlight several points. First, it provides a more finely calibrated comparative empirical picture of community strategic planning – and community engagement as an element of this – than previous attempts at generalising across Australian local government jurisdictions (see, for example, Aulich 2009). Further, it also forms the basis of a comparative account which is more detailed than that accompanying studies of individual jurisdictions (see, for example, Wiseman 2006).
Second, by examining the relationship between community engagement as a general phenomenon and legislatively prescribed Community Strategic Plans (CSPs), it is possible to divide the jurisdictions into three types. First are those wherein community engagement is a compulsory element to mandatory CSPs, and for which CSPs fall under a revitalised planning framework. The legislative frameworks of NSW, Queensland and WA share these characteristics. Next are those for which community engagement is legislatively required, but for which it falls inside another element to planning, such as in Victoria (where it is required as an element of the mandatory four-year MPHP (health) plans) and the NT, where it is required as an element to LIPs in the 15 'Territory Growth Towns'. There is also a distinct third grouping where community engagement has largely been an initiative of the local government associations, and then has been taken up by the relevant departments, such as in South Australia and Tasmania.

However, community engagement being excluded from the mandatory elements of planning requirements does not mean that those jurisdictions have failed to make commitments to community engagement. For example, both the South Australian and Tasmanian Acts exhibit a clear commitment to community engagement; the former in the 'Preliminary' section of the 1999 Act, the latter with respect to the requirements for Strategic Management Plans. Nevertheless, CSPs do not form an element of their overall planning and reporting framework. Rather, community engagement is an element to (non-compulsory) community planning. Nor does this necessarily entail that community planning is not a salient feature of the municipal planning landscape; rather, it is simply not legislatively required.

Third, in two jurisdictions, namely Victoria and the NT, community engagement as an element to the planning process clearly involves a health and welfare function in addition to a planning function. In Victoria this was the case more in the immediate post-Kennett era than it is currently; in the Territory planning in general (i.e., for regions and shires, and for Territory Growth Towns with LIPs in place) the function of delivering federally defined, 'Closing the Gap' requirements spills over to constitute an element of planning regimes.

Fourth, in two jurisdictions, namely NSW and WA, CSPs are set to become the dominant planning instrument for municipalities. Conversely, in both Queensland and Tasmania there is a degree of direct ministerial oversight of the plans.

Two other features of this cross-jurisdictional comparison can be deemed important in this context. First, in most jurisdictions (NSW, Queensland, WA, SA and Tasmania) templates for the design of community engagement in planning procedures are provided. In the cases of NSW, Queensland and WA, these are relatively simple documents that council employees can opt to use in developing their compulsory CSPs. In the case of South Australia, the template originates from (international) IAP2, while in Tasmania a suite of templates are offered from a variety of sources (Britain and the United States, for example), from which local government employees are free to choose – or not. URL links to all of these community engagement planning instruments are included in Appendix A to this paper.

Finally, in the Victorian case, there is an emphasis on gathering accurate baseline data through the Community Indicators Victoria (CIV) matrix, specifying not just the kind of data, but also from where it ought to be derived. Interestingly, in the cases of both NSW and Queensland, a third sector participant is positioning itself to provide the service that the CIV matrix is designed to generate (Elton Consulting/ISF 2011).
4 CONCLUDING REMARKS

Within the literatures of political theory, philosophy and political economy a swathe of reasons have been put forward as to why communities ought to exhibit differences; perhaps the most pressing of these rests in the arguments for economic sustainability, particularly in regional areas. The empirical investigation undertaken here has revealed some signs of the replication of legislative and regulatory frameworks for community engagement and CSPs – particularly across NSW and WA, and, to a lesser extent, Queensland. Further, we have also noted that the requirement for robust, baseline empirical data in Victoria is spreading to other jurisdictions to constitute the basis of better informed planning – at least potentially. Moreover, it has been possible to group the jurisdictions into types based on particular, salient criteria. This has produced some predictable pairings – for example, SA and Tasmania both exhibiting a heightened role for their respective local government associations. However, the comparison has also produced some unpredictable groupings – for example, the direct similarities of the NSW and WA CSPs and the importance of these in both states' overall planning structures.

Yet the overwhelming portrait of the role of community engagement and CSPs as an element to legislative and regulatory frameworks is one of heterogeneity over the particular jurisdictions. The extent to which this is a desirable, overall characteristic of these frameworks is – perhaps – not as straightforward as was asserted in the introduction to this paper. On the contrary, having examined the approaches of the different governments here, it is possible to argue that the approaches to both community engagement and community strategic plans are so diverse that some must be better than others. Nevertheless, according to what criteria an assessment of this kind can be made is (again) by no means straightforward.

REFERENCES


DLG [WA] [Department of Local Government (Western Australia)]. 2011a.


LGASA [Local Government Association of South Australia]. 2007a. 'Citizen/Community Engagement'. Circular 11.12. URL:


