

Chapter 10

Impacts of Amalgamation for Local Democratic Practice: Clarence Valley Council Case Study.

10.1 Introduction

As we have seen, since the early 1990s, state and territory governments have used the blunt instrument of forcible amalgamation to consolidate local government areas. Some mergers have also occurred voluntarily. Either way, the outcome has been a substantial reduction in the number of councils. As a consequence of the smaller number of councils, there has almost always been a reduction in the number of elected local government representatives.

Aulich (2010, p.51) has argued that the shift from traditional approaches to citizen participation towards contemporary programs that actively sought to develop participatory governance has been slow to develop in Australia. However, Aulich (2010) maintained that at state and local government levels, while there was increasing evidence of a willingness to consult and explicit consultation protocols had been developed, there were few examples where consultation had been established and accepted as a citizen's or communities fundamental right. Pini and McKenzie (2006, p.30) have argued that many, particularly rural Australian local governments, were not strong advocates of citizen engagement or participatory approaches and were dismissive of the value of citizen participation as unnecessary, unwanted and unproductive. My own experience has been that this perspective has been evident in local government over many decades. The new Clarence Valley Council (CVC) sought to address and overcome this attitude to ensure the fundamental right to genuine consultation.

Dollery and Dallinger (2008, p.7) and other scholars contend that a contentious, contemporary local matter affecting Australian local governments in relation to

representativeness was structural reform involving amalgamation, on the basis that the amalgamation of smaller councils into larger councils would provide considerable economic benefits by improving the efficiency and effectiveness of local governments. For example, a larger council would be able to benefit from economies of scale stemming from larger size that facilitates the efficient provision of services. An opposing argument advanced by Dollery (1997, p.449), was that the larger a local government area becomes, the more distant elected members are from their constituents, so it could be argued that the quality of representative democracy provided by local governments was therefore reduced.

May (2003, p.85-96) argued that post-amalgamation reductions in quality of elected representation may be due to elected members of larger councils being required to represent a greater number of people across a wider local government area. May (2003) suggested that these circumstances would reduce elected members' ability to remain in touch with the needs and expectations of constituents, who may also struggle to access elected members of larger councils. Addressing this problem has been a challenge for the amalgamated CVC. The policies and mechanisms developed by the new council and an assessment of its effectiveness is the focus of Chapter 10. It is acknowledged that this assessment was difficult to determine without the benefit of a comprehensive, costly community survey.

In New South Wales local government, forced amalgamations have resulted in reduction in numbers of elected representatives as a ratio to the people they now represent (Local Government Boundaries Commission, 2004). For example, the imposed February 2004 Clarence councils amalgamation of four general purpose councils and two special purpose county councils reduced the number of elected representatives from 33 to nine, over a population of approximately 50,000 people. The amalgamation has dramatically increased the representative ratio (i.e. the number of electors per elected representative) from an average of

one councillor to 1545 persons prior to February 2004, to one councillor for 5556 persons (Local Government Boundaries Commission, 2004). The new council was mindful that the NSW Local Government Act 1993 provides council with Charter responsibilities ‘to facilitate the involvement of the public in the development, improvement and coordination of local government and to keep the local community informed about its activities’ (NSW Government, 1993, Section 8(1)).

Given the major reduction in the number of councillors for the Clarence Valley local government area, and using CVC as the case study, Chapter 10 explores local democracy, local democratic practice at the Clarence Valley community because of creation of the much larger local government unit through amalgamation, and how such impacts might be addressed. Local democratic practice relies on consultation, participation, civic engagement, communication and information-sharing mechanisms used as a means to offset reduced numbers of elected representatives.

Chapter 10 is divided into six parts. Section 10.2 summarizes the principal methods used at time of amalgamation for community consultation, communication and general access by the four former Clarence Valley general purpose councils. Section 10.3 describes the communication and consultation policies that were continued, modified or improved by the amalgamated CVC. Section 10.4 outlines new communication and engagement mechanisms introduced by the amalgamated council. Section 10.5 considers whether there might be more or less community connection and engagement since the amalgamation. Section 10.6 ends with some brief concluding remarks.

10.2 Former Clarence Valley Councils Engagement with Community

Prior to the February 2004 imposed merger of the four Clarence Valley general purpose councils into CVC, those entities communicated and consulted with their respective local government communities to varying degrees, using a standard and predictable range of statutory and other mechanisms. Community

engagement by the former councils is described in order to establish the status quo at the time of commencement of the single local government entity. Whilst some information in this respect was secured from managerial staff of the former councils, it was not possible to obtain definitive information or evidence as to extent of community connection prior to the amalgamation.

With an approximate area of 80 square kilometres, the local government area of Grafton City Council (GCC) was geographically small with population centres at Grafton, South Grafton and small rural buffers to the east, south and west of the city. The GCC headquarters were centrally located so that access to council offices was relatively easy for most citizens. The GCC population at time of amalgamation was around 17,000 persons although the council indirectly serviced a wider area and population. Lane (2010, p.1) has argued that consultation and communication processes were only moderately effective because of public apathy and lack of community interest to engage with Council .

The *Daily Examiner* newspaper and *Radio 2GF/FM104.7* were located in Grafton City and there existed good local links with North Coast ABC Radio. GCC recognised television as a dominant means of communication. However, television crews were based an hour distant in Coffs Harbour and only occasionally responded to newsworthy items when they were considered of sufficient news value. The media was utilised as the primary means of community communication. GCC used public notices and promotional campaigns. Building and maintaining good relations with the media was preferred to production of newsletters. However, newsletters containing information on matters, such as the Grafton Sewerage Strategy, Open Spaces Study, waste solutions and community economic development projects, were used for projects that affected only sections of the community in concentrated population centres. Specific groups were identified as key stakeholders, whose interest and contributions were regarded as important for effective outcomes.

For some time before the amalgamation, GCC had established a website that included a profile of Council, its management, and various departments; council meeting agendas, minutes, tenders and vacant positions; an accounts payment facility; and information on major initiatives such as the regional water supply project and the duplication of Grafton bridge. Moreover, Internet links were provided to community and business groups, the Clarence River Tourist Association, and other relevant organisations and agencies (Lane, 2010, p.2).

During the late 1980s and early 1990s, local suburban meetings were trialled. The project was deemed a failure and was abandoned in favour of facilitating contact with councillors, promoting open access to the council offices, providing displays in the office foyer, and encouraging of attendance at council meetings. Council and committee meetings were open to the public with representations invited and encouraged. Most council and committee meetings had small public galleries unless contentious matters, such as development proposals, road network changes and closures, and civic initiatives were listed. Councillors would often hold site meetings related to these matters (Lane, 2010, p.2).

GCC established community advisory committees and user group bodies to provide advice to Council. Councillors were delegates on various external bodies and community groups. Council staff engaged in various local, Clarence Valley and regional forums and committees, many of which continue and remain valuable. The Council recognised the need to engage with the community. Functions were regularly organised to promote Grafton City and to provide opportunities for councillors to meet with the community including meetings with the Chamber of Commerce and Industry; gatherings of representatives from specific professions or industry sectors; and receptions to welcome new businesses or visiting dignitaries. The policies and mechanisms for community engagement and disseminating information at GCC could be considered typical of most local government councils and similar to practices

used by the three other local government areas in the Clarence Valley (Lane, 2010, p.2-3).

Macleean Shire Council (MSC) with a population slightly more than GCC was located in the coastal lower Clarence Valley. In mid-2002, MSC adopted a communication consultation policy. It provided the framework for community consultation. The exception to the policy were planning matters, such as development and rezoning applications, which were required to be addressed through a council notification policy and also as required under the Environmental Planning and Assessment Act 1979 (EP&A) (Donges, 2010, p.1).

Central to the community consultation policy was a matrix that enabled staff to determine the potential impacts of proposals or actions and the appropriate level of engagement with the community. The matrix identified impact levels and defined degrees of participation. Practical actions included information letters, media releases and advertisements through various committees of management, working parties and joint ventures partnerships. The matrix provided an effective mechanism to ensure that MSC staff took account of the need to consider whether consultation was required and at what level, and promoted a common, well-understood approach to the analysis of consultation need, and determination of appropriate consultation method (Donges, 2010, p.1).

The notification policy for planning applications contained four levels of communication. These were nil notification, a letter to landowners, letters to landowners and a local media advertisement, letters to landowners with local and metropolitan advertisements. The notification policy specifically identified the level of required communication by value, size or class of the development application. This policy prescribed procedures for deputations by interested parties on development applications. These could be held either on-site or at a council meeting. Council practice was for councillors and senior planning staff to conduct on-site inspections of contentious or substantial planning

applications. The process of site inspections and deputations was a potent and effective community consultation mechanism which usually enhanced quality of council decisions. Because of the council notification policy, the consultative process in respect of planning applications exceeded requirements of the EP&A Act and a higher level of community participation usually occurred (Donges, 2010, p.2).

MSC was serviced by two area-wide free newspapers which were published weekly. Council placed planning and other relevant information advertisements in each issue. The Mayor was authorised to liaise with the media on Council's behalf and senior staff were similarly authorised on technical matters within their area of responsibility. MSC usually reacted to media requests for information or comment. There were exceptions for major issues when press releases were used to capture media interest.

Council's major annual community consultation revolved around its management plan, the draft of which was widely distributed. Public management plan meetings were held in the principal population centres and occasionally in smaller villages. The community was encouraged to attend, participate and make submissions. Participation levels were usually directly related to the level of controversy in the draft plan. For example, meetings would be well attended and have some effect on the final content of management plans if there had been substantial increases in land valuations resulting in a change in the rating structure. Public meetings were called by MSC on substantial matters which affected the community.

MSC formed and utilised community advisory groups to address specific matters, such as a proposed sewerage scheme for Iluka, or broader matters, like coastal management and sporting groups. Usually a councillor was a member of each group or committee and would act as an intermediary to the Council. Often Council staff was also involved in a non-voting capacity so that professional advice was available and key actions implemented at an operational level.

Councillors participated in local business and other interest groups and met groups or individuals to discuss and endeavour to resolve concerns (Donges, 2010, p.2-3).

Copmanhurst Shire Council (CSC) was a predominantly rural council located to the north and west of GCC. It adjoined the city on its northern boundary, had a population of just over 4,000 people and an area of 3,300 square kilometers. Council offices were located in Grafton city central business district (Cowan, 2010, p.1).

The mechanisms used by CSC for community consultation usually depended on the issues involved. Councillor representation was available at all times on any council issue and was relatively effective because the Shire was dissected into three ridings with two councillors representing each riding. The local riding representatives often attended local meetings and functions and were available and well known to residents. From 1994, CSC provided a public forum at the commencement of council meetings. Residents could address council for a maximum of five minutes concerning any matter on the business agenda. The measure was effective and became a regular and popular feature of council meetings (Cowan, 2010, p.2).

From the late 1990s, CSC maintained a web site that provided information on council, its meeting agendas and minutes, activities, displays and range of services. Only ten per cent of households had internet access at that time. An effective quarterly newsletter was produced and circulated by post to all residences, usually in conjunction with issue of rate notices, advice of management plan display or annual report and informed, for example, about council projects, activities, grants received and councillor contact details. Radio and newspapers advertised most facets of CSC activities, but had limited effectiveness given the geographic spread of the council area and limited coverage because of a greater media focus on Grafton City. CSC also provided

special newsletters, public and community group meetings about particular projects and matters (Cowan, 2010, p.2).

Residents of the smaller villages and rural districts responded to council community consultation more so than the residents of Junction Hill who were particularly difficult to engage primarily because of the close proximity of that locality to Grafton. However, smaller communities typically had a rural fire service, local hall committee and perhaps a progress association which facilitated local engagement with Council (Cowan, 2010, p.1-2).

The local government area of Pristine Waters Council (PWC) was proclaimed on 1 July 2000 following the voluntary amalgamation of the former Nymboida and Ulmarra Shire Councils and after only three and half years PWC was amalgamated into the CVC. PWC was the largest coastal council in NSW extending from the coast to the New England Tablelands with an area of 6,872 square kilometres and a population of 11,070. PWC placed a high priority on community consultation and engagement and adopted specific consultation objectives and activities in its annual management plans (Rose, 2010 , p.1).

When distributing quarterly rate notices, PWC produced and disseminated community information newsletters which contained data regarding current programs, draft strategic and community plans, community issues and key information about council and councillors. Newsletters were placed on council's web page and printed copies were available from two customer service centres. Locality specific newsletters were also occasionally produced. Media releases were regularly provided to the local print and radio media and addressed matters including construction projects, water supply service announcements, celebrations, council services, and emergency services notices, community issues such as vandalism and pet control, and environmental programs. Article contributions were also made to local community newsletters.

In common with the other councils, PWC consolidated its advertising into a weekly 'block' advertisement inserted in the two local newspapers and also

conducted public meetings. Annual management plan meetings were usually conducted in between four to six localities. It engaged in an annual program of tours of the local government area, the objective of which was to visit each locality at least once during the term of Council. These tours enabled community engagement, as well as inspection of current projects and matters of concern to the particular community.

PWC attempted to establish precinct committees at Glenreagh and Corindi localities. Committee membership was open to all community members and meetings were coordinated by a Council officer who attended with a councillor elected from that locality. The primary objective of precinct committees was to introduce PWC service planning and policy matters to the various local communities and to obtain constructive comment. However, Council was unable to control the committee meeting agendas and the local communities complained about inadequacy of services rather than assisting with forward planning and improving services. Therefore the Council abandoned the concept of the precinct committees, which failed primarily due to the lack of commitment of the council, lack of resourcing and lack of formal committee structure (Rose, 2010 , p.3).

PWC allowed a half hour 'public access' session at the commencement of each ordinary Council meeting and was available to any member of the public, with topics limited to matters included in the Council business agenda. This session was well supported. Meeting business papers were made available to the public free of charge. The PWC website provided a profile of the council area, information about the Council and councillors and the organisation structure. Council meeting agendas, minutes, tenders and positions vacant were available on the website and newsletters, advertising and public notices were included (Rose, 2010 , p.4).

Prior to formation of the PWC, the Nymbioda Council was effective in consulting with its community, even though its area was geographically large,

its communities remote and there was no significant urban centre. After the amalgamation, public consultation became more difficult, and larger population rather than greater area was the key inhibitor to effective good community engagement. Smaller communities had less divergent and divisive interests, a lower expectation of Council services, were more concerned about the essential services, such as roads and waste management, and more responsive to, and supportive of, public meetings and visits by Council in local areas (Rose, 2010 , p.4).

In sum, it is evident that immediately prior to the CVC amalgamation, there existed common and reasonably consistent methods for community consultation, communication and public access by the four former Clarence Valley general purpose councils.

10.3 Communication, Consultation and Engagement Policies

Neish (2008, p.27) argued that sustaining community wellbeing through civic engagement required active participation, which could be facilitated in local government through council elections, issue meetings, petitions, council addresses, council committees with delegations, ceremonies, such as citizenship and flag raising, volunteering, precinct committees, major events and local celebrations.

With regard to Council elections, the first CVC election in March 2005 attracted 37 candidates. The September 2008 election attracted a total of 21 candidates, which included only four members of the first council who sought re-election, suggesting reduced interest in elected representation (NSW Electoral Commission, 2008, p.1). CVC has encouraged active citizen participation through the remaining measures suggested by Neish (2008), and by using other consultation initiatives elaborated later in this Chapter.

Prior to the amalgamation, during the state government initiated Clarence Regional Review consultation process, the ‘independent facilitator’

acknowledged and endeavoured to accommodate the diversity and spread of locations of stakeholder groups (Simmons, 2003, p.6). The first elected council recognised and understood this dynamic. However, initially the amalgamated Council was required (and in practical terms had little choice than) to endorse the previously existing methods of consultation, communication and participatory engagement employed by the former general purpose Clarence Valley councils. Subsequently, Clarence Valley Council gradually refined, modified and improved its policies and introduced new communication initiatives.

The 25th February 2004 NSW Government Gazette Proclamation of the CVC required at Clause 11 that various codes, policies and plans of the former councils were to apply to the new council ("*Special Supplement Government Gazette of the State of New South Wales*," 2004, p.817). This included the Code of Meeting Practice, Code of Conduct and local policies, so that, in large part, the main policies of the former councils applied to the new council.

An important consultation enabling policy and community participative mechanism of the CVC was the Code of Meeting Practice. The CVC Proclamation required that, immediately after the amalgamation, the Code be that of the former Grafton City Council ("*Special Supplement Government Gazette of the State of New South Wales*," 2004). The Code (Clarence Valley Council, 2009b, p10-14, 33-34) has since been regularly amended, most recently in November 2009, to accommodate state government directives and local innovations as well as to prescribe the conduct of council meetings and committees; provide public access to correspondence and reports; specify restrictions on closing meetings to the public; provide for deputations to council and committee meetings; and allow open forum sessions for the benefit of the public.

Other community engagement policies of CVC have been influenced and affected by state government directives which have required Council to amend

existing policies or introduce new policy. For example, the NSW Division of Local Government regularly circulates documents, such as How to Access Council Information – A local Government Fact Sheet (NSW Department of Local Government, 2006a, p1-3), and How to Have Your Say in Council (NSW Department of Local Government, 2006b, p.1-6).

Recent legislation, intended to provide integration of NSW councils planning and streamlining of reporting processes as well as to facilitate better and easier access for communities to council information, may encourage higher levels of community engagement. On 1st October 2009, the state government introduced the *Integrated Planning and Reporting Framework* aimed at making the local government system stronger and sustainable. The specific objectives of the legislation included improving integration of statutory planning and reporting processes as required by the *Local Government Act 1993* (Division of Local Government, 2010b, p.1). Supporting the framework, the NSW Government's *Planning and Reporting Guidelines* (Division of Local Government, 2010c, p.6) recognised

...that most communities share similar aspirations: A safe, healthy and pleasant place to live, a sustainable environment, opportunities for social interaction, opportunities for employment, reliable infrastructure, etc. The difference lies in how each community responds to these needs.... The new framework opens the way for councils and their communities to have important discussions about funding priorities, service levels and preserving local identity and to plan in partnership for a more sustainable future.

Immediately after the Proclamation of CVC, the Acting General Manager issued a directive which embodied an internal Community Consultations Guidelines (Boyle, 2004, p.1-22) that established key consultation principles and a detailed community consultation matrix. The Guidelines continue to govern and underpin Council's community consultation and communication initiatives.

The communication strategy of CVC (2010f, p.1) contains two primary targets of (a) improving community awareness of council activities through effective media relations, and (b) effective communication of information through a Public Consultation and Community Engagement Protocol. The communication strategy performance indicators include issue of media releases with an even organisational spread; profiling council's programs, activities and outcomes through participation in annual Local Government Week and associated media; preparation of weekly print media columns and radio advertising; a quarterly information letter accompanying rate notices; contribution of advertising and editorial to eight per annum print media special features; development and maintenance of information web sites; and councillor tours to outlying communities (Clarence Valley Council, 2010f, p.1). However, some of the communication mechanisms employed by the first council, for example, a regular Mayoral column on topical matters and regular radio and television exposure, have been discontinued since the second council was elected in September 2008.

A weekly print media full-page council advertisement includes information about draft policy proposals on exhibition, tenders and expressions of interest, intended implementation of adopted council programs, notices of proposed development and of development consents, and notification of committee and ordinary council meeting times (Editor, 2010, p.18). The effectiveness of Council's communication strategy is measured through the General Manager's six-monthly performance review. Performance measures include the number of press releases prepared; "hits" on the council's internet web site; community meetings arranged; "councillor tours" to outlying communities; and contributions to print media advertising and editorials (Clarence Valley Council, 2010e, p.3).

Council's Statutory Annual Report requires that access and equity activities be disclosed. The Report highlights mechanisms the Council has employed that

improved community relations and facilities and enhanced community services. For example, in the 2008/09 Report the council detailed implementation measures under its 2006-09 Social Plan, reported on a partnership to engage a regional museums development officer; described progress with development of an Aboriginal Employment Strategy; detailed various strategic plans under preparation, such as library, cultural, affordable housing, crime prevention, community and cultural facilities, and enhancing volunteers sector; and listed 11 special events supported by the Council in that period (Clarence Valley Council, 2009e, p.17).

Since amalgamation, Council gradually broadened its policies for the purpose of establishing improved services and greater connection with the Clarence Valley community. For example, given that the Clarence Valley is a popular retiree destination, in addition to its regular policies, Council developed a Policy on Older People (Clarence Valley Council, 2004, p.1-3) and an Aged and Community Care Policy (Clarence Valley Council, 2007a, p.1-5). The purpose of these policies was to build a community in which older people and people needing community care were able to lead satisfying and productive lives with maximum independence and well-being.

Council introduced a Policy on Access to Council Documents (Clarence Valley Council, 2005a, p.1-13) to improve community access to council information. The Policy reinforced access rights under the former Freedom of Information Act 1989, replaced from 1st July 2010 by the *Government Information (Public Access) Act 2009* (Division of Local Government, 2010a, p.1). Given the additional requirements of this Act, Council reviewed its mandatory Privacy Management Plan, which detailed Council's responsibilities in relation to the principles contained in the Privacy and Personal Information Act and the Health Records and Information Privacy Act (Roberts, 2010, p.179-180). This policy assists Council to give confidence to community that Council will

...only collect as much personal information as is required to undertake the task, for which the information is being collected, store that information so that it is, and does not become, publicly available, and only use that information for particular purposes.

To enable resolution of disputes involving Council and community members and development of mutually agreed outcomes in an impartial setting, a Mediation Policy (Clarence Valley Council, 2006b, p.1-9) was introduced. To improve quality customer service to the community and to assist community members with complaints against Council, a Complaints Management policy (Clarence Valley Council, 2009d, p.1-8) (Clarence Valley Council, 2009c, p.1-2) was determined. These policies were aimed at creating improved community confidence in the transparency and accountability of the Council, and to encourage greater levels of community engagement and communication with the Council.

As a matter of expediency, CVC initially selected and implemented the acknowledged best aspects of the generally uniform communication and consultation policies of the former councils. However, since the amalgamation there has been evidence of considerable refinement and embellishment of this suite of policies, as well as initiation of new and innovative strategies.

10.4 Innovative Communication, Consultation and Engagement Policies

Since its formation, Council has introduced innovative policies designed to encourage greater community involvement in Council matters and to more effectively disseminate Council information to the community. In 2006, for example, CVC adopted the Clarence Valley Sustainability Initiative, which had the aim that all sectors of the community would work together to create a sustainable future for the Clarence Valley (Clarence Valley Council, 2006a, p.1). The Initiative, which won the 2007 Local Government and Shires Associations of NSW award for best local government environmental initiative

in the State, required the Council to facilitate and encourage participation and partnerships with the various community sectors. A key Initiative outcome was that future decision-making, planning and management in council was to consistently ensure that the values of community and environment were recognised, properly considered and protected (Clarence Valley Council, 2006a, p.2). The key elements of the Sustainability Initiative model were ecology, society, economy, governance and community (Clarence Valley Council, 2006a, p.8). The Initiative embedded the 'thread of sustainability' throughout the Council organisation. For example, all reports to council were required to contain sustainability assessments to ensure this goal. The Initiative continues to provide an innovative and genuine connection between the council and the Clarence Valley community.

An innovative council and community connection initiative was the Corporate Strategic Plan, known as Valley Vision 2020 (Clarence Valley Council, 2008), and adopted by Council in July 2008 after extensive community consultation. This overarching CVC Plan encapsulates Council and community vision for the future of the Clarence Valley under the five elements of the Sustainability Initiative. It provides tools and strategies to achieve the vision, incorporates seven core principles including encouraging community involvement and awareness, and outlines critical community matters (Clarence Valley Council, 2008, p.9-14). For example, the community identified the importance of, and degree of satisfaction with, 80 council services and infrastructure and ranked waterways protection, planning for the future, water supply, protecting the environment and development planning controls as the five most important matters (Clarence Valley Council, 2008, p.12).

CVC has gradually broadened and modernized its range of consultation and communication policies to encourage better access to council and to information regarding council services and facilities. Using modern information technology, Council has embraced e-democracy and provides an online, broad suite of

policies and strategies to optimise community engagement and communication. For example, in the period 1st July 2009 to 6th April 2010 there were 112,142 “hits” on council’s website (Clarence Valley Council, 2010e, p.3).

The rapidly expanding range of CVC internet data contains valuable information for the community and has improved opportunities for greater local level participatory democracy. Council’s web site provides access to council and committee business papers, reports and their attachment documents, and the council minutes of meetings (Clarence Valley Council, 2010c, p.1-5). Table 10.1 lists other examples of web pages on the site and their content.

Table 10.1: Examples of Web Page Resources

Web Page	Content
Connect with Your Council	Primary Council contact details, Council map and Council Proclamation
Your Community	Aboriginal services, affordable housing, aged care and disability services, cemeteries, children, community centres and halls, community support services, crime prevention, cultural development, libraries, meals on wheels, pets and animals, social planning, young people, sporting facilities, regional gallery
Clarence Valley Community Profile	Statistical information from Censuses of Population and Housing since 1991 census for use by community groups, investors, business, students and general public

Sources: Clarence Valley Council (2010b, p.1), (2010g, p.1), (2007b, p.1)

A December 2009 Report entitled *Interacting With Government* (Commonwealth Department of Finance and Deregulation, 2009, p.5) stated that internet use was now positioned as the main service channel for Australians to interact with government, and that older users were increasingly adopting e-government and other communication technology channels. 85 per cent of

people regarded general government websites as trustworthy and overall satisfaction with the outcome of service received was 87 per cent (Commonwealth Department of Finance and Deregulation, 2009, p.4). This data underlines the importance and value of CVC continuing to improve its online services and information.

Given the large geographic area of CVC and the spread of population exceeding 50,000 persons across 43 towns and villages in the local government area, an innovative, successful community connection initiative commenced early in the term of the first council. Known as “Councillor Tours”, the program provided a solution to the dilemma of how to reach constituent populations spread over the large catchment, and how to learn of their needs and build lasting relationships with residents (Lane, 2007, p.30). The elected representatives addressed the need to become better acquainted with their jurisdiction. Councillors and senior staff travelled together to the outlying areas for informal community-to-council interaction targeted primarily at local government service delivery matters.

The evaluation process for Council’s approach to this Community Consultation and Public Participation initiative included a target of conducting at least eight “tours” per year. Topics addressed at each community visit were largely the choice of the attendees. The opportunity was also used by Council representatives to introduce current matters, including projects contained in the Management Plan and Budget, planning policy proposals and planned works in the various localities. This provided councillors opportunity to discuss matters directly with affected constituents and an avenue for residents to offer opinion and input into Council decision-making (Lane, 2007).

The “tours” were aimed at enabling councillors to appreciate the geographic spread of the local government area; inspect facilities and services; build partnerships with community groups; meet representatives of the community in various localities; and become better acquainted with senior council staff.

“Tour” locations and venues were publicised, “tours” to the outlying communities covered virtually all populated areas, and assumed travel distances of 20 kilometres. In 2005/06, eight “Councillor Tours” visited 24 localities (Lane, 2007).

“Councillor Tour” records included the formal process of village meeting minutes, which were considered at a subsequent council meeting and were provided to the communities visited. Actions taken were recorded and a customer service request system developed to ensure appropriate connection with “tour” outcomes. A significant “tour” benefit was the opportunity for Councillors and senior staff to meet local people in outlying, often remote areas and to build partnerships with individuals and community organisations across the council area. Only two “tours” have been conducted since the September 2008 council elections with consequent lessening of the advantage, momentum and community connection previously experienced.

Since formation of CVC, a number of community consultative processes have been particularly innovative and successful. One notable process was the comprehensive consultation undertaken to achieve the Social Plan 2006 – 2009 which Council was required to prepare under the NSW Department of Local Government Social and Community Planning Guidelines, and which had the primary goal of improving community well-being across the Clarence Valley (Mercer, 2006a, p.121). The CVC Social Plan (Clarence Valley Council, 2006c) states that

[t]he purpose of the 2006-2009 Clarence Valley Social Plan is to promote a more inclusive community by identifying and advocating responses by local government and other agencies and services to community needs and diversity, in accordance with social justice principles.

Council established a Social Plan Advisory Group (SPAG) to provide advice on aspects of preparation of the Social Plan, including planning data, consultation,

and community survey design and data integration into the Plan. A Project Management Team comprising SPAG representatives and council's community development team was formed to drive the Social Plan Project. An external consultant was appointed to assist with Plan preparation and Social Plan newsletters were produced (Mercer, 2006a, p.122). Table 10.2 outlines the consultation process.

Table 10.2: Social Plan Consultation Methodology

Consultation Mechanism	No	Consultation Focus	Individual Participation	Group Participation	Circulation
Consultations	30	Target groups, local communities, service providers	248	85	
Survey (No.1)	1	Whole of local government area	555	Nil	40 local shops, Council libraries, community centres, email networks, interagency meetings, Council website, direct mail
Survey (No.2)	1	Service providers	Nil	24	
Priority setting workshop	1	Drafting access and equity strategies	Not documented	Not documented	N/A
Face-to-face interviews	1	Using the survey form	200	N/A	Two Agricultural shows

Sources: Mercer (2006b, p222-3), (2006a, p.123)

Following the consultation process, the draft Social Plan was placed on public exhibition for 56 days. Five submissions were received, which resulted in only minor changes to the draft. The Council unanimously adopted the Clarence Valley Social Plan, recognising its integrity and value as a consequence of the

thorough and inclusive community consultation process that had occurred (Mercer, 2007, p.241).

A productive community consultation process resulted in the formulation of a first Clarence Valley Cultural Plan 2007-2012. This was a Council planning document designed to provide a strategic approach to arts and cultural development within the Clarence Valley local government area. The Plan established broad themes and issues and a cultural vision, obtained through a series of formal and informal community consultations and conversations; interviews, youth and arts community and business of culture workshops; the Clarence Cultural Survey; and the composite knowledge of Council staff involved in arts and cultural programs and development (Clarence Valley Council, 2007c, p.3, 19).

The Cultural Plan development process provided a focal point for local individuals and organisations, a hub around which those with an interest in or passion for the arts and culture could converge and work collaboratively towards mutual goals and achievements (2007c, p.4). The Cultural Survey was publicised in local newspapers. 176 survey responses were received of which 48 were electronic and the balance hard copy. The Plan Assets and Resources Map was a preliminary audit that documented the cultural resources, assets and facilities within the Clarence Valley (2007c, p.25-7).

An effective recent community consultation centred on providing residents and key stakeholders the opportunity to influence and shape a new Grafton City library. Table 10.3 describes the process.

Table 10.3: Proposed Grafton City Library – Consultation

Aims of Process	Key Matters	Consultation Mechanisms
Community involvement in resolving key matters	Preferred site Functions and services Design features	Multiple shopping centre information displays Media releases

Aims of Process	Key Matters	Consultation Mechanisms
		Posters Advertisements Radio interview Council website Hard copy and website survey (1,076 respondents) Community forum and two community workshops (30 attendees) <u>Bang the Table</u> website Written submissions World Café consultation (17 attendees)

Sources: St Lawrence and Associates (2010, p.3), (2010, p.4-5)

The World Café communication technique used tables of four or five people

...to discuss topics in a relaxed café style atmosphere. In this instance as the same three topics were to be discussed, six tables were set up with two tables each discussing a topic. Each topic was discussed for 15/20 minutes and then participants moved to another table to discuss the next. Participants were allocated three table numbers so each table had a different set of people to ensure a cross-fertilisation of ideas and opinions (St Lawrence and Associates Consulting Services, 2010, p.6).

Gherkin is an arts-based youth website, developed to engage young people, increase their participation, share stories, develop skills and build resilience. It was assembled by young people for young people to enable connection with each other, access to information in a “youth-friendly” environment, showcasing skills and building confidence while exploring local matters (Ford, 2009b, p.1). The Council’s two Youth Advisory Committees created the concept. Young people were involved in all aspects of the web design and development. They ‘drove’ the project; had control of the decision-making process; and continue to develop youth programs and projects, which demonstrate their talents and capabilities. A vibrant online young community sector is now ‘live’ and connected on the internet at www.gherkin.net.au (Ford, 2009a, p.1).

CVC established an Economic Development Unit (EDU), which has attempted to engage the community using innovative methods. In 2009, the EDU conducted an online “snapshot survey” to measure business and industry confidence (Clarence Valley Council, 2009a, p.1). The survey received a positive response from the business community with 97 businesses and agencies participating in a self-completion online process. The EDU has used the Bang the Table web page form of consultation on six occasions to enable more community members to participate in consultations relating to council business, and to facilitate online community engagement and development of council planning initiatives (Clarence Valley Council, 2010a, p.1-2). The Clarence Food project was also promoted on a Facebook page. Community responses to Bang the Table promoted council projects are as indicated in Table 10.1

Table 10.4: Bang the Table Responses

Project	Views	Discussions	Comments
New Grafton Library	5644	3	27
Clarence River Wharves Development Plan	6864	6	14
Clarence Food	7272	4	16
Let's get the Clarence Moving	10647	3	19
Clarence River Way	11139	6	14
Draft Clarence Valley Social Plan 2010-2014	606	3	Nil

Source: Clarence Valley Council (2010a, p.1-2)

The data Table 10.1 indicates that the number of views demonstrated considerable interest in council projects even though the source of views would have been beyond the local government area. However, in terms of engagement

levels, the relatively few discussions and comments received compare to the traditional written submission mode of participatory engagement, indicating that the Bang the Table online consultation format required more valley-wide promotion to create greater community awareness of its availability and potential as a communication and consultation method.

New techniques need to be developed to enable CVC to better use technology to more effectively engage, interact with and inform the Clarence community. Greater advantage should be obtained from rapid technological change. Encouragement of greater use by the community of Council's website resources should be an important council goal. Future Council communication mechanisms should include Blogging, Facebook, YouTube, and Twitter which are now used by some councils, such as Mosman in Sydney (Kinahan, 2010, p.28-9). Mosman Council has embraced Twitter and Blogging to broadcast messages and to obtain community views and makes use of Flickr for photos, YouTube and Vimeo for video as well as more traditional electronic forms of communication such as email newsletters. Mosman Council provides its library to assist residents with online skills and continually seeks to ascertain how the community wishes to engage with the Council (Kinahan, 2010, p.29).

10.5 Degree of Community Connection Post-Amalgamation

Written representations and submissions, or deputations to Council or committee meetings, have been the traditional participatory modes of Council connection and consultation with the public on matters of importance to the community. Probably the most important annual function of the Council is to prepare a Draft Management Plan and Budget, consult with the community concerning the content of the Draft as mandated under the Local Government Act (NSW Government, 1993, Section 404(4)), and then set property rates and charges for the ensuing financial year. The table below indicates the number of public meetings held (which were reduced over time) for each of the last five

Management Plan and Budget mandatory consultations, the low number of community attendees, and few written submissions received. If attendance levels and submission numbers could be considered as endorsement of Council service delivery and of the satisfaction with the adopted and maintained differential rates system, the statistics in Table 10.2 indicate a lack of community concern or interest.

Table 10.5: Community Engagement in Management Plan Consultations

Year	Number of Public Meetings Held	Members of Public in Attendance	Written Submissions Received
2006	6	14	10
2007	6	14	12
2008	3	15	18
2009	4	16	23
2010	4	21	11

Sources: Bryant (2006), Bryant (2007), Donges (2008), Donges (2009), Donges & Lindsay (2010, p.4-17)

In the 29th June 2010 Report to Council concerning the May-June 2010 Management Plan and Budget consultation process, there was acknowledgement that attendance was disappointing. There was criticism of Council that details of the period of public exhibition and community meetings had been poorly disseminated and easily overlooked; and attendances may have been a reflection of low interest levels in the community, given there had not been land revaluations that year (Donges & Lindsay, 2010, p.6). Reliance on the block print media advertisements and Council's website in current format was not securing the desired penetration. To increase exposure of the public meetings timetable, other notification methods including highlighting of council

achievements, nomination of goals for future years and letters to key community groups ought to be undertaken (Donges & Lindsay, 2010, p.6).

In accordance with the provisions of the council's Code of Meeting Practice, the two peak council committees, which meet monthly, accept deputations from citizens on any matters on the committee agendas (Clarence Valley Council, 2009b, p.33-4). This participatory democratic method has been in use since the formation of CVC. The Code also allows on-site deputations. However, people making deputations often prefer to address the relevant committee because of a greater attendance of councillors at committee meetings in comparison to on-site inspections. Table 10.3 indicates the meagre deputation numbers and public use of deputations to each committee for the financial years 2008/09 and 2009/10.

**Table 10.6: Number of Deputations to Council Peak Committees
July 2008-June 2010**

Month	2008/09 Environment, Economic and Community Committee	2008/09 Civil and corporate Committee	2009/10 Environment, Economic and Community Committee	2009/10 Civil and corporate Committee
July	9	1	Nil	3
August	4	1	2	2
September	2	7	3	Nil
October	6	Nil	3	Nil
November	7	7	4	Nil
December	4	2	7	1
February	4	6	4	Nil
March	6	Nil	6	Nil
April	2	Nil	1	Nil
May	14	2	1	2
June	12	1	8	Nil

Source: Minutes of CVC monthly meetings July 2008 to June 2010.

These examples demonstrate that at least some of the traditional local government methods of participatory democracy may be outmoded and that the community had become disinterested and disconnected from the Council or it may show amalgamation has aggrieved people. However, this does not necessarily demonstrate that the Clarence Valley community has become apathetic towards the council through perceived remoteness as a consequence of creation of the much larger council through forced amalgamation.

There is evidence that the community will strongly engage with CVC on the infrequent occasions when matters it deems important are before Council for decision. Three examples of major community interest and engagement since the amalgamation have been the Grafton Shoppingworld development, the proposal to use Maclean central business district green space for a supermarket development, and a development application for a McDonald's restaurant franchise in Yamba. Table 10.7 details each development proposal and community engagement.

Table 10.7: Examples of Major Community Interest and Engagement

Proposals	Nature of Proposal	Consultation	Principal Community Concerns	Community Response	Council Decision
Grafton Shopping world Development	50 million dollar extension to existing Shopping world	Written notification to 119 submission writers to a previous application to Grafton City Council; Notification to 72 adjoining or	Impact on future business viability of Prince Street traders Loss of significant number of trees in Council owned car park	62 submissions (37 objections, 25 in support)	Approved on Mayor's casting vote

Proposals	Nature of Proposal	Consultation	Principal Community Concerns	Community Response	Council Decision
		nearby properties; On-site inspection and public deputations			
Sale or lease Council Maclean car park and part-public park	Supermarket in Maclean CBD District	Proposal advertised for 42 days; Public meeting with 130 attendees	Irretrievable loss of public park; size of proposed development; impact on main street businesses; out of character with Maclean	52 submissions (17 in support, 35 objections) Survey of 94 park users (74 opposed)	Refused 4:5
McDonald's Restaurant Development	New restaurant, and associated signage, parking and drive-through at Yamba	Four weeks public exhibition;	Impact of anti-social behaviour due to late night operation; negative impact on character and amenity of Yamba (58 per cent); economic impacts on local economy (82 per cent); impacts of litter and waste (56 per cent)	480 submissions (455 objections); Three petitions of objection with 3,974 signatures; For and Against Facebook pages – over 4,000 opposed and about 1,000 in support; five on-site deputations with 150 approx attendees; 12 deputations at council meeting	Approved 5:2

Sources: Clarence Valley Council (2005b, p.20), (2005b, p.21-22), (2010d, p.1), (2010d, p. 2-3, 7), McPherson (2008, p.3-4), (2008, p.113-114).

The Report to Council acknowledged the overwhelming community response. As a consequence, amendments to the application were negotiated to reduce the proposed 24 hour operating hours and height of the pole sign. The large-scale opposition to the McDonalds proposal came primarily from Yamba residents, who in 2003-04, were the most vocal and numerous in their opposition to the

amalgamation. There was anecdotal evidence that local residents believed their wishes had been overridden by Upper Valley councillors and interests. This matter provided evidence, that despite apparent apathy to the workings of Council, the community would engage with Council when a matter of perceived importance to lifestyle and well-being was considered. The Council decision has alienated a significant section of the Clarence community and impeded continuing Council attempts to unify the community after the impost of the imposed amalgamation.

10.6 Conclusion

In a newspaper interview (Helmsma, 2010, p.6) early in 2010, the CVC General Manager was quoted as stating

The most significant challenge we face in the short term is ensuring that our communications, particularly between the administration and the elected council, and between the organization and the residents is effective.

It is probable that CVC has a sufficient range of consultation, engagement and communication mechanisms to ensure that this challenge is met. The Council operates under state government legislation which requires adherence to the principles of representative democracy. The CVC case study has demonstrated that council, as with most local government entities in NSW which function under representative democracy principles, has not considered use of deliberative or direct democracy modes of practice. However, council has encouraged participatory democracy through use of a broad range of practical participatory mechanisms. Furthermore, in recent years progress has been achieved in encouraging much greater use of e-democracy opportunities.

While Council may possess adequate mechanisms and policies for consultation and communication, it is clear that some consultations are not sufficiently effective and there is evidence of ongoing community disconnection from

Clarence Valley Council on other than a few major matters. If such disconnection is to be remedied, Council needs to more energetically embrace modern communication mechanisms to make greater use of internet technology. It will be important that council considers other approaches to civic engagement. For example, establishing and maintaining a presence at community markets, mounting street stall displays, regularly attending key community group meetings, conducting letter box drops, participating in community fun days, sporting events, shows and other gatherings of community members should be considered. These and other measures would require additional council resources. The goal of greater civic engagement and the benefits from achieving effective community cohesion, consultation and communication outcomes would be well worth some reallocation of resources by CVC.

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