

# Chapter 1: Introduction

## 1.1 Introduction to thesis

This chapter introduces the research in five sections:

- The first section provides a brief overview of the research project.
- The second section outlines the key concepts encountered in this research.
- The third section describes the research context and the central research question.
- The fourth section highlights the practical outcomes of the research.
- The fifth section is a guide to the structure of the thesis and how it meets the University of New England's Journal article format for Thesis by Publication.<sup>1</sup>

## 1.2 Research overview

Community engagement is an increasingly important feature of natural resource governance. Obligations for government agencies or project developers to consult with communities appear in legislative arrangements and government policies of many countries. Environmental law and social justice scholars propose participatory processes to adjust power imbalances, ensure better-informed decisions, and improve communication between power-holders and citizens (Kirk, & Reeves, 2011; La Camera, 2013; Lambropoulos, 2010). Government and industry see public participation as a strategy for increasing community acceptance and legitimacy (Markell, 2006; Whitman, 2008). The extent to which these aspirations are achieved through the implementation of legal obligations is an important environmental and social justice question for community members, given the significance of their aims and, sometimes, the vulnerability of the interested community (Ortas, 2015; Peterson, 2011; Prager, 2015).

This research considers how community engagement is *implemented* in Australian natural resource governance. Specifically, it focuses on how legal rules, policies, organisational norms and social norms interact to shape the *form and function* of 'community' in participatory processes. In this thesis, norms are defined as accepted and widely-enforced behaviours that are based on collective values. These norms

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<sup>1</sup> The University guidelines are attached in Appendix One.

are strongest when individuals internalise the values that support the desired behaviour, in either a social or organisational context (Tyler, 2006). The focus is on public policy and the formal frameworks that guide action and decision making. This research suggests that these institutional frameworks articulate social norms, provide benchmarks for evaluation, inform decisions and, through the expression of a 'public good', shape expectations of community engagement. Understanding the connection between legal requirements and implementation dynamics is necessary to achieve more authentic, better quality participation in natural resource governance.

This research was stimulated by personal and professional experience in natural resource management and environmental conservation. In more than fifteen years of work in volunteer management, community facilitation and environmental advocacy, I developed expertise in the broad field of 'community engagement'. A gradual move from community-based organisations to government employment opened my eyes to the complex interaction between legal requirements, policy development and community participation.

Working directly with community members in water resource and natural resource planning processes, I was regularly asked about the purpose of participation. Community members struggled to see their contribution reflected in final decisions; to them, the institutional framework seemed designed to restrict innovation and limit community influence in natural resource decision making. In my efforts to combat community cynicism, I found little evidence that could genuinely address their concerns. Despite a professional commitment to best-practice community engagement, I began to question the value of my own work in facilitating these participatory processes.

Community participation is a well-researched field of activity. Guidance about how to design and conduct best-practice processes is readily available. Despite these resources, community cynicism and disengagement remains a challenge to the vitality of participatory processes. As a practitioner concerned with sustainable and equitable natural resource governance, the gap between legislated requirements and meaningful face-to-face community engagement became an issue of increasing

concern and led to a growing interest in researching the subject of community engagement in natural resource governance.

### **1.2.1 The research focus**

An opportunity arose to research 'improved institutional mechanisms for community engagement in rural resource governance' as part of the broader Next Generation Rural Landscape Governance program, at the Australian Centre for Agriculture and Law (2012).<sup>2</sup> The Next Generation program draws attention to the influence of institutional frameworks in natural resource governance, from the local to the international, and the mechanisms designed to implement them.

Research partners are interested in applied outcomes that can improve their understanding of both community and institutional dimensions of natural resource governance. The impact of regular policy reform, the frustrations of communities, the lack of evidence of effective participation, and the gaps in implementation of participation objectives are core concerns of the Next Generation program.

The intention of this research is to develop reform proposals that can move the debate from a repetitive focus on how to run a good participatory process to a better understanding of how these processes could more effectively involve rural communities in natural resource governance.

### **1.2.2 The research problem**

The research concern with *improving* 'community engagement' is inspired by the regular appearance of the phrase in public policy contexts. Legal and policy requirements for the participation of community in formulating and implementing public policy suggest there are inherent benefits, although *for whom* the benefits accrue, and what they specifically are, is rarely articulated.

The extent to which expectations of community engagement can be successfully formalised in legislation is an active research question (Jendroska, 2013; Ortas, Alvarez, & Garayar, 2015; Pieraccini, 2015). The design of legislation must strike a

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<sup>2</sup> The 'Next Generation Rural Landscape Governance' research program focused on proposing the next generation of integrated natural resource management laws and institutions. The program involved collaborators in Australia, USA, Iceland and Asia, and was supported by an Australian Research Council (ARC) Linkage grant. Core research themes included: Institutional Governance; Co-regulation; Overarching Legal Architecture; Effective Engagement; Behaviourally Effective Rules; Risk Instruments; Transaction Costs.

balance between clearly stated and precise legal rules, and the need for flexibility and interpretation in implementation (Kirk, & Blackstock, 2011; Wiersema, 2008). The legal tradition rests on principles of rational objectivity, where individuals are expected to make decisions in line with the rules rather than with their own subjective values (Bottomley, 2012; Miller, 2012). In the case of participatory processes however, these subjective passions and interests may be a motivating factor for community members to become involved and actively contribute.

This tension between the requirements of formal rules and the flexibility needed to engage the community is the tension of interest underpinning this thesis. Drawing on socio-legal scholarship, this research examines the interaction between substantive, procedural and process elements in the design and implementation of legal requirements for community engagement.

Investigating how legal requirements for community engagement are put into practice offers a range of possible interpretations. This research focuses on the design and implementation of *participatory processes*. The empirical component of this research focused on participatory processes that illustrate how legal requirements for community engagement are put into practice. Examining case studies of wind farm governance and natural resource planning in New South Wales, Australia, the participatory processes include consultative committees, collaborative consortiums and community reference panels.

**Table 1.1: Four participatory processes selected for qualitative analysis**

	<b>Legislation</b>	<b>Activity</b>	<b>Participatory process</b>
Case Study One	NSW - Environmental Planning and Assessment Act 1979 No 203 (1979)	Wind farm governance	Community consultative committee
			Community consortium
Case Study Two	NSW - Catchment Management Authorities Act No.104 (2003)	Catchment planning	Collaborative governance steering group
			Community reference panel

### 1.3 Key concepts of the research

There is a wide and diverse scholarship on the intersection of democracy, public participation, power and politics (Colebatch, 2009; Dryzek, 2000; Fischer, 2005;

Fung, 2006; Moynihan, 2003; Ostrom, 2010; Taft, 2014). Ranging from deeply theoretical to applied and pragmatic, this scholarship suggests many different ways that this research problem could be addressed. In order to clearly delineate the boundaries of this research project, the following section discusses two key concepts used in this research: 'community engagement' and 'governance'.

### 1.3.1 Community engagement as participatory process

This research considers the question of improving community engagement by focusing on specific participatory processes in natural resource governance. A participatory process is defined as

A strategic process with the specific purpose of working with identified groups of people, whether they are connected by geographic location, special interest, or affiliation to identify and address issues affecting their well-being. (Center for Economic and Community Development, n.d.)

The empirical component of this research examined two case studies in which four types of participatory processes occurred; the processes were stimulated by a legal requirement for community engagement.<sup>3</sup> The case studies considered **who** takes decisions and **how** decisions are taken in a participatory process. They show how high-level aspirations of community engagement connect with the implementation of participatory processes.

As Gaventa (2006) notes, participatory processes derive from the established routines of modern democratic politics, replicating patterns of representation, power distribution and economic interests. In this thesis, power is recognised as a multi-dimensional concept that becomes meaningful in the study of human interactions. Participatory processes provide a vehicle for a version of power that describes the ability to achieve individual or common objectives (Boulding, 1990). Working with this definition, the hidden criteria of the capacity to participate are revealed as education, gender, employment, geographic access and wealth (Gaventa, 1980). While legislated requirements for community engagement seem to offer possibilities of increased community influence in decision making, the community that hopes to

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<sup>3</sup> These are the NSW Government Catchment Management Authorities Act 2003 No.104 and the NSW Government Environmental Planning and Assessment Act 1979 No 203.

engage often finds itself subject to 'business as usual' as despite best intentions, the status quo re-asserts itself at every opportunity (Cornwall, 2002).

### **1.3.2 Governance**

Much of the literature reviewed for this research touched on issues of democracy (Berner, Amos, & Morse, 2011; Carson, 2008), justice (Ben-Dor, 2007; Black, 2001), procedural fairness (Bratspies, 2011; Dellinger, 2012), social capital (Eversole, 2011; Ford-Thompson, Snell, Saunders, & White, 2012) and subjective definitions of success (Beierle, 1999; Burchardt, 2014; McKinney & Field, 2008). The lens of governance brings all of these factors together to question how decisions are made, how they are implemented and how they are evaluated.

The working definition of governance underpinning this thesis is

The interactions among structures, processes and traditions that determine how power and responsibilities are exercised, how decisions are taken, and how citizens or other stakeholders have their say. (Graham, quoted in Lockwood, Davidson, Curtis, Stratford, & Griffith, 2010, p.987).

In this framing, governance is an interaction between legal rules, policy settings, program and project design, and on-ground implementation. It includes both social and individual norms of behaviour, guided by the mundane and routine features of institutional frameworks, such as legislation, policy and guidelines, in a process of ongoing '*ontological constitution*' (Woolgar & Neyland, 2013).

The extent to which governance is distinct from 'government' continues to be discussed (Bevir, 2011; Hordijk, 2014; Koch, 2013). There are many theories and arguments about the exact meaning of 'governance' (Evans & Reid, 2014) (Black 2001; Colebatch 2009), but it is not within the ambit of this thesis to explore these. This research considers the role of participatory processes in the natural resource governance context.

## **1.4 The research context: Natural resource governance**

Natural resource management has unique requirements for active and sustained community engagement. These include: the need for collective action across land tenure boundaries; the recurrence of environmental threats that cannot be eradicated but must be managed; the distributive impacts of environmental damage

on landholders; the public good implications of poor natural resource management; and the legacy of previous governance decisions (Kotze 2014; Martin, Kennedy, & Williams, 2012).

Managing the human dimension of natural resources is the concern of natural resource governance (Borrini-Feyerabend et al., 2014). In Australia and around the world, human demands on natural resources are increasing. Modernisation, ushered in by the industrial revolution, has been powered by access to human and natural resources (Kotze, 2014). Natural resources have been increasingly exploited to ensure that irrigation, transport and electricity generation needs are met (Hordijk, 2014; Taft, 2014). Such human impacts have altered the planet and have led to climate change and resource depletion, leading to an unpredictable future (Arnold, 2014; Pattberg & Widerberg 2015). Climate change, globalisation of trade, the rise of neo-liberal economics and resource scarcity all touch on the utilisation and management of natural resources and, hence, on the governance regimes that are created and reinforced.

Agenda 21 and subsequent international agreements on the management of natural resources make a strong connection between environmental and human rights (United Nations European Commission on the Environment, 1998; United Nations Environment Programme, 1992; United Nations General Assembly, 2012).<sup>4</sup> In Australia, this link has been reinforced through legislation and policy that reference principles of ecologically sustainable development (Australian Government, 1992; Montoya, 2013). Procedural requirements for (limited) public access to information, transparency in decision-making and avenues for public comment are common features of Australian legislation (Lambropoulos, 2010). These procedures reinforce the link between environmental and social justice expressed in international agreements. To understand how effectively these high-level aspirations are realised, it is necessary to consider how community voices are heard within the governance system (Pieraccini 2015; Black 2001).

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<sup>4</sup> 'Natural resource governance' shares features with 'environmental governance'. Although it is possible to draw a slight distinction between the production focus implied by 'resource' and the broader ecological implications of 'environment', there is little to distinguish between them in the context of the current research; the state of the environment and the natural resources that comprise it are inextricably linked.

### 1.4.1 The research question

The research question was informed by a comprehensive literature review that ranged across intersections between public policy and natural resources, and diverse versions of ‘community engagement’ in this context. As the research problem came into focus, the broad terminology was tightened to focus on *participatory process* as a form of community engagement.

The research question took a step back from normative assumptions about the assumed benefits of increasing legal and administrative requirements for community engagement, and asked:

How are participatory processes currently defined and experienced in Australian natural governance; and how can they be improved?

This primary research question was broken into five secondary questions that focused attention on the *legal*, *policy* and *practice* elements of legislated requirements, and the interactions among them.<sup>5</sup> These secondary questions were aligned to an investigative framework that broke governance into five components: legislation, policy, practice, evidence and reform. Data sources were aligned to each of these secondary questions, as illustrated in Table 1.2.

**Table 1.2: Data sources linked to research questions.**

Research Questions		Data source
RQ1	What expectations and definitions of community engagement are embedded in current natural resource <b>legislation</b> , and what substantive guidance is provided for their implementation through participatory processes?	Content analysis; documentary sources; literature review.
RQ2	What expectations and definitions of community engagement are embedded in current natural resource policy, and how are these implemented in participatory processes?	Content analysis; documentary sources; case study data.
RQ3	What expectations and definitions of community engagement are embedded in current natural resource <b>practice</b> , and how are these experienced through implementation of participatory processes?	Content analysis; documentary sources; case study data.
RQ4	How do definitions and expectations of participatory processes differ, and what are the <b>evidence</b> implications for improving community engagement as an element of natural resource governance?	Content analysis; documentary sources; case

<sup>5</sup> The research questions are described in more detail in Chapter 3 and are further detailed in Appendix Two.

		study data.
RQ5	What alternative rules could improve participatory processes in natural resource governance and what are the barriers or enablers to achieving this <b>reform</b> ?	Synthesis of documentary data and literature review.
RQ5	Suggestions for improvement	Synthesis of documentary data and literature review.

The evolution of the conceptual framework into an investigative framework is central to the progress of the research and is briefly outlined here.

## 1.4.2 The research frameworks underpinning this research<sup>6</sup>

### 1.4.2.1 Conceptual framework

A key component of the research design is the development and application of a conceptual framework that could be applied to the research problem. The concepts and terminology used in this framework are borrowed from socio-legal scholarship, and derived from the findings of the literature review, particularly:

- Confused expectations and definitions of community engagement
- Limited evidence of effective outcomes
- A focus on process and activity rather than institutional reform
- Repetition and stasis in the current body of literature.

The conceptual distinction between *substantive*, *procedural* and *process* elements of governance design provided a useful way to segment the literature and describe the research problem (Black, 2001; Bottrill & Cordonier Segger, 2005; Dellinger, 2012; Kirk, & Blackstock, 2011; Ross, 2010; Turner, 2013; Tyler, 1988; Wiersema, 2008).

In adapting this research terminology for the purpose of this research, the *substantive* element refers to the explicit objective of achieving community involvement in governance. This element is termed ‘legislation’ in this research. The *procedural* element, concerned with community engagement as participatory processes to operationalise engagement, is termed ‘policy’ in this research. The *process* element, which describes the implementation and delivery of participatory

<sup>6</sup> The conceptual and investigative frameworks are described in more detail in Chapter 3 – Methodology.

processes, is the interface between high-level statements of intent and practical implementation. This element is termed *practice* in this research.

While useful, this linear approach excludes consideration of how evaluation, evidence and change could be included in a socio-legal conceptual framing (Arnold and Gunderson 2014; Martin and Gunningham 2011). To address this deficiency, the elements *evidence* and *reform* are added, further developing the investigative framework.

#### **1.4.2.1 Investigative framework**

The investigative framework, therefore, breaks governance into five components: legislation, policy, practice, evidence and reform. The framework was used to guide the empirical research of two natural resource governance case studies identifying how participatory processes evolved from legislated requirement to project level implementation. This framework also facilitated the collection of empirical evidence to assist in the design of better governance structures, providing the means for not only designing and analysing the research project but also for presenting conclusions and implications.

The study was designed to range across *scales*, focus on *implementation* and maintain an explicit connection to *institutional frameworks*. To ensure the research would produce useful outcomes, it maintained a focus on developing applied policy recommendations drawn from an understanding of participatory processes in practice, and the legal and policy settings that framed these processes (Banisar, Parmar, deSilva, & Excell 2011; Barnard 2012; Bottrill & Cordonier Segger, 2005; Dellinger, 2012; Goepel 2010).

#### **1.4.3 The research approach**

The influence of cultural, organisational and social norms on formal and informal rules and behaviours is a key interest of this research. The research suggests that articulation of norms is likely to reveal how informal dynamics impact on the way that participatory processes operate in practice. Increased understanding of normative influences can inform ideas of what new norms should be encouraged to drive improvement in governance of natural resources. This required a research approach that paid attention to the fine grain of participatory processes as implemented. The research asks: Whose voices are heard? What barriers to participation are

experienced? And how do participants construct their own norms of participation and governance across the institutional framework?

The research interest in experience and perception suggest that qualitative methods were the most appropriate for exploring the dynamics of how participatory process are implemented. Chapter 3 discusses in detail the methods used in this research.

## 1.5 Dissertation outline

This thesis is a compilation of published papers (or papers in the process of being published) and discussion. This section explains the format of this thesis and how the published papers and chapters interact. Figure 1.1 summarises the structure showing how the six substantive chapters are integrated with the five journal papers to present a complete dissertation.

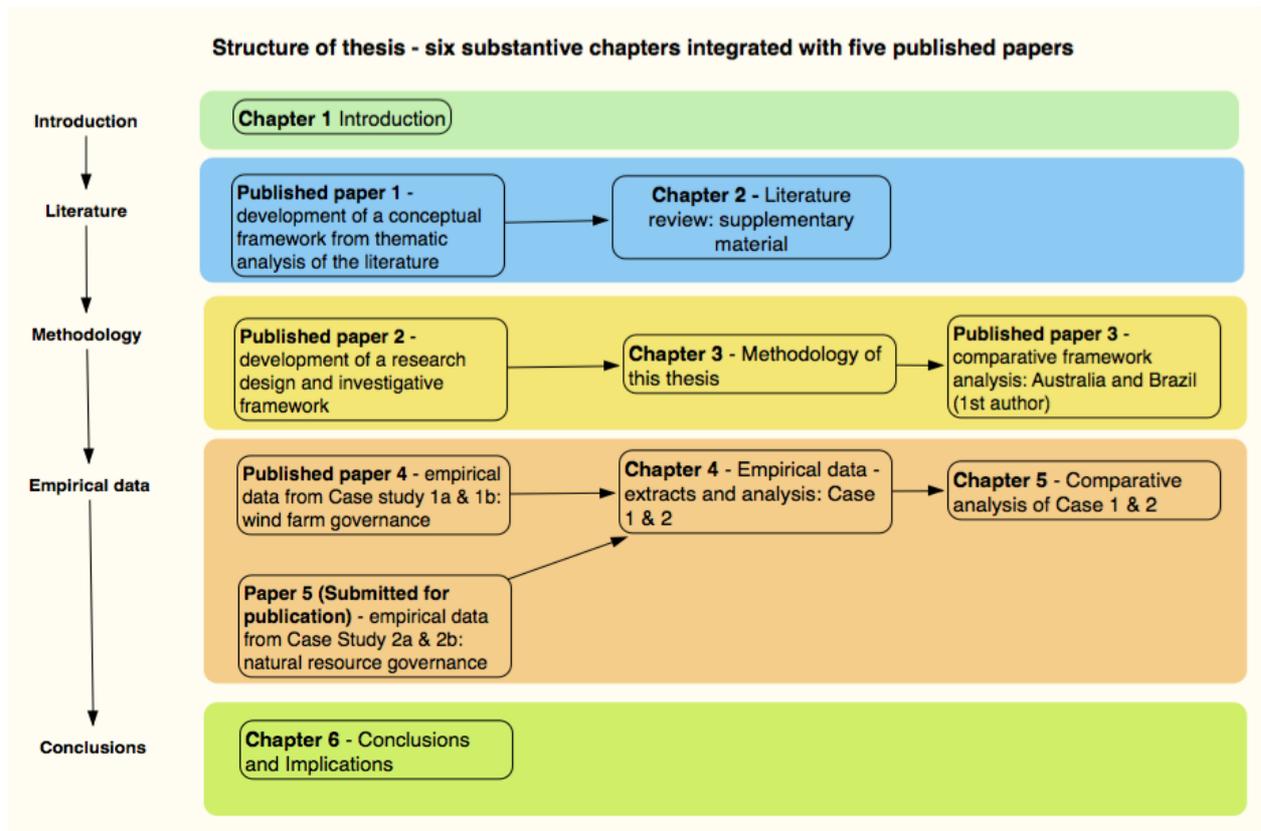


Figure 1.1: Illustrating the structure of the thesis.

### 1.5.1 Thesis by publication

This thesis combines published papers and substantive chapters to meet the requirements of the 'Journal-article format for PhD theses at the University of New England' (Appendix One). These requirements permit doctoral candidates to present their research as a combination of journal papers and traditional chapters. The journal article format requires that the final dissertation present a consistent narrative throughout. An Introduction and Conclusion are required to demonstrate the theoretical and empirical links between the articles and chapters. The work must be cohesive and consistent in its use of key concepts, terminology and methodology.

This dissertation comprises five journal articles and six chapters. Papers that have been submitted for peer-review and accepted for publication are wholly drawn from the research. These papers have been combined with the substantive chapters to present an integrated body of work.

To establish the research context, each publication drew on the literature review and methodology to a different extent. Common themes were explored in several published papers. Efforts have been made to minimise duplication in the integrated dissertation.

Published paper one (Howard, 2015a), presents findings from a review of academic and practitioner literature on the topics of community engagement and natural resource governance. A data-set of 127 articles were reviewed and a resulting socio-legal conceptual framework derived. A thematic analysis of the data-set was then conducted to further clarify and extend the research question. The thematic analysis is discussed in the context of the literature and how this informed the conceptual framework for this research. The conceptual framework was then refined to develop an investigative framework. Due to word limits imposed during publication, it was not possible to include the entire literature review in this paper.

Chapter 2, the literature review, presents additional literature that was part of the original data set analysed in Published paper one. The review further explores the disconnection between legal requirements for community engagement and the implementation of these requirements identified in Published paper one; it unpacks assumptions buried in the plurality of theories, perceptions and expectations that exist under the phrase 'community engagement' and its many synonyms. The review highlights that such assumptions and underpinning values influence the way that community engagement is framed, implemented, assessed and utilised in natural resource governance.

Published paper two (Howard, 2014) introduces concepts of procedural and substantive legislative reform. A review of existing socio-legal methodologies for evaluating the implementation of international principles identifies a possible 'principled policy' approach. This paper demonstrates how the conceptual and investigative frameworks described in Published paper one combined with a 'principled policy' methodology shaped an empirical research design.

Chapter 3 – Methodology provides a detailed description of the research design and methodology of this thesis introduced in Published paper two.

Published paper three (Howard, 2015b) is co-authored with Solange Teles da Silva and considers the legal requirements for public participation in two case studies; one from Australia and one from Brazil. The paper draws out the key points from a comparative analysis and applies the investigative framework described in Published paper two. This paper highlights the importance of reform that combines substantive and procedural elements to deliver authentic public participation in natural resource governance.

Published paper four (Howard, 2015c) describes the results of applying and testing the investigative framework introduced in Published paper one using interview and documentary data from a windfarm. *Case study one: Windfarm governance* analyses two participatory processes operating under legal requirements for community consultation. The research described in this paper assisted in the development of policy reform recommendations described in Chapter 6: Conclusions and implications.

Like Paper four, submitted paper five (Howard, in review)<sup>7</sup> describes the application and testing of the investigative framework introduced in Published paper one. The paper presents *Case study two: Natural resource planning*, in which two participatory processes operating under legal requirements for community consultation are described. Again, interview and documentary data was analysed and interpreted within the natural resource governance framework, and the results assisted in the development of the policy reform recommendations described in Chapter 6.

Chapter 4 presents extracts from the qualitative data analysis of case studies one and two. This chapter provides empirical data to illustrate and support the analytic process that led to papers four and five.

Chapter 5 presents a comparative analysis of case studies one and two, synthesising the empirical data described in published papers four and five, and Chapter 4.

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<sup>7</sup> This paper was submitted for publication to the **Journal of Rural Studies** in February 2015 and is currently under review.

Chapter 6 concludes the dissertation by outlining its original contributions and limitations and discussing future directions for research. In addition, the chapter provides a number of recommended governance reforms.

## **1.6 Summary**

This Chapter has presented a brief introduction to the context of the research problem and the concerns of the present research. The research concerns of community engagement and natural resource governance have been outlined within an Australian context. The central research question, the investigative framework and the methodological approach have been introduced. An outline of the Chapter and Paper structure has been provided, illustrating how the research problem unfolds throughout the thesis.

**Published paper one:**

Howard, Tanya. (2015). 'The rules of engagement: A socio-legal framework for improving community engagement in natural resource governance'. *Onati Socio-Legal Series*, (forthcoming).



This paper has been removed as it was published as the following journal article:

Howard, T. (2015). The "Rules of Engagement": A Socio-legal Framework for Improving Community Engagement in Natural Resource Governance. *Oñati Socio-Legal Series*, 5(5), 1209-1235. <http://opo.iisj.net/index.php/osls/article/view/346>

Downloaded from [e-publications@UNE](http://e-publications@une.edu.au) the institutional research repository of the University of New England at Armidale, NSW Australia.

## Chapter 2: Literature review

This chapter presents additional literature reviewed as part of the analysis reported in published paper one (Howard, 2015a), and should be read in conjunction with that paper. Chapter 2 further explores the disconnection between legal requirements for community engagement and the implementation of these requirements identified in published paper one (Howard, 2015a). It unpacks assumptions buried in the plurality of theories, perceptions and expectations that exist under the phrase 'community engagement' and its' many synonyms. The reviewed literature shows that the assumptions and values underpinning community engagement influence the way that participatory processes are framed, implemented, assessed and utilised in natural resource governance.

The literature review commences with an exploration of the key concepts underpinning the research direction *improving community engagement in natural resource governance*. These concepts provided the initial search terms for investigating the literature and resulted in the thematic analysis detailed in published paper one (Howard, 2015a).

As the research problem came into focus, the broad terminology was tightened to focus on participatory processes. This chapter was informed by this transitional terminology.

### 2.1 Problematising community engagement

'Procedural issues have substantive roots' (Wiersema, 2008).

The study and practice of community engagement is common to many fields of public policy governance and research, and is often over-simplified and presented as a panacea for improving governance (Adams & Hess, 2001; Ostrom, 2007).

Scholars note that discussion of community engagement from an institutional perspective asserts a normative belief about its role as a tool that can deliver specific results (Adams & Hess, 2001; Hillman Crase, Furze, Ananda, & Maybery, 2005; Johnson, Lilja, Ashby, & Garcia, 2004). A common assumption is that

sustainable natural resource management cannot be achieved without involving the individuals and communities who make decisions about how resources are used. (Johnson, Lilja, Ashby & Garcia, 2004, p 189).

This position assumes an inherent intrinsic value for community engagement and promotes a 'more is better' perspective (Neef & Neubert, 2011) while neglecting to address the purpose of engagement and its outcomes (Irvin & Stansbury, 2004). This view of engagement supports transformational ideals of community-driven social change and power transfer through deliberative participatory processes (Dryzek, 2000 ; Fischer, 2013). This perspective rests on an intuitive faith in the ability of society to embrace diverse opinions when addressing complex issues (Dellinger 2012; Berner et al., 2011; Toth, 2010) and reach better, more widely acceptable decisions (Braun, 2010; Burchardt, 2014).

The confusion of these different norms rests in the often-unexamined interaction between governance reform and entrenched institutional structures (Brugnach, Dewulf, Henriksen, & van der Keur, 2011; Poteete & Ostrum, 2008). Thus, while engagement may provide access to unique perspectives, it is unclear how these perspectives contribute to environmental decision-making and on-ground action (Koontz, 2005; Walker, 2011).

### **2.1.1 What is community engagement?**

Community engagement has become a central philosophical plank of environmental governance (Boxelaar, Paine, & Beilin, 2006; Holley, 2010; van Tol Smita, de Loëab, & Plummer, 2015). Decision-makers in the public policy arena increasingly describe an *engaged* community as key to the successful design and implementation of regulation and policy (Australian Public Service Commission, 2007; Brown, 2007; Reed, 2008; Walker, 2011). There are many unarticulated assumptions that underpin this position, including that community engagement reliably translates into more acceptable decisions (Adams & Hess 2001) while also delivering better environmental outcomes (Ford-Thompson et al. 2012; Pattberg & Widerberg, 2015; Visseren-Hamakers, 2013).

While the influence of these assumptions is often unarticulated, they share an intuitive belief in the role of community in environmental governance (Dellinger, 2012; Pattberg & Widerberg, 2015). Grounded in the belief that communities of individuals can be meaningfully involved in determining the form and substance of decisions that will affect them, community engagement has become a common

phrase for a wide range of participatory processes (Eversole, 2011; Koontz & Thomas, 2006).

A broader rights-based view connects community engagement with self-determination, democratic practices and more resilient communities (Boyd, Nykvist, Borgström, & Stacewicz, 2015; Evans & Reid, 2014; Fischer, 2005). Engagement theory and practice is embedded with varying assumptions that range from the intrinsic (human right to participate) to the instrumental (achieving cost-effective action on environmental issues) (La Camera, 2013). These assumptions suggest an inherent value for including community in environmental governance (Dellinger, 2012; Pattberg & Widerberg, 2015). It is possible that some claims about the 'virtue' of community engagement have been bolstered by neo-liberal ideals of decentralisation, small government and faith in the free market (Cohen & McCarthy, 2015).

### **2.1.2 Who is 'the community?'**

Community may exist at the local level or be nationally organised (Whitman, 2008). Variations include affiliations of local landholders, volunteer activity groups, regional networks, and organisations whose membership may not be regional but based on shared interests such as industry associations, political parties, and non-government organisations (Harrington, Curtis, & Black, 2008; Walker, 2011).

Communities are also increasingly found in the virtual world with online delivery creating dispersed communities of interest (Souter, 2012). Non-government organisations may formalise communities of interest, coalescing individuals around specific issues and coordinating community activism (Dellinger, 2012). Thus definitions of community must pay attention to a wide range of factors including 'location, social interactions, and the relationships between the resource and the individuals' (Hillman et al., 2005).

Irrespective of what type of community is being considered, it is clear that they are informed by factors that may not be visible to those outside and bring knowledge of specific contexts to difficult issues (Irvin & Stansbury, 2004; Larson & Brake, 2011). Community perspectives at all scales of organisation may generate innovative ways of framing a problem as well as suggesting solutions grounded firmly in existing

networks and capacity for action (Johnson et al., 2004). The factors that enable these innovative responses are often invisible and are not easily 'scaled-up' and replicated at higher levels of governance (Marshall, 2011). The higher levels of governance have their own norms and the normative power of the status quo may distort the innovative responses and enforce compliance (Eversole, 2011).

### **2.1.3 Exploring community engagement in natural resource governance**

The complexity of natural resource management is compounded by the level of uncertainty that accompanies human interactions with the environment, and creates a classic 'wicked problem' (Curtis et al. 2014; Martin et al., 2012; Rittel & Webber, 1973); that is, complex, difficult to define problems that are resistant to simple policy fixes (Australian Public Service Commission, 2007; Lawrence, 2010). Natural resource issues, such as environmental degradation and resource-scarcity across land tenures, challenge short-term thinking and familiar decision-making processes (Allan, 2008; Wallis & Ison, 2011). Close attention to natural resource governance structures is necessary to understand the extent to which they inhibit, or enable, the capacity of policy makers and the community alike to find new ways of framing complex environmental issues and envisioning possible pathways to change (Cohen & McCarthy, 2015; Dovers; 2010; Hordijk, Sara, & Sutherland; 2014; Wallis & Ison 2011).

Much of the literature reviewed for this research is based in a western liberal tradition and conceives of governance within this framework (Bevir, 2011). Concepts of representative government, the rule of law, and citizen rights are employed to frame discussion of citizen relationships with the environment (Stoker, 2013). Scholarship from countries with different political traditions and experiences, however, reveals the heterogeneous nature of natural resource governance (Haglund, 2015; Hordijk et al. 2014). Degrees of transparency, devolution of power, and the ability to challenge government decision making are seen to vary with the political traditions of each country (Ortas et al., 2015). Authoritarian regimes struggle to release power through greater community participation (Chen, Qian, & Zhang, 2015). Emerging democracies wrestle with issues such as corruption and nepotism in government (Bahauddin, 2014). Historical patterns of conflict and political instability can

undermine attempts to build regional responses to natural resource issues (Everatt, 2010).

Considering these influences is particularly important when questions of power distribution, citizen participation and accountability are raised in natural resource governance (Marshall, 2013; Ostrom, 2009). Institutional arrangements can exert an unseen influence on attempts to generate innovative policy responses, resulting in a disconnect between the stated objectives of policy initiatives and the way that these are operationalised (Prager et al., 2015; Robins & Kanowski, 2011). Research demonstrates that 'institutions can work to embrace, moderate or exacerbate uncertainty' (Mehta, Newell, Scoones, Sivaramakrishnan, & Way, 1999). Scholars and practitioners strive to understand how these dynamics influence community participation in natural resource governance (Cohen & McCarthy 2015; Hordijk et al. 2014; Ortas et al., 2015). This interest in how decisions are made and voices are heard (Boyd et al. 2015; Cohen & McCarthy, 2015), is based on ideas of governance as incremental, mundane and co-created during implementation (Colebatch, 2009; Bevir & Rhodes, 2006).

Structures and rules of governance are themselves subject to messy, ongoing ontological constitution. ... structures are continuously invoked, made, re-made, questioned, and redeveloped through actions of mundane governance. (Woolgar & Neyland, 2013)

This view of governance can be criticised for permitting injustice to persist rather than pro-actively pursuing human rights to participate in environmental decisions that affect them (Cohen & McCarthy, 2015; Hordijk et al., 2014 ). Frustration with 'slow and steady' change provokes calls for reform to alter existing patterns of power and advantage (Pattberg and Widerberg 2015; Boyd et al. 2015), and suggests that designing successful reform requires attention to these existing patterns and their influence on participatory processes in practice (Parola 2013; Taft 2014).

#### **2.1.4 The Australian natural resource management context**

Community engagement is a feature of democratic governance and appears in many existing legislative arrangements and organisational policies in Australia (Dellinger, 2012; Lambropoulos, 2010). Socio-legal scholars note the fundamental influence of different legal and political cultures in determining how a state conceives of public

participation, pointing out that the ideological heritage of modern liberal democracies, such as Australia, Britain and the United States, entitle the individual to exert influence in decisions that concern them (Fisher Lange, Scotford, & Carlarne, 2009; Gunningham, 2009a; Dellinger, 2012).

Australia is one of the most urbanized countries in the world (World Health Organisation, 2015), with its relatively small national population concentrated along the coastal fringe and the majority of the landmass sparsely populated (Hugo, 2015). Farming communities express concern that the interests of the urbanised population increasingly dominate political decisions about Australia's natural resources (Brown, 2014; Keogh, 2014). Participatory processes designed by legislation do not adequately address the specific conditions faced in rural Australia, such as small populations, vast distances and a reduced pool of capable and available participants (Curtis, Ross, Marshall, Baldwin, et al. 2014).

Since colonisation, Australia's economy has been fuelled by the exploitation of natural resources through harvesting of timber, mining of mineral resources and production of food and fibre for the export economy (McLean, 2012). Often these resources are closely located in the landscape and this can lead to community disputes about the value of competing resources, and the impact of exploitation on the social and economic fabric of the community (for example in cases when mining of coal and gas affects farming activities in agricultural landscapes) (Woods, 2014; Hasham, 2014, Taft, 2014). Such conflict is exacerbated when demand increases for one or other resource.

These conflicts and frustrations pose serious challenges for the future of natural resource governance in Australia. Farming communities see natural resource legislation and policy as ill-informed (Keogh, 2014). Sites of conflict over natural resources are increasing in Australia, with serious implications for the social fabric of the communities involved (Guilliat, 2014). As a consequence, many rural communities are increasingly dissatisfied with government attempts to regulate the use of natural resources (Woods, 2014); in effect they are challenging the legitimacy of natural resource governance. Improving community engagement through better designed and implemented participatory processes may help to improve natural resource governance in rural Australia (Cohen & McCarthy 2015).

### **2.1.5 International underpinnings of community engagement in Australia**

The Rio Declaration on Environment and Development is a high level agreement that was developed at the United Nations Conference on Environment and Development 1992 (United Nations General Assembly, 1992). The declaration takes the form of 27 principles that form the basis for international norms of environmentally sustainable development. Australia is a signatory to the Declaration.

The need for transparency, access to information and opportunities for equitable participation are the key objectives of relevance in charting the development and evolution of normative expectations for community's role in environmental governance.

Principle 10, commonly referred to as the Access Principle, states:

Environmental issues are best handled with the participation of all concerned citizens, at the relevant level.

It goes on to specify that *access to information* is the core indicator of this ability to participate.

Agenda 21 also emerged from the UN Conference on Environment and Development, and further develops the principles of the Rio Declaration, expanding and fleshing out the implementation considerations and the implications these may have. Described as establishing a "global partnership for sustainable development", it was ratified by Australia as a member of the United Nations (United Nations Environment Program, 1992).

Agenda 21 details program areas considered essential to achieving a global response to environmental and social problems. These include environmental and social programs. Agenda 21 can be seen to set a strong normative framework for ideals of better environmental management, that addresses both economic and human rights in principles of equity, devolution of responsibility, access to information and coordination between hierarchies of government. These objectives are integrated across key environmental programs. Participation is addressed within each specific environmental program, and in Section 3 addressed comprehensively, as specific sectors are outlined, and the preamble states

23.2. One of the fundamental prerequisites for the achievement of sustainable development is broad public participation in decision-making.

This includes “all social groups” and goes on to specific sections dealing with women, children and youth, indigenous groups, non-government and local government, workers and industry; etc.

Agenda 21 not only has a clear commitment to the environment and public participation, it makes explicit the importance of action at all levels of government, from the international to the local.

This is stated clearly in the objectives of Program 10, ‘Integrated approach to the planning and management of land resources’:

d) To create mechanisms to facilitate the active involvement and participation of all concerned, particularly communities and people at the local level, in decision-making on land use and management,

10.10 ... establish innovative procedures, programmes, projects and services that facilitate and encourage the active participation of those affected in the decision-making and implementation process.

And is specifically concerned with equity in access to these participatory processes

10.10... especially of groups that have, hitherto, often been excluded, such as women, youth, indigenous people and their communities and other local communities.

When examining the program area in entirety, other significant clauses are identified that relate to the empirical framing of the research question. These include concepts of devolution in governance, which could be presented as a form of increasing avenues for community engagement:

10.6 (e) Encourage the principle of delegating policy-making to the lowest level of public authority consistent with effective action and a locally driven approach.

Statements of capacity building and institutional strengthening to enable coordination between local and all other levels of government. The importance of increasing participation in decision-making for sustainable development is identified as a ‘cross-sectoral’ issue.

Australia, as a signatory to Agenda 21, accepted a responsibility to implement strategies for achieving both the environmental and social principles of the framework. Australia's Constitution institutes a division of powers and responsibilities between the Commonwealth government and the States and Territory governments, in a form of cooperative Federalism. While environmental responsibilities traditionally lie with the States, the Commonwealth retains the power to ensure compliance with international agreements. A need to integrate these national responsibilities with the operational hierarchy of government in Australia necessitated a form of cooperative implementation based on the pre-existing Council of Australian Governments (COAG).

The Intergovernmental Agreement on the Environment (COAG, 1992) was developed to formalise the responsibilities for governments at all scales of the federal system. This included local governments, which although not formally recognised in the Australian Constitution, were represented in negotiations by the Local Government Association. While the Agreement includes the phrase 'ecologically sustainable development', a set of Environmental Policy principles are ratified in the Agreement make no specific mention of participation in itself. Access to information and processes of consultation are included in reference to specific environmental management concerns.

This saw the development of the *National Strategy for Ecologically Sustainable Development* which was endorsed by the Council of Australian Governments December, 1992 (Australian Government, 1992), and states as its primary goal

Development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends.

The guiding principles include:

decision making processes should effectively integrate both long and short-term economic, environmental, social and equity considerations;

decisions and actions should provide for broad community involvement on issues which affect them.

This National Strategy emerged from a process of consultation and negotiation based on the Commonwealth's commitment to the principles embedded in the Rio

Declaration and Agenda 21, and the Intergovernmental Agreement on the Environment.

The strategy is seen as setting a broad framework for both government and civil society, and begins to drive an expectation that policy will embrace the principles expressed in the international agreements.

The Strategy plays the critical role of setting the scene for the broad changes in direction and approach that governments will take to ensure that Australia's future development is ecologically sustainable. (Australian Government, 1992)

The principle of participation is addressed specifically in chapter 32, in the context of developing and implementing the Strategy itself. Raising awareness, providing information, promoting communication and inviting consultation are the stated objectives.

Policies addressing principles of free, prior and informed consent (FPIC) also emerged from the development of Agenda 21. The development and implementation of these policies, which are focused on improving indigenous peoples participation in decision making processes, is slowly increasing as signatory countries to the UN Declaration on the Rights of Indigenous Peoples (such as Australia) accept an obligation to implement FPIC (United Nations, 2007; Hartley 2014). In Australia, requirements to embed FPIC have been left to the aboriginal land rights legislation of each state and territory. However the interaction of these policies with other governing rules and the possibility of Federal override present challenges to authentic implementation (Altman 2010; Minerals Council of Australia, 2014).

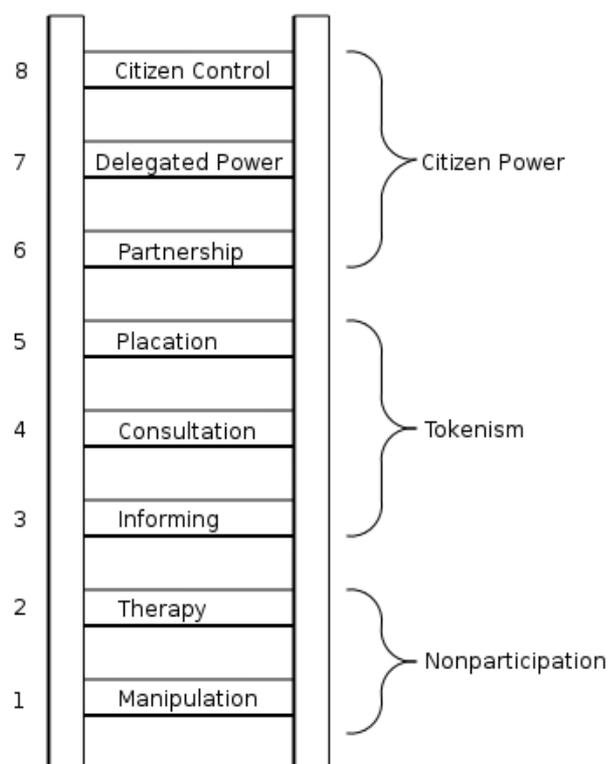
## **2.2 The 'rules of engagement'**

The literature reveals a variety of arguments for increased community engagement in governance regimes. These range from the positivist/rational pursuit of institutional legitimacy to the constructivist/interpretive desire for more empowered communities (Guttentag, Porath, & Fraidin, 2008; Mehta et al., 1999; Moynihan, 2003; Poteete & Ostrom 2008). These perspectives are situated at opposite ends of linear models such as Arnstein's ladder of citizen's participation (1969), illustrated in Figure 2.1,

presenting diverse aspirations and expectations of community engagement in natural resource governance.

Alternative models offer a more dynamic interaction between features of community action and the legitimacy of power structures, suggesting that community and governance are engaged in an interdependent and evolving discourse (Bevir & Rhodes, 2006; Fischer, 2005; Fung, 2006). This diversity of views focuses attention on the need for clarity of purpose in any consideration of community engagement as an element of natural resource governance. What is the substantive purpose: active citizens, on-ground outcomes, or more easily enforceable regulation?

Current public policy does not adequately distinguish between these perspectives. Legislation may require *community consultation* at the same time as policy statements promote concepts of *localism*. Terminology is ambiguous and regularly evolving. *Engagement* is often considered synonymous with *participation* or *consultation*. As a result, expectations are diverse and this has implications for implementation.



**Figure 2.1: Arnstein's (1969) Ladder of participation: a foundation work for understanding different purposes and practices of community participation**

In order to progress the study of community engagement as a tool for natural resource governance, research must first address the problematic ambiguity of the phrase. Participatory planning theorist, Margaret Munro-Clark, successfully articulated a dilemma that applies equally to the phrase *community engagement*

'Citizen participation' is an ambiguous term with positive overtones ... the term does not specify the nature of the interaction. It belongs among those terms which in effect empty the human relations they refer to of political content. ... In this sense its function is largely ideological: it confers a stamp of approval on whatever it names. (Munro-Clark, 1992, p.13)

### **2.2.1 Guiding principles for community engagement**

Many of the claims about community are normative claims, about community giving meaning and a sense ... community becomes a source of coherence and a bastion of stability in a world of change and uncertainty. (Adams & Hess, 2001, p.17)

The diverse claims about the value and meaning of community create a wide range of expectations that are attached to the term in public policy contexts. This plurality can lead to confusion about the purpose of bringing community into a participatory process.

Attempts to address this confusion and clarify expectations have resulted in best practice guidelines for community engagement (see, e.g. Australian Wind Energy Association (Auswind), 2006; Central Office of Information, 2009; Gardner, Dowd, Mason, & Ashworth, 2009; Kruger, 2011; Programs Committee of the Natural Resource Management Ministerial Council, 2002; Scottish Community Development Centre, 2005). These guidelines draw on decades of research from participatory planning and democratic decision-making, and often take the form of principles that can be used to inform governance arrangements (Bottrill & Cordonier Segger, 2005; International Association for Public Participation, 2012). These principles apply across scales, from the local to the international, and provide normative guidance for well-run procedures and processes (Fisher, 2006; IUCN Environmental Law Centre, 2009).

The values embedded in these principles are well researched and established through good practice, however they do not carry the weight of substantive rules and are, therefore, vulnerable to influence by the status quo (Ross, 2010; Toth, 2010; Wiersema, 2008).

The international legal norm for public participation in environmental governance is the *Aarhus Convention* (United Nations European Commission on the Environment, 1998), established in 1998 by the Environmental Policy arm of the United Nations, and emerging from the *1992 Rio Declaration and Agenda 21*. The *Aarhus Convention* is formed around three main principles: public participation, access to information, and access to justice (Toth, 2010). The overriding focus of the Aarhus Convention is to encourage the transparency of decision-making processes and promote access to these processes. The internationally recognised Institute for Public Participation (IP2) (2012) usefully extends these principles to articulate how engagement should ideally interact with decision-making processes. The IP2 principles have been used to evaluate engagement processes and activities (Herriman, 2011), as have a range of principled policy methodologies based on principle 10 of *Agenda 21*, also known as the 'access principle' (Banisar, Parmar, deSilva, & Excell, 2011).

Governance scholars with a specific focus on natural resource governance have sought to develop similar principles that could be applied to community engagement (see Table 2.1). These principles provide normative guidance for the establishment of good-practice, multi-level natural resource governance (Lockwood et al., 2009), however there is a limited examination of how these principles are substantively represented in current governance arrangements (Gunningham 2009a; Innes, 2004; Kirk & Blackstock, 2011).

**Table 2.1: Principles of community engagement for natural resource governance**

<b><i>Aarhus Convention</i></b>	<b>IP2</b>	<b>New governance</b>
Public participation	Public should have a say	Legitimacy
Access to information	Promise of influence	Transparency
	Recognise and communicate with all participants	Accountability
Access to justice	Seek and facilitate affected publics	Inclusiveness
	Participant input to design of processes	Fairness

Provide necessary information  
Communicate how input has  
influenced decisions

Integration  
Capability  
Adaptability

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### **2.2.2 Switching off: The risks of community (dis)engagement**

If there is no clear impact on the decision making cycle, community disillusionment and disengagement is likely and participation is reduced (Koontz, 2005; Peterson, 2011). Claims about the rewards of participation have rarely been empirically tested and unrealistic expectations, often based on unarticulated assumptions, carry a real risk of disconnection and cynicism about the purpose and value of community engagement in natural resource governance (Prager, 2015; Reed 2008; Shackleton, 2010).

Community engagement often occurs in way that makes little sense and fails to meet the complex needs of natural resource governance (Brackertz & Meredyth, 2009; Hindmarsh, 2010; Larson & Brake, 2011). This is expressed by disenchantment as communities begin to understand that their 'own ways of working and the institutional arrangements that support them tend to become invisible to government' (Eversole, 2011, p. 63). Research into factors of non-participation describe this as a response to exclusionary practices operating under the guise of engagement (Besley, 2012), such as manipulation of invitation lists, distribution of information and, importantly in the public policy context, non-implementation of decisions resulting from engagement activities (Halvorsen, 2006; Peterson, 2011).

This is recognised most clearly in environmental activism across a range of sensitive environmental issues such as the siting of waste facilities, wind farms and other development (Hall, 2012a; Lewicki, 2003). Community opposition reveals a lack of trust between the community and the policy makers (Beierle, 1999; Gross, 2008). The perverse outcome of this distrust is a breakdown of legitimate governance and a reduced capacity to act in cases of environmental uncertainty and complexity (Lewis, 2008; Marshall 2007).

### **2.2.3 Who controls community engagement?**

Controlling the definition of a problem, setting an agenda for addressing a problem, resourcing a process and framing the terms of evaluation are all ways that power can be exerted in a procedural fashion (Black, 1997), supporting and reinforcing power dynamics (Boxelaar et al., 2006; Smith, 2000). The hegemonic control wielded by taking early and guiding control of the engagement agenda includes the subtle expression of discretionary power (Black, 1997; Shepherd & Martin, 2011). This concept refers to the power of those charged with implementing a policy directive or institutional reform, and includes the way that guidelines for participation, representation and consultation may be manipulated in practice (Howlett, 2009; Lewis 2008). This phenomenon is commonly recorded as a significant feature of community engagement programs that operate under the auspices of administrative bureaucracies such as government departments and private industry groups (Moynihan, 2003; Wallington & Lawrence, 2008; Whitman 2008).

A lack of attention to interactions between governance and community increases the risk of disenfranchising the community and creating a negative response to policy reform (Allan, 2008; Brugnach et al., 2011). This can lead to a scenario of unintended or perverse consequences as policy interventions and accountability mechanisms reduce community action and inhibit innovative responses (Connell & Grafton, 2008; Marshall, 2007; McKinney & Kemmis, 2011; Taylor, 2007).

### **2.2.4 Who instigates community engagement?**

Referred to as 'drivers', 'sponsors', 'catalysts' or 'facilitators', instigators may be located within organisations charged with implementing engagement processes (procedural power), or they may become influential through the design of the process itself (process power) (Buchy & Race, 2001). Research suggests that instigation is an important factor in how a process is implemented and evaluated (McKinney & Field, 2008; Taylor, 2007). Instigators can display an unsettling lack of awareness as to the purpose of the engagement or the value of the process (Moynihan, 2003; Nabatchi & Farrar, 2011). While typologies have been developed to assist instigators identify and overcome this obstacle (Margerum, 2008; Smith et al. 2005), there is little research to demonstrate how these are used in practice. This lack of certainty combined with cynicism increases the likelihood of disengagement

by both the instigator and the community being addressed, as there is little evidence to suggest that there is a meaningful intersection between engagement and decision-making cycles (Berner et al., 2011; Brackertz & Meredyth, 2009).

### **2.2.5 Legitimacy**

Institutions require the trust of the community and the stamp of legitimacy in order to operate successfully with minimal opposition (Whitman, 2008). Julia Black (1997) observes:

Organizations develop structures and procedures not because of their instrumental value in achieving efficient outcomes, but because they can thus communicate to observers that the decisions being made are legitimate and should therefore be supported. (p. 60)

Legitimacy can be claimed by both public displays of support or a lack of visible opposition (Arnold & Gunderson, 2014; Arnstein, 1969). Participatory processes can be seen as procedural quests to achieve legitimacy, translating participation in structured activities into a form of tacit approval by community, commonly referred to as a 'tick the box' approach (Nabatchi & Farrar, 2011; Ross, 2010). This raises serious questions about representation, justice and fairness (Fung, 2006), and potentially increases the risk of disengagement (Peterson, 2011) when community members feel disenchanting by unsatisfactory processes (Arnstein, 1969). Pursuing legitimacy as an objective in itself limits attention to the possible impact these procedures may have on achieving better environmental outcomes and complicates our understanding of the purpose of community engagement (Bishop & Davis, 2002; Black, 2001; Smith, 2003).

## **2.3 Implications for the study of community engagement**

### **2.3.1 Stasis in the field**

Typologies are common in the study of community engagement. While they usefully describe the processes of participation, they rarely include consideration of the epistemological foundations of the classification (Bishop & Davis, 2002). This may have implications for progressing empirical knowledge of community engagement in natural resource management (Brackertz & Meredyth, 2009; Reed, 2008).

The study of exclusion (as opposed to participation) critiques typologies that fail to recognise barriers to engagement (Innes, 2004; Lingard, 2012; Taylor, 2007). These critiques are useful for developing more nuanced understandings about how community engagement works in practice (Peterson, 2011). This includes discussion of power dynamics and their influence on the way that processes can be designed to include dominant perspectives and exclude minority voices, through procedural technicalities of limited time frames, restricted opportunities to comment, privileging 'expert' opinions and other subtle reinforcements of existing inequities (Adler, 2005; Arnstein, 1969; Fischer, 2005). These routine features can compromise the power sharing possibilities of best practice community engagement (Woolgar & Neyland, 2013).

This suggests one reason why the community engagement literature is so heavily focused on describing process and practice: descriptive case studies can record the diversity of engagement activities without getting bogged down in broader ontological confusions. This focus on process contributes a useful body of knowledge about what techniques have worked in a range of scenarios, and serves to draw out the important elements of developing good practice (Harrington et al., 2008; Fung, 2006). However, there is often a confusion between the quality of the process, and a pragmatic assessment of whether the objectives of the process were achieved (Holley, 2010; Koontz, 2005; Koontz & Thomas, 2006). As a result, there is a certain amount of stasis in the study of community engagement that impedes understanding of community engagement as an element of environmental governance.

### **2.3.2 Understanding effectiveness**

In order to better understand how community engagement can contribute to improved natural resource governance, the literature calls attention to a lack of empirical evidence (Evans & Reid, 2014; Irvin & Stansbury, 2004; Kirk & Blackstock 2011; Mitchell, Curtis, Sharp, & Mendham, 2012; Rowe & Frewer 2004; Walker, 2011). Scholars discuss the difficulties of building an evidence base, pointing to the confusion of terminology, assumptions of purpose and varying conceptualisations of what community engagement is and expectations of what it can contribute to natural resource governance.

Understanding how institutional norms influence concepts of effectiveness encourages attention to the development of indicators, how data is collected and different concepts of effectiveness in regard to community engagement (Allan, 2008). Different interpretations of effectiveness are linked to underlying assumptions and versions of engagement.

Ostrom (2010) argues that institutional responses should be required to 'bring out the best in humans' and encourage the development of indicators focused on

[I]nnovateness, learning, adapting, trustworthiness, levels of co operation of participants and the achievement of more effective, equitable and, sustainable outcomes at multiple scales. p. 25

This perspective links concepts of effectiveness to a democratic, empowerment version of community engagement and supports indicators that look for the possible transformational impacts of engagement processes on the capacity of individuals and communities to become more active (Taylor, 2007; Weber, 2003). Such indicators of effectiveness extend beyond the natural resource issue to a broader agenda of social change, community ownership and innovative responses generated by communities themselves (Marshall, 2011; Gaventa & Barrett, 2012).

Other indicators of effectiveness include participant satisfaction, an indicator that may be applied to consideration of the process alone, or include satisfaction with the outcome on the ground (Ford-Thompson et al., 2012). Arguing that substantive outcomes are difficult to evaluate, as direct causal links are elusive, Beierle (1999) supports a focus on social goals that rest at the transformational end of the engagement spectrum. A consistent theme in the literature is the lack of indicators attached to the way that community engagement activities actually link to decision-making (Brackertz & Meredyth, 2009), suggesting that the elements of power, trust, legitimacy and accountability are not adequately addressed in concepts of effectiveness (Koontz & Thomas, 2006).

Development of a 'transparency' indicator linked to sustainable development principles connects community engagement with international norms of public participation (Bottrill & Cordonier Segger, 2005; Goepel, 2010; Hillman et al. 2005). Such indicators could aid the articulation of the dimensions of justice described in the literature (Markell, 2006) concerned with procedural, distributive, informational and

environmental justice (Besley, 2012; Dellinger, 2012). Indicators could refer to the perceived fairness of a process, access to information, and equitable impacts on the communities involved (Lewanski, 2013; Rowe & Frewer, 2004; Tyler, 1988) as well as the potential for substantive reform of environmental governance through the exercise of procedural community participation (Dellinger, 2012; Lambropoulos, 2010).

Recognition of how specific context factors influence concepts of effectiveness is a common theme in the literature (Koontz, 2005). Contextual factors include recognition of the pre-existing dynamics in a community (including institutional relationships) (Flynn & Kröger, 2003) as well as the way a process is designed and implemented, and also the wider network for change that exists within the natural resource context (Eversole, 2011; Harrington et al., 2008). Differing concepts of effectiveness can complicate the process of evaluation (Koontz & Thomas, 2006) and may slow development of a strong empirical base (Rowe & Frewer, 2004). However standardised indicators can conflict with the pluralistic, fluid and evolving nature of community engagement as described in this review (Eversole, 2011; Margerum, 2008).

### **2.3.3 Clarity of purpose**

Confusion emerges as a consistent theme within the literature of community engagement, both in the meaning of the phrase and the way that different participants understand it. Multiple interpretations of seemingly well-known terms can disguise an often-incompatible mix of expectations and intentions (Holley, 2010; Shepherd & Martin, 2011). To build evidence, there needs to be a better understanding of what assumptions are operating under a range of engagement paradigms (Adams & Hess, 2001). When confusion of purpose combines with confusion of terminology, it becomes difficult to collect evidence that looks beyond the procedural and process elements to the substantive value of community engagement within complex natural resource arenas (Brugnach et al. 2011; Lewis, 2008).

It is important to acknowledge the utility of multiple meanings in contexts where it enables those with different agendas to sit at the same table or participate in the same process to address complex and possibly combative issues without delving

into the detail (Brugnach et al., 2011; Dellinger, 2012; Lewis, 2008). However, this tactic is best employed as a diplomatic tool to gain broad accord. Confusion of purpose has no advantage at the implementation phase and only compounds the influence of discretionary power (Power, 2010), creating unanticipated outcomes for community engagement activities as well as muddying the waters of effective evaluation (Brackertz & Meredyth, 2009; Johnston, 2010).

#### **2.3.4 Outputs versus outcomes**

Evidence that confuses outputs with outcomes results in meaningless cataloguing of products that do not address the stasis in the field of community engagement scholarship.

Outputs are often the subject of evaluation as they produce tangible items such as newsletters, brochures and websites that are easy to document but do not provide evidence of meaningful social or environmental outcomes. Outcomes are the effects of these outputs on environmental and social conditions, decisions or legislation, reflecting a substantive change in these factors (Koontz & Thomas, 2006).

Making a genuine distinction between outcomes and outputs is difficult. Previous research suggests that the normative power of the bureaucratic process (Eversole, 2011) encourages a shift in focus from outcomes to outputs as these are more easily quantified and provide a measure that may more comfortably fit with the expectations and pressures of organisational culture (Boxelaar et al., 2006; Wallington & Lawrence 2008). Evaluating outputs can reduce complexity and present a reassuringly positivist approach to assessing community engagement (Bishop & Davis, 2002).

This tendency to focus on outputs rather than outcomes diverts attention from the influence of the status quo in matters of power, trust, legitimacy and accountability (Barr, 2011; Fischer, 2005). Outputs are easy to define and provide a tangible, non-complex indicator of some kind of activity within a program (Woolcock & Brown, 2005), without delving into difficult questions about the functional outcomes. It is important that indicators of effectiveness reflect either a desire to record change and innovation, or are clearly linked to the 'prevailing ways' (Boxelaar et al., 2006). This avoids the tendency to confuse stated objectives with actual required outcomes, and

can assist in building an evidence base for community engagement in natural resource governance (Marshall, 2011).

## **2.4 Research outcomes of this literature review**

Institutions are the vertical dimension of social capital. (Torgler et al., 2010, p. 42)

Climate change, water management, erosion and human resource consumption challenge existing governance arrangements in addressing the complex and uncertain nature of these issues. Theories of new environmental governance or next generation resource governance have begun to emerge (Gunningham, 2009b; Holley 2010; Martin et al. 2012). New governance scholars suggest that governments must address power imbalances and information asymmetry in designing community engagement (Gross, 2008; van Tol Smita et al., 2015). Complexity in governance arrangements, lack of transparency and inadequate articulation of community pathways to influence change have significant impacts on social justice, economic effectiveness and environmental sustainability (Gunningham, 2009a; Holley, 2010; Hordijk et al., 2014).

This review suggests that there is a problematic stasis in the field of community engagement research that reflects a pervasive ambiguity about its role in natural resource governance. This complicates the collection of empirical evidence and leads to a research field dominated by a repetitive focus on process-based, best-practice analysis. It is time to move beyond a focus on theory building to empirical research aimed at integrating disciplines, breaking down barriers and creating innovative responses (Pattberg & Widerberg 2015; Rowe & Frewer, 2004).

Governance studies that focus on environmental or natural resource issues can provide valuable insights to a range of other complex public policy areas (Pattberg & Widerberg, 2015). While legal, organisational, political and economic frameworks supply the institutional context for community action, this review suggests that they have been under-researched (Black, 1997; Prager et al., 2015).

Clearer articulation of the institutional drivers for community engagement will go some way towards addressing the confusion of purpose that hinders our understanding of effectiveness. Building better evidence about the role of community

in natural resource governance requires establishing boundaries and clarifying expectations at the outset, addressing disillusionment and disengagement, and improving linkages with legal and policy dynamics (Clayton, Dovers, & Harris, 2011). The question of whether community engagement is an effective tool for natural resource governance requires a study design which allows multiple interpretations of key terms such as community, engagement and effectiveness, while paying attention to both the stated and implied objectives (Herriman, 2011). A study of effective community engagement must recognise that a 'one-size-fits-all definition of effectiveness is incomplete...[and] rather think of effectiveness as having multiple dimensions' (Berner et al., 2011, p.153), operating across different spatial and temporal scales (Cohen & McCarthy 2015; Dovers, 2010) and embedded within diverse knowledge systems and worldviews (Aslin & Blackstock, 2010; Prager et al., 2015).

## **2.5 Summary**

This chapter concludes the literature review and should be read in conjunction with published paper one. The review suggests that the conceptual framework introduced in Published paper one that distinguishes between the substantive-procedural-practice elements of governance could usefully be applied to current natural resource governance regimes. This approach can identify the substantive purpose of engagement as it is described or defined at all levels of governance. The framework can also provide a simple analytical tool for legislators, policy makers, operational staff and community audiences to understand the purpose of the engagement, the objectives, the intersection with decision making and the outcomes that are expected. This would enable strategic reform proposals that can move the debate from a repetitive focus on how to run a good process of engagement to a better understanding of the how community engagement can contribute most effectively within natural resource governance regimes.

**Published paper two:**

Howard, T. (2014). From international principles to local practices: A socio-legal framing of public participation research. *Environmental Development and Sustainability (Springer)* **Volume 17, Issue 4 (2015), Page 747-763**. doi 10.1007/s10668-014-9572-3



This paper has been removed as it was published as the following journal article:

Howard, T. (2014). From international principles to local practices: A socio-legal framing of public participation research. *Environmental Development and Sustainability*, 17(4), 747-763.

<http://dx.doi.org/10.1007/s10668-014-9572-3>

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## Chapter 3: Methodology

This methodology chapter states the research problem and defines the central research question of this research. The chapter also outlines the secondary and tertiary research questions and presents the epistemological context and methodological choices that informed the research design.

### 3.1 Introduction

The methodology described in this chapter:

includes an awareness of the social-political context within which social research is embedded, the place of social research in the broader ... community ... and assumptions about social reality and knowledge creation on which social research rests. (Neuman, 2011, p. vii)

This research was guided by the researcher's social science background, Drawing on career and life experience in community engagement and environmental policy, the researcher is committed to achieving strategic public policy research outcomes. The research is grounded in the overarching context of the Next Generation Rural Landscape Governance research program, a cross-disciplinary research program focused on improving natural resource law and institutions. This component of the program focused on community engagement as an element of natural resource governance, and was supported with a scholarship from the Australian Cotton Research and Development Corporation (CRDC).

The methodology is cross-disciplinary, embracing legal terminology, applied social science (particularly public policy perspectives) and utilising a range of methods to obtain and analyse the data (Bammer, 2012; Evely, Fazey, Lambin, Lambert, Allen, & Pinard, 2010;). In order to demonstrate the integrity of the research methodology, this chapter presents:

- a brief outline of the philosophical foundations of the research;
- a discussion of the conceptual framework, its origin and evolution into an investigative framework;
- the specific methods used to collect data; and

- the possible limitations of the research design.

### **3.2 Cross disciplinary research**

Addressing wicked problems presents a challenge to the researcher as much as the policy maker. Beierle writes:

Because of their complexity, many ... problems are not conducive to centralized hierarchical decision-making. Rather, they often require the knowledge, commitment, and action of multiple levels of government, special interests, and the general public over long periods of time. (Beierle, 1999, p. 77)

This call for multiple perspectives suggests an important role for cross-disciplinary research that combines different bodies of knowledge to address complex natural resource issues (Bammer, 2012; Brugnach et al. 2011; Hillman et al., 2005). Cross-disciplinary research challenges conventional research strategies by inviting uncertainty into the research process as researchers explore productive synergies between varying academic methods (Howard & Lawson, 2015; Lawrence, 2010; Neef & Neubert, 2011).

Cross-disciplinary research requires a willingness to explore significant epistemological differences while constantly looking for potential overlaps in both subject matter and methodological approaches (Martin, Williams, Stone, & Alter, 2010). The limitations of conventional research in addressing issues such as natural resource governance and community engagement suggest that using cross-disciplinary research is important for generating new and strategic knowledge (Bammer, 2012; Batty 2006; Prager et al., 2015). Nevertheless, it is necessary to pay attention to the persistence of entrenched knowledge systems which may favour research methods and outcomes that reflect well-established norms, rather than new and innovative approaches (Dovers, 2010; Flyvberg, 2001; Hendriks, 2010).

#### **3.2.1 Socio legal perspectives**

In order to explore how community engagement functions within natural resource governance systems, it is necessary to combine learning from varied scholarships in the social sciences with legal perspectives concerning legislative arrangements and institutional mechanisms. Socio-legal research focuses on aspects of procedural justice, such as enhanced legitimacy of decisions (Gross, 2008; Markell, 2006),

access to justice (Tyler, 1988), and increased understanding of how people perceive and interact with the law (Holley, 2010; Martin & Gunningham, 2011; Tyler, 2006).

Scholars note that environmental socio-legal research has not been well developed despite the specific and useful contribution that this knowledge makes to environmental studies (Fisher et al., 2009; Musheno & Maynard-Moody, 2009; Pattberg & Widerberg 2015). Scholars propose that social science provides a robust and well-developed set of theories, methodologies and data sets that can be usefully applied to questions of legal and institutional concern (Hillyard, 2007; Hutchinson, 2010; Williams, 2009).

### **3.3 Research frameworks**

#### **3.3.1 Conceptual framework**

A key component of the research design was the development and application of a conceptual framework that could be applied to the research problem. The concepts and terminology used in this framework is borrowed from legal theory and public policy, and were motivated by the findings of the literature review, particularly:

- Confused expectations and definitions of community engagement
- Limited evidence of effective outcomes
- A focus on process and activity rather than institutional reform
- Repetition and stasis in the current body of literature.

The framework provided an organising conceptual structure for the research design, guiding the research through the vast field of research concerning public participation, community engagement, citizen action and democratic theory. The desire to apply a structured framework to the research problem was driven by recognition that governance is comprised of both an overarching *structure* and composite *elements*, and that to address the core research problem of improving community engagement in natural resource governance, the research design must recognise that

It is not that the 'rules' are simply what constitute the game, since the rules themselves depend upon the elements ... to which those rules make reference,

even as those elements are given definition through the rules (Malpas, 2001, p. 133).

The framework utilises existing concepts of current environmental governance (Fisher et al., 2009; Hordijk et al. 2014; Pattberg & Widerberg, 2015). It is based on the researcher's belief that community engagement is shaped by both legal and non-legal discourses, and the intersection of community with natural resources, resulting in

a shifting subject which is the product of constant negotiation, attempting to resolve conflicting interests and exercise administrative discretion ... [and] only exists as a subject of legal concern inasmuch as it is the space in which the human subject lives, breathes or works. (Goodie, 2001, p. 80)

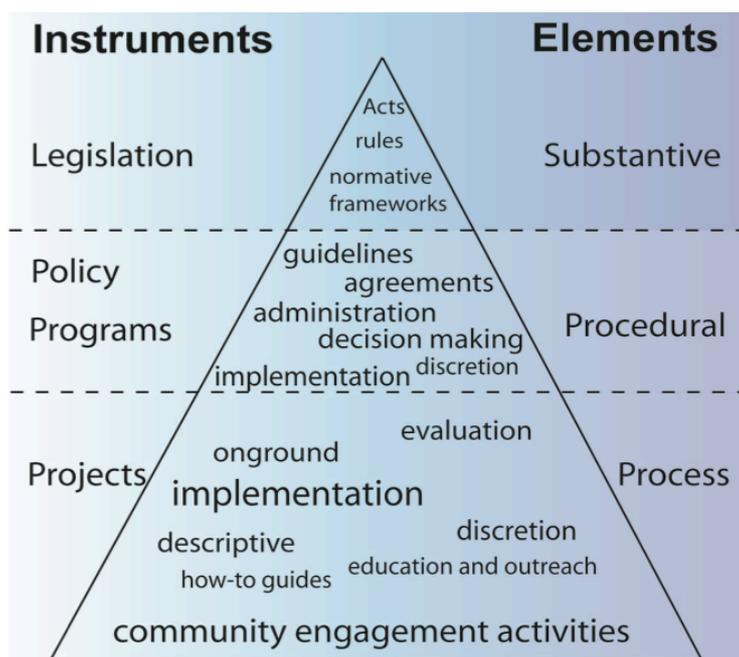
The conceptual framework was useful for organising the research design, however it was not a theoretical construct and '[does] not establish any system of truths as such, but only a method for deciding on what is to be held true' (Malpas, 2001, p. 138).

The conceptual framework described here was informed by previous work that adopted a principal-agent perspective of the development and implementation of policy (Howlett, 2009; Howlett, Ramesh, & Perl, 2009; Poth & Selck, 2009). Researchers reporting on how concepts of individualisation were realised in employment negotiations found it useful to emphasise the distinction between *substantive* individualisation and *procedural* individualisation (Brown, Deakin, Hudson, Pratten, & Ryan, 1998). Further iterations of this distinction introduced a *process* element that encouraged attention to the implementation of both legislation and policy elements (Kennedy, 2006; Waring, 2001).

In adapting this research terminology for the purpose of improving community engagement in natural resource governance, the *substantive* is taken as referring to the explicit objective of achieving community involvement in governance. This is perceived as a core intention of the legal instrument, and could, indeed, be the central organising principle of legislation. This element has been re-named 'legislation'.

The *procedural* element concerns community engagement as participatory processes that could be seen to operationalise engagement, without being the core organising principle of the legal or policy document. This element was re-named 'policy'.

The *process* element describes the implementation and delivery of participatory processes. This element is the interface between high-level statements of intention and practical implementation. This element is re-named 'practice'.



**Figure 3.1: The conceptual framework for this research**

While the framework is appealingly parsimonious, there is a risk that it is insufficient for addressing the messy and complex world of real life community engagement and natural resource governance. However the framework echoes terminology and theoretical constructs found in other research from public policy and economic theory (Colebatch, 2009; Kim, 2011; Howlett, 2009; Ostrom & Cox, 2010), suggesting that the conceptual division would be usefully broad ranging in its application

The conceptual framework used in this research suggests that confusion across the levels of the framework could impact on community participation in natural resource governance. Making an explicit connection between the way that institutional architectures interact with implementation of legislation, policy and practice would assist in the design of better governance structures.

However this linear analysis excludes consideration of how evaluation, evidence and change can be included in a socio-legal perspective (Arnold & Gunderson, 2014; Martin & Gunningham 2011). To address these deficiencies, the research design described in this chapter extends the conceptual framework to include the additional elements: ‘evidence’ and ‘reform’, leading to the investigative framework described below.

### 3.3.2 The investigative framework

The investigative framework supported a research design that could trace the intention to engage from on-ground, project level activities (PRACTICE elements) through to reporting mechanisms and organisational guidelines, funding requirements and managerial level program design (POLICY elements). The framework points to a gap in governance arrangements that support meaningful community engagement in natural resource governance (LEGISLATION elements). The impact of this ‘governance gap’ on the collection of empirical evidence about the role of community engagement in natural resource governance is considered (EVIDENCE elements), as is the design of possible improvements and alternatives in line with the Next Generation research agenda (REFORM elements).

**Table 3.1: Elements of the investigative framework, building on and extending the conceptual framework**

Legislation	Content/ substance
Policy	Mechanisms/ requirements
Practice	Implementation
Evidence	Evaluation for improvement, change
Reform	Consideration of alternatives

### 3.4 Research questions

The central research question is informed by the broad intention of the Next Generation Rural Landscape Governance research program to develop *improved institutional mechanisms for community engagement in resource governance*. Highlighting key terms in this statement lead to an identification of the core intention of the research, which includes a strong institutional reform agenda, and the derivation of the central research statement:

Improving the 'rules of engagement': Understanding the expectations, definitions and purposes of community engagement in Australian natural resource governance.

Key terms derived from this statement informed the parameters of the literature review, which traversed a wide range of research on community engagement, public participation, governance, decision making, public policy, and democratic theory. The diverse and pluralistic field of engagement literature became an area of research significance and was explored in Published paper one (Howard, 2015a).

### **3.4.1 Primary research question**

Formulating a robust research question is a necessary step in designing a research study that can pursue a realistic and productive outcome (Bridger & Alter, 2006; Cooksey & McDonald, 2011). Research questions can also be useful for signposting key theoretical directions and flagging conceptual frameworks that inform the research (Agee, 2009; Rapley, 2007). Thus the research questions were developed recognising that

first iterations of questions are tentative and exploratory but give researchers a tool for articulating the primary focus of the study (Agee, 2009, p. 433)

The primary research question began this iterative process by connecting the concept of *institutional reform* with broader concepts of *community engagement and public participation* in natural resource governance. The research question was informed by a comprehensive literature review that ranged across intersections between public policy and natural resources, and diverse versions of 'community engagement' in this context.

As the research problem came into focus, the broad terminology was tightened to focus on *participatory process* as a form of community engagement. The research question took a step back from normative assumptions about the assumed benefits of increasing legal and administrative requirements for community engagement, and asked:

How are participatory processes currently defined and experienced in Australian natural governance; and how could they be improved?

This primary research question provided the overarching focus for the study. To articulate the key research components, secondary and tertiary questions were also developed<sup>8</sup>. These questions guided the design of the research project, ensuring that the overall question was addressed (Johnson & Christensen, 2008).

### **3.4.2 Secondary research questions**

The secondary questions followed the structure of the investigative framework that emerged from the literature review and described in Published paper one (Howard, 2005a) (see Figure 3.2). This framework connects the research to public policy scholarship that explores the intersection between institutional and social norms (Bishop & Davis, 2002; Black, 1997; Gottweis, 2008) and how these are given form in both the *creation* and *delivery* of policy (Brody, Godschalk, & Burby et al., 2003; Howlett et al., 2009; McGee et al., 2003).

The secondary questions were linked to the articulation of key assumptions underpinning the research objectives. These assumptions were articulated to demonstrate the origin of the research questions and to acknowledge their influence on the researcher in developing the overall research design (Holloway & Jefferson, 2000; Kearney & Hyle, 2006; Neuman, 2011), in line with the underpinning commitment to critically reflective scholarship.

While these assumptions might have exerted a deductive influence on the research design as outlined in this chapter, it is important to note that they did not serve as testable hypotheses within a positivistic paradigm. As described later in this chapter, this research pursued a post-positivist path utilising qualitative research methods. There was no intention to test these assumptions for causal relationships but rather to map the complex and dynamic interaction of variables that exist within the natural resource governance context (Cooksey & McDonald 2011; Johnson & Christensen, 2008; Malpas, 2001).

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<sup>8</sup> The research questions are detailed in Appendix Two.

**Table 3.2: Research questions and associated assumptions**

Secondary research question	Underpinning assumptions
RQ1: What expectations and definitions of community engagement are embedded in current natural resource <b>legislation</b> , and what substantive guidance is provided for their implementation through participatory processes?	A1: Community engagement is an ambiguous term which encompasses diverse expectations and confused objectives. A2: Community engagement requires substantive definition and clearly articulated expectations to improve its role in natural resource governance.
RQ2: What expectations and definitions of community engagement are embedded in current natural resource <b>policy</b> , and how are these implemented in participatory processes?	A3: Ambiguity at the substantive level increases the influence of discretionary/ administrative power in the design and implementation of participatory processes. A4: There is a tension between functional and transformational perceptions of community engagement.
RQ3: What expectations and definitions of community engagement are embedded in current natural resource <b>practice</b> , and how are these experienced through implementation of participatory processes?	A5: Practical experiences are disconnected from substantive and procedural definitions and expectations. A6: A tension between functional and transformational perceptions is present throughout the investigative framework.
RQ4: How do definitions and expectations of participatory processes differ, and what are the <b>evidence</b> implications for improving community engagement as an element of natural resource governance?	A7: Confusion of intention and ambiguity of definitions leads to a focus on outputs rather than outcomes, and lack of empirical evidence for participatory processes as a governance tool, which makes it difficult to improve beyond the process level. A8: An understanding of the functional/transformational divide will improve community engagement across the investigative framework.
RQ5: What alternative rules could improve participatory processes in natural resource governance and what are the barriers or enablers to achieving this <b>reform</b> ?	A9: Participants in existing participatory processes can envision effective reform.

### 3.4.3 Tertiary research questions

Continuing the iterative nature of developing a research agenda and design, considerable time and thought was devoted to developing a series of tertiary questions. These questions guided consideration of the data required to answer the secondary questions, and ensured that the design met requirements of feasibility and relevance with regard to answering the primary research question. These questions were more detailed and numerous, and were linked to a set of clear research objectives and accompanying research outcomes, which enabled a

process of cross-referencing to existing questions. This structured approach resulted in the identification of unnecessary questions and the need to develop additional questions and research objectives to complete the design process. The tertiary questions provided important guidance for selection of the research methods undertaken in this study and are attached at Appendix Two.

The following section presents the research objectives and expected research outcomes.

#### **3.4.4 Research objectives**

The variety of ways that community can be described and defined combined with the multiple arenas of possible actions creates many valid research directions.

Community participation in research, citizen activism in politics, public interaction with private interests, and community-led initiatives are just some of the many contexts that could frame investigation for improved Next Generation rural landscape governance. In order to formulate a feasible research proposal the researcher was guided by the central research question:

How are participatory processes currently defined and experienced in Australian natural governance; and how could they be improved?

A series of related research objectives were developed to ensure a clear articulation of the data requirements for this study and subsequently inform the choice of data capture methods that would be suitable. Altogether, these elements formed a comprehensive outline of the research design and provided a guide to completion. An overview of the research objectives, related outcomes, data sources and capture methods are summarised in Table 3.3.

**Table 3.3: Research objectives and outcomes**

Research objectives	Data required	Data capture method	Research outcome
1. Understanding of existing community engagement definitions and expectations in natural resource legislation and policy (including international frameworks)	Current natural resource legislation; Australian and international agreements; legal and non-legal frameworks.	Document-based strategies: content analysis of legislation; literature review.	Identification of international frameworks for community participation; Development of vertical methodology rationale; Selection of case studies.
2. Map evolution of definitions and expectations through the strata of the investigative framework in multiple case studies.	Data that includes a participatory process requirement at both the <b>policy</b> and <b>practice</b> level; Case studies; Policy documents; Practice documents; Perspectives from participants at the policy and practice levels.	Content analysis; Interviews.	Definitions and expectations at <b>policy</b> level; Definitions and expectations at <b>practice</b> level; Compile with <b>legislation</b> and analyse.
3. Explore implications for evaluation and evidence/ improvement of community engagement in practice and policy.	Case study data.	Content analysis; Utilise secondary data Interviews	Analysis of how definitions and expectations are expressed in case study data.
4. Develop a criteria for balancing competing versions/ norms in reform proposals.	Outcome from objective 3.		Link these definitions to the institutional drivers as expressed in the investigative framework/ develop a criteria for prioritising norms in this framework.
5. Propose possible reforms and at which level of the investigative framework.	Examples from other jurisdictions/ best practice literature.	Literature review.	Peer reviewed publication.

### 3.5 Research positioning

Several key assumptions influenced the framing of the research. The central importance of institutional reform drove the focus on the structural features of the research problem, encouraging a connection between diverse concepts of ‘community engagement’ and the decisions and relationships that make up the institutional scaffold (Martin et al. 2012; Peters, Alter, & Schwartzbach, 2010). The cross-disciplinary approach of the project also encouraged a hybridisation of possible theoretical and methodological approaches, guided by a pragmatic focus on

the applied value of the research to community, government and industry research partners. As such, the research was not driven by an entrenched epistemological belief but considered the dominant research paradigm and selected the most appropriate methodology for the research question.

### **3.5.1 A reflective research choice: Post-positivism**

The value of undertaking cross-disciplinary research with an applied focus is best realised with consideration of the values and beliefs that influence both institutional and social behaviour in the real world (Evely et al., 2010; Strang, 2009). Adopting a reflective approach to the research process enables a critical balancing of common elements of the post-positivist and constructivist philosophies of research (Agee, 2009). Emerging from the absolute rationalism of the positivist tradition, post-positivism accepts the influence of external subjectivities on not just the research subject but also the individuals involved in the research design and implementation (Guba & Lincoln, 2005).

These commonalities include a conscious recognition of the influence that personal values exert in research decisions and consideration of how the process and practice of research contribute to the co-creation of knowledge (Guba & Lincoln, 2005; Lal, Suto, & Ungar, 2012). A reflective research philosophy formalises the role of critical thinking when considering how intellectual or cultural beliefs inform the viewpoints (Agee, 2009) of research participants and researchers (Chambers, 2003; Gray, 2003; Simons, 1981). Acknowledging the role that personal and external influences may play in the research process does not lead to rejection of the desire for uncovering a version of the truth but, rather, suggests a critical realist approach to exploring and declaring the presence of these influences (Fisher et al., 2009; Neuman, 2011; Ritchie & Spencer, 1994).

A post-positivist perspective is supported by the view that research methodologies include a commitment or expression of theoretical preferences, based on fundamental conceptualisations of existence and ontological understandings of existence (Malpas, 2001; Williams, 2009; Woolgar & Neyland, 2013b).

This approach can usefully address the significant tension recorded by researchers between the constructivist nature of community engagement as it occurs in practice

and the interaction with organisational and institutional dynamics that are informed by positivist notions of objective outcomes (Boxelaar et al., 2006; Brackertz & Meredyth, 2009; Wallington & Lawrence, 2008). While post-positivism may suggest a way to address competing perspectives within an institutional framework, it does not prescribe particular research methods; it does provide a flexible philosophical foundation to explore the suitability and applicability of the investigative framework proposed in this research design (Moynihan, 2003; Torgler, Garcia-Valinas, & Macintyre, 2010; Walters; 2006).

This chapter will now progress to describing the research design in more detail. Informed by the investigative framework, combining terminology and organising concepts from legal research with social science perspectives, the design aimed to explore the inherent subjectivity of expectations and definitions of key concepts concerning community engagement in natural resource governance.

### **3.6 Research methods**

While a post-positivist research approach enables the use of both qualitative and quantitative techniques, the methods selected for this research were largely qualitative. These methods were deemed most suitable in terms of the questions being asked, the skills of the researcher and the underpinning epistemological position.

#### **3.6.1 Research design**

As previously outlined, the research was guided by a socio-legal framing that distinguished between the *substantive-procedural-policy* elements of natural resource governance; this could also be described as the *legislation-policy-practice* elements.

Informed by philosophical underpinnings, feasibility considerations and, above all, the needs of the research questions, the research design described in this chapter adopted a multiple case study approach, utilising qualitative research methods compatible with these requirements (Feagin, Orum, & Sjoberg, 1991; Simons, 1981; Sjoberg, Williams, Vaughan, & Sjoberg, 1991; Yin, 2009). Based on the investigative framework, the design included an exploration of how multiple meanings attached to concepts of community engagement may exist across the elements of the

framework; examined how legal and social norms interacted within the design and implementation of community governance mechanisms; and considered how acknowledgement, articulation and reconciliation of these norms can be addressed in governance reform.

The research design outlined in this section applied this theoretical framing to examine how community was defined in two pieces of Australian natural resource legislation (*Catchment Management Authorities Act 2003* No104 (NSW); *Environmental Planning and Assessment Act 1979* No 203 (NSW)). The investigative framework drew attention to how the *legislation* guided *policy* documents and directions, how this definition translated into implementable *processes* and how it was experienced in *practice*.

As a researcher I was interested in how community understood natural resource decision-making and the role of participatory processes. The research included an equal focus on administrators, project staff, managers, legislators and other actors that operate within government, industry and community.

The research design is described in the following sections and illustrated in the flow chart shown in Figure 3.2.

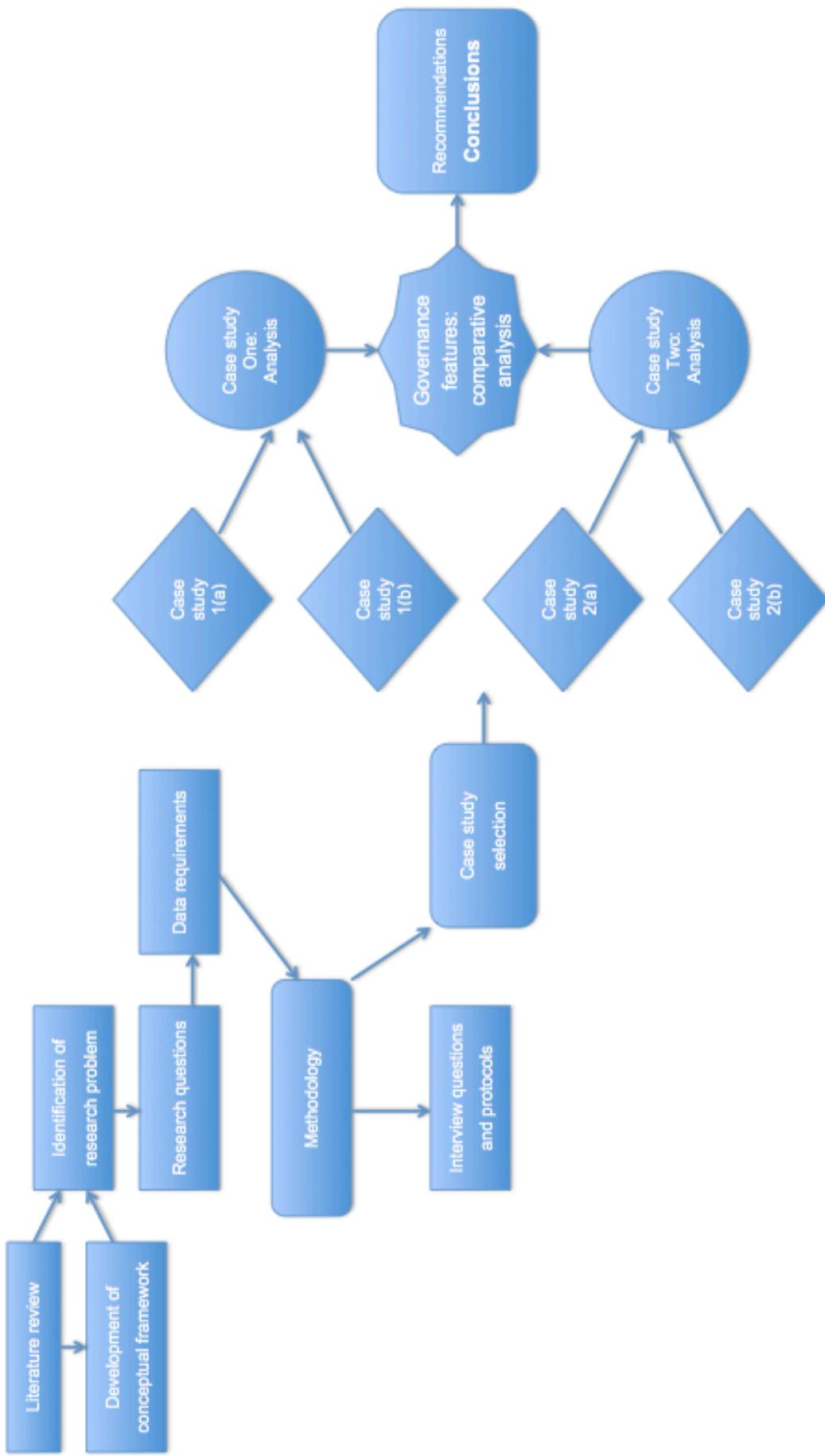


Figure 3.2: Diagram of research design

### **3.6.2 A mixed methods, multiple case study design**

The complex interaction of community engagement with natural resource governance introduces a range of variables to the research environment. To investigate the connection between legislated requirements for community engagement and experiences of participatory processes, it was important to access perspectives informed by real world cases. This required a research design that engaged with context to explore the details and nuances of natural resource governance in accordance with the researcher's belief that subjective truth is a valid source of data (Agee, 2009; Holloway & Jefferson, 2000). That is, multiple versions of engagement and definitions of community have a significant role to play in improving our understanding of natural resource governance, and the influence of legal requirements in this subjective research space.

The case study approach was considered a suitable choice for this research project as it concerned

- A 'how' or 'why' question ... about
- A contemporary set of events
- Over which the investigator has little or no control (Yin, 2009).

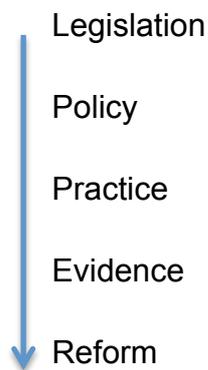
Case studies provide the opportunity to obtain personal perspectives from participants, at each level of the investigative framework, about their expectations and experiences of participatory processes in natural resource governance. Utilising a multiple case study design allows comparisons between legal frameworks, natural resource issues and participatory processes (Johnson & Christensen, 2008; Patton, 2002). Case studies provide a lens for qualitative research that seeks to understand the complex and messy real world experiences that may inform a research question (Neuman, 2011).

The research design applied a 'vertical slice' approach to the selection of case studies suitable for qualitative interview and documentary analyses (Bratspies, 2011; McGee et al., 2003). This examined how legislated requirements for participatory processes translated into policy and practice, to reveal how substantive and procedural requirements are implemented and experienced. The data collection paid particular attention to legal requirements and clarity of outcomes from these

requirements. The 'vertical slice' of data collection is described in more detail in the following section.

### 3.7 Data sources

The researcher collected data concerning community engagement in natural resource governance along a continuum of legislated objective(s) to the experiences of implementation (McGee et al., 2003). This approach to data collection followed the vertical axis of the investigative framework and could be described as taking a 'vertical slice' of data. This vertical axis is as illustrated in Figure 3.3.



**Figure 3.3: The vertical axis of the research design**

The vertical axis provided a consistent template for data collection as illustrated in Table 3.4.

**Table 3.4: Template for data collection**

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**Vertical slice: from legislation to implementation**

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Case study context	Legislation, policy, program or project documentation; governance model description and features; meeting minutes, correspondence, publicly available documents
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**Interview questions**

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Background information and personal context	Personal and professional journey to the current case; self-identification of role played in current case.
Purpose and expectations	Exploring perceptions of community engagement in this context and expectations of what it will achieve.
Concepts of community engagement and environmental governance	Understanding of key concepts, external to case study context; Awareness of how community engagement fits into the governance model.
Understanding of institutional arrangements relating to the case study	Awareness of legal and policy settings; description of governance model including boundaries.
Concepts of implementation	Exploring perceptions of how institutional arrangements interact with expectations and personal experience
Suggestions for improvement	Exploring ideas for reform through legislation, policy or practice.
Evidence for improvement	Exploring concepts of effectiveness and evaluation of community engagement.

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### 3.7.1 Documentary data

This section describes the data sources in more detail, and is followed by discussion of the main analytic approaches applied. To understand implementation of community engagement across the elements of the investigative framework, document-based strategies were employed in the research design. These included content analysis of legislation, policy documents, practitioner guidelines, grant applications and funding agreements, evaluation templates and a range of associated text-based materials such as website content (Johnson & Christensen, 2008).

Documents provide a relatively 'clean' source of data whose content cannot be influenced by the researcher (Lange, 2005; Rapley, 2007; Silverman, 2010).

However, interpretation remains reliant on the research perspective applied. This requires transparent reporting of how data is analysed and presented, inviting alternative interpretations of the research (Bernard & Ryan, 2010; Peters et al., 2010; Ritchie & Spencer, 1994).

### 3.7.2 Case studies

Two cases were selected in order to complete the research in a timely fashion.<sup>9</sup> Two examples were selected per piece of legislation (see Table 3.5). The aim was to explore differences between cases operating under the same legal settings, as well as considering the influence of the natural resource issue, and the different participatory processes being implemented. Detailed descriptions are included in Papers four and five, and Chapters 4 and 5.

**Table 3.5: Four participatory processes selected for qualitative analysis**

	<b>Legislation</b>	<b>Activity</b>	<b>Participatory process</b>	<b>Interview participants</b>
Case Study One	NSW - Environmental Planning and Assessment Act 1979 No 203 (1979)	Wind farm governance	Community consultative committee	5
			Community consortium	5
Case Study Two	NSW - Catchment Management Authorities Act No.104 (2003)	Catchment planning	Collaborative governance steering group	6
			Community reference panel	5

Data collected for these case studies included:

- Semi-structured interviews;
- Documents (meeting minutes, governance records, legal and policy documents, project outlines, websites, press releases etc.);
- Participant observation records; and
- Video recordings of public meetings.

<sup>9</sup> To strengthen the research design, it would have been valuable to include a case that did not have legislated objectives referring to community, to see what alternative explanations could have been drawn. However this theoretical replication was beyond the time and resource constraints of the research.

### 3.7.3 Case study selection

The case study selection criteria were adapted from previous work in socio-legal studies concerned with assessing transparency, sustainability principles and global governance (Access Initiative, n.d.; Bottriell & Cordonier Segger, 2005; Goepel, 2010; Inter-departmental Liaison Group on Risk Assessment, 2002; IUCN Environmental Law Centre, 2009; Maurer, Ehlers, & Buchman, 2003; Werksman & Foti 2011). These methodologies are detailed in Published paper two (Howard, 2014), Table 1.

Selection was based on:

1. Current natural resource issue (no older than five years)
2. Geographically accessible to researcher
3. Operating under natural resource legislation
4. A specific role for community in the objectives of the Legislation
5. An established participation process already in place
6. Access to data such as reports, websites, policy papers, guidelines
7. Willing participants
8. 'Run of the mill' examples - not extraordinary cases<sup>10</sup>

#### 3.7.3.1 Case study interviews

A semi-structured interview protocol was developed from previous examples provided by my supervisors and the academic literature (Holloway, 2000; Simons, 1981; Rapley, 2007). University ethics clearance was obtained. The protocol is outlined here and copies of the interview guide, the information sheet for participants and consent to publish form are attached at Appendices Four, Five and Six.

The interview guide was pilot tested on a non-case study volunteer who worked in natural resource management and was familiar with the broad area of the research. This pilot test showed that there were too many questions and they were too detailed. The next iteration reduced the questions from thirty-one to ten. These were open-ended questions accompanied by conversation prompts. The instrument was

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<sup>10</sup> The principled policy methodology suggests that examining non-extraordinary cases is the best way to assess how policy works in a run-of-the-mill, everyday way (Goepel, 2010). By exploring the apparently mundane, 'non-exceptional' case, it is possible to build nuanced understanding of common implementation dynamics (Flyvberg, 2001; Woolgar & Neyland; 2013).

then tested in the first formal interview and demonstrated that it was suitable for eliciting personal observations in a conversational manner. This approach allowed each participant to provide observations of relevance to the research objectives.

The researcher made contact with potential participants via email or telephone, outlining the research project and the requirements for participation. A copy of the ethics documentation and outline of the research project was then sent out. Once participants agreed to the interview being recorded, an interview time was arranged. Interviews were usually conducted face-to-face, with two conducted over the telephone. Interviews were recorded and the audio files were transcribed by a professional transcription service.

Participants signed a consent outlining the purpose of the research, the expected outputs and a 'permission to publish'. This was administered prior to the interview with the proviso that they could withdraw permission at any time. Participant responses were coded for anonymity. At no stage in the reporting of the research were individuals identified by name. The analysis and reporting were designed to reduce any possible identification through the case study narratives.

#### **3.7.3.2 Participant selection**

Participant selection was guided by the following criteria:

##### Inclusion:

- Involvement in a selected case study
- Experience with the legislated requirement
- Willingness to participate and provide consent to publish
- Aged over eighteen

##### Exclusion:

- No direct experience of the legislated requirement
- Unwillingness to participate or provide consent

Using a combination of purposive and snowball sampling, the researcher sought to ensure that participants were selected from the *legislation-policy-practice* strata of the investigative framework (see Table 3.6). Selection attempted to access at least

one key stakeholder voice from each strata, categorising these accordingly as legislators (or policy makers); program implementors; and participants (see Table 3.7).

Participants were asked questions that addressed the *evidence* and *reform* elements of the investigative framework.

In total, twenty-one in-depth interviews were transcribed for data analysis. To ensure that data was collected and analysed in a timely fashion, the number of interviews were limited by pragmatic considerations of time and researcher resources.

**Table 3.6: Interview participants mapped to three strata of the investigative framework.**

Case study	Legislation	Policy	Practice
1(a)	**	**	**
1(b)	**	**	***
2(a)	***	**	***
2(b)	***	**	*

Red indicates interview subjects that provided data about more than one case. Tables that display the coding for each set of case study participants and their location in the investigative framework are included in Papers four (Howard, 2015c) and five (Howard, in review).

**Table 3.7: Interview participants mapped to three strata of the investigative framework.**

Case code	Key informant role - Windfarms	Category
Case 1	State Renewable Project officer	Policy
Case 1	Elected MP, Renewable Energy Secretary	Policy
Case 1	Peak body representative	Policy
1a	Proponent of the project	Implement
1a	Community representative on the committee	Participant
1a	Community representative on the committee	Participant
1a	Consortium member - Chairperson	Implement
1b	Local government representative	Participant
1b	Independent chairperson	Implement
1b	Landholder representative	Participant
1b	Proponent of the project	Implement

Case code	Key informant role – Catchment Management Authorities	
Case 2	Natural Resources Commission staff	Policy
Case 2	Natural Resources Commission staff	Policy
Case 2	Peak body representative	Policy
2a	Collaborative governance committee member	Participant
2a	Community project proponent	Participant
2a	Catchment Management Authority (CMA) officer	Implement
2a	CMA collaborative governance project officer	Implement
2a	CMA Planning manager	Implement
2b	CMA Strategic planning manager	Implement
2b	CMA Community reference panel project officer	Implement
2b	Community reference panel member	Participant

### 3.7.3.3 Interview technique

The interviews were between one- and two- hours. The research interest in subjective expectations and experiences of community engagement in a natural resource governance case study encouraged an approach to opening up a dialogue with the respondent. A semi-structured interview style provided flexibility in the phrasing and timing of pre-designed questions, enabling rapport to develop between the interviewer and the subject (Herda, 1999; Hollway & Jefferson, 2000). Informed by an interest in narrative techniques, the semi-structured interview instrument was designed to take advantage of story-telling devices and to explore the suitability of this instrument for delivering research outcomes (Clandinin & Connelly, 2000; Goodson, Biesta, Tedder, & Adair, 2010).

Narrative transfers the power of the interview to the narrator, by lessening the control of the researcher through the setting of interview questions and the language used to guide the conversation. Rather than seeking to answer questions that will satisfy the needs of the interviewer, narrative techniques leave the responsibility for 'making the relevance of the telling clear' to the narrator (Bauer, quoted in Hollway & Jefferson, 2000, p. 31). This approach takes full advantage of the benefits of qualitative research, to offer a context-rich and subjective response to the research topic (Flyvberg, 2001). In this research method, there is acceptance that the human subject is not always a 'rational, information-processing subject' (Hollway and Jefferson, 2000, p. 36) and thus their answers to even a standardised questionnaire

will be dependant on their level of self-knowledge, relation to the subject matter and familiarity with the research format itself.

#### 3.7.3.4 Transcripts

To save time and expedite data analysis, the audio recordings of the interviews were transcribed by an external provider. To ensure that the transcript accurately captured not only the words that were said but also the important pauses, silences, laughs and sighs, the text was checked and corrected by the researcher while listening to the original audio recording.

In order to improve the reliability of the transcript data, the corrected and detailed transcripts were then forwarded to the interview subject (noting that some had declined this option) for their verification (see Table 3.8). The subject was invited to revisit the transcript, add or remove any part, and contribute additional comments. The purpose of this was to both ensure the accuracy of the record and to maintain a research dialogue with the subject (Johnson & Christensen, 2008; Musheno & Maynard-Moody 2009). This strategy had another advantage in providing clarification on particular points raised in the conversation, such as links to particular documents or key events (Lange, 2005). This member-checking process added a valuable layer to the data and was undertaken by over half of the participants.

**Table 3.8: Member checking information (n=21 from Case Study 1 & 2)**

---

11 verified transcript
6 declined
4 non-respondents

---

Several respondents were uncomfortable with the 'warts and all' nature of the transcripts, which recorded grammatical errors, pauses and overlaps verbatim. This 'uncomfortable experience' (Goodson et al., 2010) is a feature of narrative enquiry and several respondents expressed concern about the usefulness of their response:

- It was quite interesting to go back over it and see what I'd said. Kinda weird too! (Email response, 2a\_13)
- I found it pretty painful reading my waffle, so good luck with it!! (2b\_21)
- This is such a literal translation that it was rather embarrassing to read! (1a\_4)

- Well that was an interesting read! I can see there's a lot of grammatical errors or words that don't quite fit and I don't think that all of them were mine! (1b\_9)

#### **3.7.4 Participant observer records**

During the data collection phase of the case study research, the researcher attended some meetings and recorded participant observer notes (Neuman, 2011; Johnson & Christensen, 2008). These notes were focused on observations about the procedural details of the meetings and how the meetings addressed the objectives of the participatory process. These notes became part of the overall case study data archive (Rapley, 2007; Yin, 2009).

As an observer, the researcher did not contribute actively to the meetings beyond introducing the research project and the research protocols.

- Case study example 1a - attended two meetings
- Case study example 2a - attended four meetings of the steering group; one tele-conference of the community engagement sub-committee.

(Time frame: August 2013-December 2014).

#### **3.7.5 Field notes**

Field notes were also written up directly after each interview (Silverman, 2010; Simons, 1981). These field notes were based on hand-written notes taken during the interview, including practical details about the venue and time, as well as reporting observations regarding body language and inter-personal connection (Yin, 2009). Preliminary thoughts about the interview, how it informed the case study and general conclusions about the contribution to the overall research were also recorded in these field notes. These notes provided a useful device for a reflective research practice. Reflecting on how the interview had gone encouraged thinking about possible pre-interview biases or feelings that may have been influential (Ritchie & Spencer, 1994). This reflection also helped prepare for future interviews by raising awareness of these personal and subjective factors, and how they may influence the collection of data (Jerit, 2008). The field notes then became part of the data archive for the case study design.

The case study data archive also included field notes from conversations with various contacts in and around the case study areas. Trying to identify the exact pathway for the analysis required contacting different people, introducing the research interest, querying their suggestions and perspectives and, oftentimes, engaging in a long (30 minutes or so) conversation that yielded interesting and relevant context material or observations about the issues at hand. These observations were then written up in the form of a case note; if the material seemed substantial, it was sent back to the subject with an information and consent form. In this way, the formal data of the participant interviews became grounded in a larger data archive (Rapley, 2007).

### **3.8 Data analysis**

This section briefly outlines the analytic approaches employed in this thesis. To ensure that duplication is kept to a minimum, links are provided to more detailed descriptions in the relevant published papers.

#### **3.8.1 Thematic analysis**

Thematic analysis is a useful way to empirically test intuitive responses to the literature, by repeatedly interacting with the data to find recurring ideas, terms and references (Bernard & Ryan, 2010; Joffe, 2012; Neuman, 2011). As key terms and concepts emerge from this process, the results are re-examined for indications of what might be missing to establish whether additional references need to be sought out (Muir-Cochrane & Fereday, 2006). Published paper one (Howard, 2015a) describes the process of thematic analysis in more detail.

#### **3.8.2 Content analysis**

The research undertook qualitative content analysis of secondary documentary data to examine how different expectations and definitions were represented in the content. The analysis explored connections between the investigative framework and implementation dynamics. This research strategy drew on theories of institutional analysis that describe content analysis as a tool for recognising the centrality of common experiences, shared understandings, and shared perceptions (Fisher et al., 2009; Bernard & Ryan, 2010). This perspective supports a close attention to

terminology through 'institutional statements [that] are spoken, written or tacitly understood in a form intelligible to actors' (Crawford & Ostrom, 1995, p. 583).

### **3.8.3 Transcript analysis**

Participant identifiers were removed from the text file. Transcripts were imported into the qualitative analysis software MaxQDA.

A two-stage analysis was conducted. Combining inductive and deductive strategies, the data was initially coded using the investigative framework. This provided a set of initial codes within the *legislation-policy-practice-evidence-reform* framing. Chunks of data, in the form of quotations and surrounding context, were coded and compiled into case-by-case narrative archives. Other chunks that raised new themes or suggested important research directions were also coded for revisiting.

The transcription analysis process is briefly described below:

1. First cut – apply framework deductive codes; code for 'other'
2. Compile a case narrative of quotes from the first cut
3. Read narrative and code in more detail
4. Begin to craft a story from the quotes – let the voices speak
5. Second cut – revisit 'other' code and consider what it says about the narrative already compiled
6. Develop inductive codes
7. Third cut – recode the compiled narrative combining both sets of codes.

### **3.8.4 Narrative enquiry**

Narrative enquiry was selected as an appropriate way to explore human experience in the complex and changing context of natural resource governance (Webster & Mertova, 2007). The narrative approach combined findings from the literature, documentary analysis and case study interviews in an iterative process of analysis. Early analysis began with a descriptive account of each case, written at the end of data collection, and combined with field notes and participant observer records. This early analysis developed a narrative record of possible significant ideas, connections in the data and intuitive responses to what was being observed (Piore, 2006; Ritchie & Spencer, 1994), supporting the observation that

Narrative research often starts with experience-based exploration and analysis alongside critical appraisal of its emerging ideas through other recent and relevant literature.(Bold, 2012, p. 38).

The narrative enquiry drew attention to the way participants *subjectively* connected ideas, concerns and key themes. The subjective connection provided a rich point of data for research concerned with implementation dynamics.

### **3.9 Methodology: Limitations and strategies**

Every research design involves choices that have implications for the validity and integrity of the research (Gray, 2003). This chapter has attempted to make these choices visible in accordance with the post-positivist positioning of the research. This section highlights some limitations of the research methodology and the strategies used to address these.

#### **3.9.1 Researcher positioning**

A post-positivist paradigm acknowledges that researcher epistemology exerts a powerful influence on the design of a research project. A strategy of critical reflection was employed in order to address possible limitations and impact of researcher choices on the selection and analysis of data, and the overall presentation of the wider research project (Gubrium & Holstein, 2009). Critical reflection extends beyond the creation of the narrative, to include consideration of how researcher choices have shaped the narrative before analysis, during analysis, and in preparation and presentation of the data (Chambers, 2003; Gubrium & Holstein, 2009). Field notes and participant observer records were loaded into the same qualitative database as the case study transcripts, making them available as part of the data archive.

#### **3.9.2 Conceptual and investigative frameworks**

While the conceptual and investigative frameworks were useful for defining the boundaries of the research design and assisting in data collection and analysis, it was possible they could also conceal and exclude data by restricting attention to pre-defined categories (Anfara & Mertz, 2006). In order to remain transparent about the limitations of the frameworks, it was necessary to articulate assumptions embedded in the selection or formulation of the framework, as previously outlined in Table 3.3 (Secondary research questions). Another risk is that the conceptual 'bounding' of the

research might have limited interest in, or awareness of, findings that did not fit this frame.

Strategies to address this inherent limitation included a comprehensive literature review that developed a conceptual pathway for the research design (see Published paper one (Howard, 2015a). The conceptual framework informed the selection of cases and research participants, and the evolution into an investigative framework was transparently documented in Published paper two (Howard, 2014). Research questions were tied to the investigative framework and guided the first cut of the data analysis. By combining deductive and inductive approaches, the analysis attempted to avoid artificial imposition of the investigative framework on the data. This led to critical and reflective questioning about the suitability of the framework for applied policy analysis, and was productive for the research because it encouraged regular revisiting of the data and the underpinning assumptions captured in the research questions (see Appendix Two).

### **3.9.3 Narrative enquiry**

Interviews can be described as a form of conversational narrative where the role of the interviewer is to open up space for stories and use prompts to encourage and develop a collaborative narrative (Gubrium & Holstein, 2009). As a result, the empirical data must be seen as the product of questions framed and analysed by the researcher (Lal, Suto, & Ungar, 2012). Although narrative enquiry attempts to transfer responsibility for making meaning to the respondent (Holloway & Jefferson, 2000) this must be tempered by awareness that a story's meaning is co-created (Bold, 2012) through the signposts of active listening (encouraging, questioning, affirming), design and timing of questions (Webster & Mertova, 2007). Critical reflection, transparent data management, strongly articulated conceptual and investigative frameworks and awareness of limitations were strategies used to improve the overall integrity of the narrative enquiry approach to the case study analysis.

### **3.9.4 Maintaining anonymity and transparency: A difficult balancing act.**

Although individual names and case study project titles were coded during data analysis and reporting, the reliance on case study project materials compromised

these efforts at maintaining anonymity. Bibliographic references still included the project names and this, combined with information about the geographic location, made it possible to identify the projects under discussion. To avoid this in the future, it would be necessary to code all of the bibliographic references, however this might not meet reviewers' standards of transparency in the data. Another strategy could be to include a clear disclaimer in the citations to reassure both reviewers and participants that the anonymity of the documentation did not compromise the accessibility of the data for those that were interested.

### **3.10 Conclusion**

The purpose of this chapter has been to describe and defend the research design selected to address the central research question:

How are participatory processes currently defined and experienced in Australian natural governance; and how could they be improved?

The philosophical foundations of the study have been discussed and the purpose of the study has been grounded in the overarching context of the Next Generation rural landscape governance research program. The primary and secondary research questions have been detailed, and the logic linking these questions to research objectives has been explained. The research design, interview questions and ethics protocols are attached as Appendices.

The conceptual framework introduced in Published paper one (Howard, 2015a) has been discussed in more detail. The application of this framework has been demonstrated through articulation of the research objectives and development of an investigative framework. The investigative framework was used to collect empirical data. Some of this content is replicated in the methodology sections of Published papers one (Howard, 2015a), two (Howard, 2014) and four (Howard, 2015b) and Submitted paper 5 (Howard, in review).

The research design outlined in this chapter provides a clear and transparent blueprint for the progression of this research project to completion.

**Published paper three:**

Howard, T., & Teles da Silva, S. (2015). Implementing public participation: Australia and Brazil. In Paul Martin and Amanda Kennedy (Eds.), *Implementing Environmental Law*. (In press) Edward Elgar publishing, United Kingdom.



This paper has been removed as it was published as the following book chapter:

Howard, T. and Teles da Silva, S. (2015). Possible legal obligations to consult. In: M. Paul and K. Amanda, ed., *Implementing Environmental Law*. United Kingdom: Edward Elgar publishing, pp.134-155.

<http://dx.doi.org/10.4337/9781783479313.00011>

Downloaded from [e-publications@UNE](mailto:e-publications@UNE) the institutional research repository of the University of New England at Armidale, NSW Australia.

### **Published paper four: Case study 1**

Howard, T. (2015). Olivebranches and idiot's guides: Frameworks for community engagement in Australian wind farm development. *Energy Policy*, 28, pp137-147.

#### **Please note:**

The following updates are required to Published paper 4 since publication in December 2014:

- The New South Wales government planning system reforms were never reintroduced to the lower house of the State parliament. In 2015 the State government was re-elected with limited debate about the future of these reforms.
- Community members have formed a Better Planning Network that has claimed responsibility for stalling these reforms and propose an alternative "Community Charter". Requests to talk to a representative received no reply. Their website has not been updated since the outcome of the 2015 State election (Better Planning Network 2015).
- Since publication, Wind farm 1b has been sold to a private wind farm developer. The status of this project remains unclear.
- There continues to be uncertainty about the future of renewable energy projects in Australia, particularly wind, with a recent Federal inquiry into health impacts of wind farms and no agreement on a Renewable Energy Target (April 2015).



This paper has been removed as it was published as the following journal article:

Howard, T. (2015). Olivebranches and idiot's guides: Frameworks for community engagement in Australian wind farm development. *Energy Policy*, 28, pp137-147.

<https://doi.org/10.1016/j.enpol.2014.12.026>

Downloaded from [e-publications@UNE](mailto:e-publications@UNE) the institutional research repository of the University of New England at Armidale, NSW Australia.

## Submitted paper five: Case study 2:

Howard, T. (in review). 'Raising the bar': The role of institutional frameworks for community engagement in Australian natural resource governance. *Journal of Rural Studies*. Submitted 23/02/2015.

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Manuscript Number: RURAL-D-15-00078

Title: 'Raising the bar': the role of institutional frameworks for community engagement in Australian natural resource governance.

Article Type: Research Paper

Keywords: Natural resource governance; community engagement; rural communities; framework analysis; natural resource management

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Abstract: Australian natural resource governance has recently embarked on a new round of regional experimentation. One decade after regional natural resource management bodies were established in response to ideals of devolution and subsidiarity, political commitments to 'localism' have resulted in a paradoxical shift to bigger regional boundaries, and an apparent retreat from values of environmental conservation. A retreat from government funded public good natural resource management has seen a growth in ideals of market instruments and an economic paradigm of productivity and profit begin to dominate. A long held divide between conservation and production landscape values has seen community engagement emerge as the battleground of rural environmental policy.

Through a qualitative case study of community governance mechanisms this paper examines how one Australian jurisdiction has responded to these challenges. Findings include a valuable role for best practice standards and compliance requirement in driving new norms of community engagement; a difficult balance between accountability and innovation in implementing community governance; and significant disruption caused by regular cycles of reform. Recommendations include raising awareness of the difference between management and governance, and the development of negotiated accountability frameworks that support rural governance innovation.



This paper has been removed as it was published as the following journal article:

Howard, T. (2017). 'Raising the bar': The role of institutional frameworks for community engagement in Australian natural resource governance. *Journal of Rural Studies*, 49, 78-91.

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## Chapter 4: Empirical data – extracts and analysis

### 4.1 Introduction

This chapter provides empirical data to illustrate and support the analytic process that led to Papers four (Howard, 2015b) and five (Howard, in review). In line with guiding post-positivist concepts of validity and reliability of qualitative data, this empirical chapter sustains the research commitment to transparency, enabling others to observe the research process (Musheno & Maynard-Moody, 2009; Peters et al., 2010; Yin 2009). This chapter demonstrates how the case study data analysis became the foundation for a narrative account of each participatory process under investigation. A range of extracts and accompanying analyses are provided from each case study example. These are not exhaustive, but aim to demonstrate the process of analysis.

It was a challenge to present the quantity of data produced by in-depth qualitative case study research in a satisfyingly detailed fashion. The strategy of *thesis-by-publication* makes it difficult to adequately represent the data without over-shooting word counts. Peer reviewer comments received for Published paper four (Howard, 2015b) advised reducing the 'he said/she said' flavour to maintain momentum. The impact was a reduction of verbatim excerpts and an increased risk of critique or challenge regarding the particular interpretation (Bold, 2012; Clandinin & Connelly, 2000).

Strategies to address these limitations included:

- The use of footnotes to display quotations that supported analysis made in the paper: see Submitted paper five (Howard, in review).
- A focus on building a thickly descriptive narrative of the case study, compiling words and expressions from the data into a readable and informative account.
- The development of a digital data archive through use of the qualitative data management program MaxQDA also provided a trail for the research interpretations (Rapley, 2007; Yin, 2009).

The internal validity of the methodology was demonstrated by the evolution of the original conceptual framework into an investigative framework, as illustrated in Published paper one (Howard, 2015a) and two (Howard, 2014) and described in Chapter 3: Methodology. This ensured that the process of analysis could be linked directly to the original research design and research questions (Bernard & Ryan, 2010).

The initial approach to analysing and crafting the case studies was to work through the interview transcripts and code them as a set. Coding combined deductive and inductive strategies as described in the Chapter 3, section 3.8.3. Coded extracts were then compiled into a draft document, which began a process of telling a story through direct quotations. A separate document was used to record the emerging narrative of the case in the researcher's words, developing an account that pointed to the dramatic kernel of the case (Chambers, 2003). This kernel began to identify the most interesting and significant finding of this case, the 'critical event' that could articulate the tensions and insights expressed by case study participants (Herda, 1999; Webster & Mertova, 2007). This enabled the researcher to connect the 'big stories' of institutional frameworks with the many 'little stories' that served as windows into the implementation of these frameworks. This became a useful heuristic, a way to frame the analysis and produce a readable and cohesive story of a particular case, the institutional framework, and experiences of implementation.

## **4.2 Case 1 - Wind farm governance**

The first set of case studies were analysed in Published paper four (Howard, 2015b). A detailed description of the institutional framework and the specific features of the participatory processes were included in this Paper, and are not repeated here.

The following section reports and analyses the results of qualitative interviews with three respondents who were involved in drafting or implementing community engagement framework documents for wind farm governance. This analysis was integrated with the case study examples in Published paper four (Howard, 2015b).

They include:

- State government officer (1\_5)
- Elected State MP (1\_6)

- Peak body representative (1\_7)

Respondents were asked about the formal documents that guided their daily work. They expressed their perspectives in diverse ways, presenting essentially 'little stories' that illustrated aspects of, or were influenced by, the 'bigger stories' of the institutional framework under investigation (Gubrium & Holstein, 2009). These responses are included to suggest how institutional dynamics are linked to the creation, implementation and expectations of formal and non-formal rules concerning community engagement. This interaction between competing and co-existing norms is a key feature of the overall research design.

#### **4.2.1 Institutional frameworks for community engagement**

In discussion with respondents, it became clear that similar drivers motivated the development of both government and industry documents about community engagement in wind farm development. Both government and industry were seeking legitimacy for decisions and actions concerning wind farm development, and hoped to drive a culture change through the implementation of principles for community engagement. These ambitions were represented by the proposed introduction of the *Community Participation Charter* in the new planning system (NSW Government. Planning Bill 2013 (Introduced)), the *draft NSW Wind Farm Guidelines* (Department of Planning & Infrastructure, 2011) and in the *Clean Energy Council Industry Guidelines* (Clean Energy Council, n.d).

these guidelines ... were, in many ways, an olive branch back to planning and government authorities to say, 'We know we've got to do better and this is what we're trying to do'. (1\_7)

Organised and well-publicised opposition was commonly seen as the trigger for these drivers. Community dissatisfaction with the performance of developers provided a simple and obvious reason to increase regulation around development. However, the interviews revealed a more complex story that suggested a link between powerful vested interests in the fossil fuel sector and renewable policy uncertainty.

I'm not sure of the motivations behind some of the players in the activism group. I mean, there's suggestions that there's all sorts of backgrounds, minerals

backgrounds and things like that. ... there's definitely a lot of funding because they're everywhere. (1\_7)

The policy context created increased scrutiny on developers and unfavourable conditions for renewable energy projects. Respondents saw a difficult balance in attempting to address both the real and perceived concerns of community about the impacts of wind farms, while facing uncertainty about the viability of the sector.

One of the issues for the industry was that they weren't very good at educating the community about why and how and when and what goes into developing a wind farm in their local area. So there was an information void, an impartial information void. (1\_7)

Comments received during the establishment of the data archive suggested that the uncertainty of the draft guidelines had dissuaded investment in wind farms, and could be seen as a strategy for destabilising the industry.

Guidelines for wind farms, yeah, that are still draft (laughs) ... Two or three years later which doesn't help. (1b\_11)

The hostile political context at the federal level, which saw the revoking of a carbon tax mechanism in 2014, and subsequent emotive debate suggesting that renewable energy targets threaten existing energy markets, also destabilised the industry. This was seen as a highly politicised arena:

why would a federal government destroy an eminently sensible market mechanism like a carbon price. When it's working really well. Why would you do it? (Laughs) Because you said you're going to do it! (1\_5)

Respondents described the 'peculiarities' of the wind industry as requiring an iterative process, a dialogue with the community:

with wind farms, more than anything else, participation is not so much a, you know, 'a proponent gives notice, community gives comment, determining authority issues determination'. It's not like that. It's much more of a dialogue that continues over the process of developing the application. So, it is more problematic for wind farms than many other types of development. Because the proposal develops and changes over time. (1\_6)

However it is not clear if this vision of the industry was politically convenient or based in reality; one could ask in what way is a mining proposal or landfill site development

different in regards to the back and forth of project development? It seemed that the difference being alluded to here was actually about the uncertainty of the industry in terms of viability, which influenced the likelihood of any project moving to the construction phase. The high visibility of wind farms was also implied in this inherently problematic vision, and seemed to justify the increased scrutiny and burden of regulation on wind farm development. This was part of a complex narrative that accepted opposition to wind energy without deconstructing the detail behind it. The impact was a less and less viable industry:

I would like to see ... wind put on a similar basis to any other development. Because I actually have been persuaded by the wind farm developers that they're treated unfairly. Particularly when we have a state government priority twenty percent by 2020. ... I really think that if there's one rule for abattoirs, it should be a rule for everything. (1\_5)

#### **4.2.1.1. Opposition**

Two stories about implementation dynamics and the creation of community opposition emerged from the analysis. One story linked opposition with vested interests and adverse policy contexts; the other story linked opposition to poor community relationships, and a changing public culture with increased expectations of consultation, participation and decision making:

when all old energy infrastructure was built ... it was an essential service that government just provided. And because everyone had been trained, you know, because of the Second World War and things like that to, you know, just go along with what the government does. No one really needed to ask for consent. (1\_6)

The nexus between community opposition and health concerns was ascribed to poor community consultation, leading to anxiety and fear. Governments were careful to avoid making explicit connections between health issues and wind farm operation, instead deferring to research conducted by third parties, such as the National Health and Medical Research Council (NHMRC) and the Commonwealth Scientific and Industrial Research Organisation (CSIRO) (Commonwealth of Australia, 2011).

It's no point in me saying it's psychosomatic, because you have got a headache. A lot of these effects started off with things which happen in a very measurable

sense to a large percentage of the population: so sleeping problems - if I say, 'I didn't have a really good night's sleep last night'. Fine. But if I say, 'I haven't been able to sleep because of the wind farm noise'; then it becomes a cause and effect situation. (1\_5)

The ability to address these community concerns was seen as a key motivation for developing formal guidelines and processes around community engagement:

I think that communities that are well engaged and informed are less susceptible to extreme behaviour. So I think the activism just reinforces the need for developers to have strong, open, transparent positive relationships with the community that they're trying to work with. (1\_7)

However the balance between acknowledging community concerns and embedding them in assessment procedures was seen as an exercise in legitimacy, with significant consequences for the viability of the wind farm industry:

The [NSW Draft Wind farm] guidelines are ... setting up a process to try and ensure that all the various concerns are looked at, you know, in a sensible rational science-based approach.

But also, in a way that ensures that the community have ... confidence in the process. I mean ... one of the classic issues would be health concerns. ... if all the evidence suggests that it's not something we need to look at, if we then set up a process for looking at it, are we just creating unnecessary red tape?... But, equally, because the community have these concerns, we can't just say, 'Well, we're not going to look at it at all'. Because then the community won't have any confidence in the process, because they'll think one of the big issues that they're concerned about, isn't being looked at. (1\_6)

#### **4.2.1.2. Implementation dynamics**

Yes, I think it's a good idea in principal. I think that the way it's written, it's going to be very hard to enforce. (1\_5) [Referring to the Community Participation Charter]

When considering questions of implementation, respondents saw dynamics coalesce around expectations of community engagement and how these were managed. The existence of conflicting expectations at both the institutional and community level included cultural expectations of what was and what was not reasonable in implementing formal frameworks:

I think developers haven't always been very clear and been able to articulate well, what is negotiable and what isn't when they talk to communities. It's not easy to have that conversation about what isn't negotiable. (1\_7)

These expectations were also linked to concepts of equitable treatment and environmental justice:

it's no good for me to people, going to people and saying, 'Look you're doing this for the good of the country and we're getting renewable energy'. I mean, that person says, 'Well, what of the city people? Why don't you put them in Sydney?' (1\_5)

The consequence of failing to meet community expectations had serious impacts for both developers and government. Opposition to particular projects and distrust in decision making processes could see the withdrawal of legitimacy and support.

While formal frameworks were seen as spelling out minimum expectations, the *implementation* of these frameworks was regarded as the key to both the potential and limitations of these documents:

the very first thing is the process needs to be accepted by the community. So, that'll be the principle expectation. (1\_6)

there's a balance between, you know, representing what the community's concerns are; but also, therefore, implicitly endorsing a concern that you know doesn't have terribly much basis in fact. (1\_6)

#### **4.2.1.2 Culture change through formal rules**

You know, there's only so much you can do with the law. ... you really need the culture to change. (1\_6)

All of the formal documents discussed by respondents sought to achieve a change in the norms around community engagement through the development of formal frameworks.

It's just simply trying to get developers to understand it's beyond the letter of the law. (1\_7)

This culture change required a shift in project management and planning culture within both government and industry, and a recognition of different community expectations around consent. The framework documents attempted to drive this

culture change through spelling out minimum expectations, and promoting concepts of legitimacy and accountability to encourage compliance:

I think the way to do it is to have some sort of mandated standard or set of criteria, that need to be demonstrated as part of the application process for a development. (1\_7)

Respondents raised the tension between rules and practice, echoing the distinction made in the conceptual framing of the research. While legal and policy frameworks may rely on predictability and consistency to deliver assurances of accountability and legitimacy, the difficulty of achieving a predictable 'community' was also recognised, as these contrasting excerpts illustrate:

the **fundamental** thing ... is to provide a process for assessing and determining applications according to a **predictable** framework. ... setting up a process to try and ensure that all the various concerns are looked at, you know, in a sensible rational, science based approach. (1\_6) (emphasis in original)

So it's not just about a scientific formula. It's about unpredictabilities, emotions, and a sense of value. ... You can't stand there as an authority and give people theories on how to engage with people. It doesn't work, you know, because people are people. (1\_7)

#### 4.2.2 Example 1a

The following section reports an analyses of the results of qualitative interviews with five respondents who participated in the Community Consortium of Case study example wind farm 1a.

They are:

- The project proponent (1a\_1)
- Community representative (1a\_2)
- Community representative (1a\_3)
- Consortium member (1a\_4)
- A State government representative (1\_5)

And where appropriate, comments from respondents interviewed about the institutional framework (1\_6 & 1\_7).

#### 4.2.2.1. Governance by community design

Is there a particular way we can build a community wind farm that you would be supportive of? That was basically our research question. And the whole way through that, of course, there was a risk that we were proverbially giving the community a blank cheque. So our job as researchers was to have informed dialogue, informed research. So, there's a fine line to walk there of what's the difference between informing and PR and propaganda, (1a\_1)

The principles developed from the feasibility study became the foundation for governance of the project. Respondents made multiple references to these principles and adherence to these principles was seen as key to the success of the project. However, as the project matured, significant obstacles and practicalities emerged to challenge the integrity of these principles. These challenges included the difficulty of finding a suitable site with access to a distribution network; the costs of commissioning technical reports; establishing a business model that would meet the financial design requirements; and emerging community opposition at specific sites. A reliance on pro bono technical expertise led to a possible site being deemed unfeasible after almost two years of work with landholders and the neighbouring community. The Consortium began to consider other possibilities for raising revenue and achieving feasibility for the project.

The tension between formal rules and the expectations of community engagement are demonstrated in this case. The extensive community engagement that led to generation of the design principles also raised community expectations about the kind of project that would be developed. The respondents noted the challenge of meeting these expectations during implementation:

We ...won't really know what those principles really mean until we explore them – if you're really responsive, and therefore being governed by the community, the project is taking shape and being shaped all the way through. So by the time you come to a formal vote, it should be a formality not because it's staged, but because everyone thought they already had made that decision. (1a\_1)

Another noted the practical difficulties of the project being shaped by community engagement processes:

Yes, certainly expectations – When we did our original feasibility study, we said to people, 'We're looking at –' I think, originally we said four to six turbines, as a

community wind farm. And everyone's response came back was, 'No! We want something bigger than that. Make it bigger!' (Laughs).

...We then said, 'Well, all right. We'll look at 6 to 10 turbines'. So we changed our tack because of what they asked for. And that's actually made it more difficult for us because 4 to 6 turbines would fit into the grid in more places than 6 to 10.

(1a\_4)

The creation of expectations through community engagement and a set of visible design principles were most significantly challenged by a possible partnership with industry. It is here that expectations of financial viability began to clash with the quadruple bottom-line ethos championed by the community. Consortium members were conscious of this tension and implications for the viability of the project:

If we do form a partnership with (POWER COMPANY), that would have to be dependent on community reaction. So that would have to go back to the community, and we would have to canvass responses. It isn't as though the consortium thinks that they're a final decision making group. I don't think we do.

(1a\_2&3)

#### **4.2.2.2. Implementation and power**

Respondents expressed awareness of power dynamics and their impact on the progress of the wind farm. Examples included an unfavourable policy climate; the influence of powerful interest lobbies on political decisions; and the role of pseudo-science and media attention in generating and spreading misinformation. Not surprisingly, given their community perspective, respondents were very conscious of how power could also influence the design of the wind farm and the approval process:

So in terms of wind farms, it's probably half pregnant that if there is enough community opposition to a wind farm, it won't go ahead because the state government's not prepared to push it. ... I think its just politics and I think that the state government gets money upfront for mining. The federal government gets money for mining after income tax and so the state government gets royalties.

(1\_5)

In trying to implement an ambitious community agenda, the small and volunteer nature of the Consortium was seen to reduce their capacity to play the game',

.... As a wind farmer, I could go 'well, we're just going to meet that Minister a lot and meet all their staff and they are the ones who are going to make the decision'. It's really clear, whereas the regional planning panel with eight commissioners that we're not allowed to talk with and all sorts of people getting in their ear and – it's going to be a massively resource intensive process for us. (1a\_1)

The difficulty of working to change the system while also being part of the system emerged as a key theme. The prospect of embarking on an industry partnership highlighted this dilemma for Consortium members:

So I have very strong personal opposition to (POWER COMPANY). But, I've had to think through: do we want a community wind farm? Are there other options? There don't seem to be. And is it possible that by working with (POWER COMPANY), we can change their culture slightly? Their view toward community, and begin to move from this sort of 'Well, you can buy a few shares in our company if you want', to a much more vivid partnership.

It scares me. Because our negotiating power versus their negotiating power is... minimal. So having a contract, even if we had a contract with them that was very favourable, they could step on it, and we wouldn't have the resources to challenge them. So it's risky. (1a\_2&3)

The combination of project scale and the volunteer nature of the Consortium were significant in the implementation of this ambitious project:

There's a lot in this that is un-influenceable, that's beyond our realm of ability to control, partly because we're a community undertaking that doesn't have millions of dollars in the bank to be able to say 'well, we'll do this and then we'll do that and then we'll do that'. (1a\_5)

The size of the project and the technical complexity of a wind farm tested the capabilities of the volunteer Consortium. The three-year learning curve that led the Consortium to consider the benefits of an industry partnership had not been shared by, or made visible to, the wider community.

#### **4.2.2.3. The problematic issue of 'effectiveness'**

The difficulty of assessing whether a particular community engagement strategy or mechanism is achieving outcomes is well documented in the community engagement and public participation literature. The interviews revealed that in this

case, there was no formal development of, and little thought about, objective indicators for evaluating the effectiveness of the community Consortium model. A feasibility study was referred to as a key indicator of successful engagement, as were the development of the guiding design principles. Consortium members did nominate a range of subjective measures, such as visits to the Facebook page, names on their database, attendance at public meetings and positive conversations in the street.

This lack of objective benchmarks raised the possibility of missing crucial community voices and, possibly, claiming a mandate for action that may not hold up under scrutiny:

You reach it on terms of what, I think the perception of who was engaged and to what level are they engaged – when you've got a room of 30, 40 people who all want to talk, and who all want to get involved, and who all want to put their stickers up; I think that it's been a pretty good engagement. (1a\_2&3)

#### **4.2.3 Example 1b**

The following section reports the results of an analysis of the qualitative interviews with five respondents who have participated in the Community Consultative Committee (CCC).

They are:

- A local government representative (1b\_8)
- The independent chairperson (1b\_9)
- The landholder representative (1b\_10)
- The project proponent (1b\_11)
- A State government representative (1\_5)

And where appropriate, comments from respondents interviewed about the institutional framework (1\_6 & 1\_7)

##### **4.2.3.1. The mechanism**

So there's heaps of embedded stuff in this one simple thing called a CCC. (1b\_9)

At the point of data collection the legal requirement to convene a CCC for wind farm development was newly introduced, and this example was one of the first to be

implemented. There was a lack of expertise and experience about the scope and purpose of this mechanism in the wind farm sector, and respondents expressed the view that they were working it out as they went along. The difficult policy context had sapped momentum and this impacted on the operation of, and possible learning from, the CCC model.

Case\_1b's CCC was constituted in line with Appendix C of the *NSW Draft Wind Farm Guidelines* (the *Guidelines*) (Department of Planning & Infrastructure, 2011). The CCC process was referred to in the Stakeholder Consultation (Epuron Pty Ltd, 2013) (section 4.7) of the 'Request to Modify a major project' submission (concerned with a change to the route of the transmission line). The CCC objectives were stated here as:

enabling information about the wind farm to be provided to the community and providing an opportunity for the community to express any concerns regarding the potential impacts. (p. 14)

The implementation of this objective was observed in this case. Respondents were concerned with questions of what was appropriate for discussion and consideration by the CCC. The *Guidelines* provided procedural detail about membership and record keeping, but were vague about the parameters of matters to be dealt with during meetings. Some respondents made a distinction between landholder interests in negotiating with the developer and issues of broader community concern. The difficulty of addressing vested interests within the operation of the committee was not clearly addressed by the *Guidelines*.

that was a point that was discussed in the first meeting and sort of explored a little bit more. 'What is the committee going to do?' 'Do they have powers?' and the answer's no. ... there isn't any power vested in the committee at all. (1b\_11)

The *Guidelines'* requirement to recruit specific representatives was difficult to meet. Where more than one wind farm was in development in the region, community capacity was stretched to populate several CCC. Case 1b found it difficult to fill the required positions, including an independent Chairperson, and this raised questions about the integrity of the mechanism as described in the *Guidelines*.

So with one of the newsletters we sent out a nomination form and we just got people to respond and pretty much everybody that responded ended up being

on the committee, because we didn't have a very strong response. In this case, particularly from the neighbours, it was very hard. We had to follow up hard with the neighbours and say 'don't you want to be on the committee to find out what's going on?' (1b\_11)

But with these groups, you get what you get, sort of thing and you might get in one group, you might get three or four egocentric dominant males, who just dominate the meeting. And then, you don't achieve what you wanted to achieve because you're off on some tangent with these blokes beating their chests or whatever. The poor ... the quiet grandma who lives ... is intimidated, doesn't say anything. So, I think the Chair and the preparation before and to some extent, if you could hand select. But is that good engagement then?... (1b\_8)

Well, that's the problem, I don't think the function's very clear. I mean they say 'our function is to open the channels of communication between various sectors of the community'. That's all well and good, that's great. I can understand that as a good function of the committee, but how do you actually get that to work ... when you've got vested interests there? So, I think that it's a really poor model and I think that it's conflicted. I think it's dysfunctional. (1b\_10)

The tension between community participation and vested interests was echoed by the chairperson, who suggested that:

there's a lot of dysfunction in there, that no one's talking about, looking at, addressing, cause it's too hard! (1b\_9)

in my idea of it at least, you could have a hundred community members in the room, but that doesn't work - you need to have a smaller committee, but there shouldn't be anything secret at a CCC meeting. It's about trying to open up and release secrecy, not trying to add another layer. It just makes everybody in the CCC feel a little compromised about 'what can I say and what can't I say? I know some stuff, but I'm not supposed to talk about it, but I'm just a volunteer on this thing'. (1b\_9)

This tension in the mechanism was also described by another respondent:

Every time we have these meetings and sit down for three hours, [the proponents] got to sit there and smile and say 'this is really good' because you don't want to be seen to be putting them offside. The developer can't say, 'This is a bad, negative process, I don't like it' in front of the group, because they've got to do it and they've got to be seen to be consulting. (1b\_8)

#### 4.2.3.2. The Institutional framework

When asked about the institutional framework that guided the design and development of the CCC mechanism, responses ranged across different scales. Some referred specifically to the policy context; others focused on the project context; while others positioned the project in relation to regional development:

I think it's useful [referring to the NSW draft wind farm guidelines] ... for developers, as well as for the Planning Department in their assessment, in that it's putting a little bit more clarity around the requirements. I think it's useful to have those whether it's a guideline or a strict legislative requirement, probably not that critical either way ... it's about setting expectations and clarifying requirements ... rather than having a vacuum. (1b\_11)

This respondent suggested that the disconnection between state and local planning alienated and disempowered local government, diluting the potential opportunities from wind farm development, and facilitating conflict and opposition due to misconceptions or inequitable distribution. The respondent suggested reform that could address this problem and facilitate local ownership of the issue:

Here is the opportunity to empower communities. ... It's got to start with government and it's got to start with government putting in the policy frameworks around local government supporting alternative energy development. It starts with state government being on side and being behind it and supportive of it. (1b\_10)

1b's Chairperson called on his professional training to position the CCC mechanism as one part of the overall communication and engagement framework for the wind farm. This ability to draw on established theories of communication and strategy was unusual and revealed the importance of building community capacity to understand the limitations and purpose of any specific participatory process. This respondent described the CCC itself as only one of the action items in this framework.

There's the draft guidelines for CCC from the Department of Planning and that's at least the one document that we all have in the shared material, so that's a starting point, but if you really read it there's a lot of things in there that are open to interpretation, and they're also not completely clear. It is written as a recommendation, but not as a requirement. (1b\_9)

Only one respondent mentioned the review of the NSW planning system and the associated commitment to community participation. A planner by profession, this respondent was also able to draw on prior knowledge of the legal framework to contextualise the proposed reform:

As part of the new Act, isn't there a community participation charter? (1b\_8)

**Interviewer:** Yes. Yes, what are your thoughts about that?

I think it's just a lot of big words, just to sound good. ... to me, that's just propaganda to get people to have the feeling that they're going to be consulted [long pause] ... that won't change anything, the way we deal with things. I think we'll still undertake our community participation the way we have been.

... the rich councils will get a consultant to write a big fancy community participation thing but whether the culture of the council is to actually sit down and listen to people; you can have it all in place but still might not achieve consultation to the satisfaction of communities. (1b\_8)

### **4.3 Case 2 - Natural resource management**

The second set of case studies were analysed in Submitted paper five (Howard, in review). A detailed description of the institutional framework and the specific features of the participatory processes were included in this paper, and are not repeated here.

Data analysis had become streamlined after the experience of analysing and interpreting Case Study 1. Coding continued to be iterative and analysis involved constant revisiting of the coded extracts to uncover meaning and narrative events. There was an increasing attempt to write the analysis as a narrative and use footnotes to link to the original text. This ensured the primary data was visible but did not 'slow down' the narrative momentum in a journal paper format. The following extracts present the analytic process as it occurred.

#### **4.3.1 Example 2a**

The following section reports the results of the analysis of qualitative interviews with five respondents who participated in the collaborative governance model.

They are:

- Committee member (2a\_13)
- Community project proponent (2a\_14)
- Catchment Management Authority (CMA) officer (2a\_15)
- (CMA) Collaborative governance support officer (2a\_16)
- (CMA) Planning Manager (2a\_17)

And where appropriate, comments from respondents interviewed about the institutional framework (2\_18, 2\_24 & Peak body representative 1b\_10).

#### 4.3.1.1. The Catchment Management Authority (CMA)

The role of the CMA was crucial in this case study. They were seen as the logical body to formally apply for the project funding, as they had the financial and human resources structures to manage a large amount of money. As a result, they also carried the risk of non-completion or under achievement, a risk that continually drove staff preoccupation with on ground project delivery. While some respondent complaints seemed to hinge around the centralising, bureaucratic tendency of the CMA model, in this case the consortium partners willingly handed this risk and responsibility to the organisation.

This created an interesting and persistent tension between the collaborative ideology of the project, and the pressures of accountability that ran through the CMA. The need to build internal staff capacity to understand collaboration and partnerships had already been identified through a previously conducted Catchment Action Planning (CAP) process. The Natural Resources Commission's (NRC) 'Standard for Quality Natural Resource Management' (the Standard) was also driving a focus on adaptive governance which encouraged the organisational leadership to take these broader perspectives more seriously (Natural Resources Commission, 2005).

it's very much about them sort of seeing themselves as the center and everybody else is swirling around them. They're still ... struggling with that.  
(2a\_14)

This case study emerged from a desire to reduce competition between organisations that had the potential to collaborate to achieve the best possible outcomes, with the most efficient use of funds. NRM governance structures were seen to embed a

systemic problem of institutional arrangements that worked against best practice, frustrating these attempts to work collaboratively.

you know what it's like in NRM, there's the shortage of funds all the time so you often just grab whatever funding is available to do particular things. Because it's sort of in your area of expertise, but it also keeps the door open, it keeps your office open. ... it doesn't mean you are necessarily the best person or organization to do it. So everyone does a bit. (2a\_17)

Case 2a was able to demonstrate a different model that made a conceptual link between participation, decision-making, implementation, and the exercise of **power**. The link between devolution of power and the establishment of trust was seen between the broader NRM community and the CMA in this case. However the progress of this case study demonstrated that trust must be constantly negotiated, particularly during periods of institutional reform, as it only has a short shelf life.

Case 2a's steering committee model aimed to bring in perspectives from other organisations and individuals that were not so driven by government directives. This was described as taking a grassroots, 'listening' and facilitating approach, making the most of

Any opportunity to talk to a landowner about what they are doing on their property at the moment, what they want to achieve, and how we can help to achieve it. (2a\_13)

The steering committee model brought a valuable perspective to the operations of the CMA and also encouraged a conversation about the long term ambitions or interests of the landscape by breaking down landholder/government divides. Many of the respondents saw these divides as directly related to the native vegetation legislation and a confusion of the CMA's role with that of a regulatory agency.

#### 4.3.1.2. Accountability

Evidence in this case included the CAP documentation, but also a new impetus to formalise existing collaborations through Memorandums of Understanding (MOUs). These documents were described as trying to shift reporting into a more collaborative mode, by designing the CAP as a document that everyone could contribute to and work towards. The practicalities of collaborative reporting were seen as a challenge that required re- framing '*your*' CAP to '*our*' CAP.

There was a sense that while everyday conversations are important for facilitating collaborative governance, serious commitments can only be made at the leadership level:

I think a lot of the discussions with collaborative governance will need to be at a high level. (2a\_17)

Implementing a collaborative model required that the work being done by agricultural industries be included in a collaborative reporting approach. There was acknowledgement that the previous approach had focused too entirely on public good investment in natural resource management. The contribution of private landholders had not been included in previous catchment scale reporting, missing the opportunity to recognise additional benefits. This reinforced industry concerns about the value of government driven planning processes that do not align with industry priorities or integrate with existing business strategies. The overwhelmingly government focus of the CMA model was seen as an obstacle to effectively encouraging community engagement in the region:

there's a lot of things that happen within the Catchment that we don't know about that are good. ...it's also, I guess, trying to acknowledge what other people do as well in terms of contributing to better natural resources in a sustainable way. (2a\_15)

CMA staff involved in developing the collaborative model saw it as an engagement tool but also a way to drive accountability:

what are you going to actually contribute to it?

and capture the work that might be going on outside the realm of the CMA:

trying to acknowledge what other people do as well in terms of contributing to better natural resources in a sustainable way. (2a\_15)

The importance of leadership in making a commitment to implementation, to making it real *not just a statement of intent*, was seen as a key driver for the collaborative approach.

The process of developing the CAP priorities was seen as inviting community voices into the 'upstream' definition of problems, however this was balanced by an expectation of collaboration to actually achieve implementation:

While they did that, they still got that opportunity in the first one, I suppose we didn't – we didn't follow up and say 'well, you want us to write this target this way, but what are you going to actually contribute to it?' By having it stated that the CAP's a collaborative governance model –

I think there's just more emphasis to get a lot of people to contribute to the targets so that – so that they can see that their actions are measured and counted. ... Collaborative governance is sort of an engagement tool but I also think it should encourage accountability. (2a\_15)

The collaborative model attempted to tackle this by increasing accountability beyond the CMA:

it's good if you can have people who collaborate in projects see that it's not just about getting the kudos, it's also about dealing with the criticisms and working through that whole process of planning the projects and delivering them. (2a\_15)

This is clearly linking collaboration with engagement but also capacity building, and developing a shared understanding of the different dynamics in delivering high quality NRM.

#### **4.3.1.3. Implementation**

Now, what I guess I'm talking about is not rocket science and it's not new. It's the collaborative governance model that they are now doing [at Case 2a], so it's do-able, it's very do-able, and all that does is, it puts community at the center of the function rather than the paternalistic approach where it's 'you will do it our way or the highway'. (1b\_10)

Transforming the terminology of the participatory process from adaptive governance to collaborative governance was seen as necessary

because adaptive government sounds a bit scary. And a bit \_ probably not as descriptive about what it's about (2a\_17).

Although the model was described as an innovation in participation, respondents suggested it actually formalised a way of working that was already well developed in the CMA.

The model was described in detail in the CAP. Legislative reform and the creation of the Local Land Services (LLS) halted development of an implementation plan and it

appears that Case 1a was the only project that attempted to put the collaborative model into practice.

I can't see that we'd get any funding for it. It'll just have to be part of our day-to-day talking to people ... so it's sort of more like a 'we'll do it when we get to it', when we can and when the opportunity arises I guess. (2a\_17)

The uncertainty ushered in by the LLS reforms distracted the government agency from attempting to implement the CAP commitments.

it has been disrupted because as soon as we got the CAP done, the next thing we're transitioning to Local Land Services ... So people have been a bit focused on just getting a job and stuff. It's hard to think about other projects. (2a\_16)

The reform process created a time pressure to consolidate the work of the CMA before it was wound up. This short term deadline saw a retreat from the ideals of collaborative implementation, losing the momentum of the CAP process and attempts to plan out who was responsible for leading on the range of priorities committed to in the plan. This was seen as a missed opportunity for community engagement and one that was driven by the reform:

maybe, we'll revisit that early in the new year. We have got a draft implementation plan, but it doesn't specify who's going to do what (2a\_17).

#### **4.3.2 Example 2b**

The following section reports on the analysis of qualitative interviews with three respondents who participated in the Catchment Management Authority's (CMA) Community Reference Panels mechanism.

They included:

- (CMA) Strategic planning manager (2b\_19)
- (CMA) Community reference panel Project Officer (2b\_20)
- Community member (2b\_21)

And where appropriate, comments from respondents interviewed about the institutional framework (2\_18, 2\_24 & Peak body representative 1b\_10).

At the time of data collection, the Panel mechanism was being wrapped up and this reduced access to potential respondents. As a result, this case study example relied heavily on document analysis.

#### 4.3.2.1. Community reference panels

the reference panels was, I guess, a very deliberate, strategic initiative ... part of the ... cultural shift ... of trying to establish better mechanisms for community engagement. (2b\_19)

The establishment of the Panels was prompted by the CAP review. The approach of the CMA to the implementation of this participatory process reflected an organisational culture of information and documentation. The process commenced with developing best practice guidelines, and this was followed by a process evaluation one year in to ensure that there was evidence about the process as well as the ability to improve. These procedures were driven by the evidence requirements of the NRC audit and review, which required documentation that could support any claims of:

trying to apply best practice in terms of community engagement and reference panels in particular. ... trying to be quite deliberate. (2b\_19)

This focus on procedural detail included development of a clear Terms of Reference to ensure the panel members had clear expectations, and also give the organisation's Board confidence in the parameters of the mechanism:

That Board, staff and reference panel members themselves, could all clearly see 'where your scope of influence was and where it wasn't'. 'You're not replacing the Board'. You know? The Board were twitchy about that. Ah, it's all right. This is the sphere of influence.

Being very transparent about what any participant could or couldn't influence by being in that space. Because that whole expectation management I think is important. (2b\_19)

Experience with bad processes and limited impact on decision-making had informed the perspective of the staff member charged with establishing and running the panels. The respondent suggested that they were wary of repeating these negative experiences which, in their opinion, *contributes to huge cynicism about committee*

*engagement processes*, and decided to address this by focusing agendas on tasks that were approved by the Board and making sure that they

understood that they were, if you like, strategic advisors in the sense of providing feedback and suggestions, but that they had no authority or power to actually make decisions. (2b\_20)

The agenda was tightly focused on the work at hand. This was appropriate for the needs of the organisation and was supported by participants (Boronyak & Herriman, 2013):

you definitely need a structure in place and I would imagine everyone on that panel would think so, too, because they're there because they want to have impact on something and not just talking about it. You need a process to move forwards. (2b\_21)

The Board requested report backs from the panels, a *direct mechanism* that seemed to be working *brilliantly*:

the Board were very interested to know what these reference panels were up to and what they were thinking and saying. (2b\_19)

While CMA staff under the supervision of the Board managed the scope and composition of the panel process, each panel was given some level of autonomy to work out the conduct of the meetings. The facilitator worked with each of the groups to establish a set of meeting rules that were signed off by members:

For example, they made consensus decisions. We didn't keep verbatim minutes. We kept meeting notes and recorded key points. We made sure that, or I made sure that everybody's view was heard and that everybody enjoyed the participation. (2b\_20)

The legitimacy of these rules were negotiated with the panel members and relied heavily on the facilitator's expertise in designing and operating these kind of participatory processes.

#### **4.3.2.2. Institutional change**

of course we've now hit institutional reform, which again is another challenge in terms of keeping engagement happening. (2b\_20)

The panels were established prior to the public announcement of the shift to LLS. The life span of the panels was limited by this reform, which disrupted the participatory process. A lack of logic in the way that the institutional framework approached community engagement was seen in the loss of the panel mechanism, and in creating challenges for broader attempts to increase community engagement in natural resource activities:

it actually has alienated landholders, that process, and I've got a classic example, where we had to put in a vegetation planting because of funding this year, knowing that we didn't actually have the soil moisture profile to plant those trees in and no follow up rain since we planted those trees! They are all dead. We have a sign up there saying, 'Great community veg project!' (2b\_21)

The organisational control of the panels in this case raised questions about the 'community' that was being represented and how the participatory process shaped their ability to influence the institutional framework. This goes to the difficult issue about whether participatory processes are leading or responding to the voices of the community, and whose interests are represented through participatory processes like these. One respondent hinted at the different versions of 'community' that co-existed in the region:

over the last few years has been a change in the Native Vegetation regulations and that's been seen as a positive by most landholders and so, I think there's still a certain amount of feeling that's positive about government listening to their issues, or their concerns about native veg,(2b\_21)

The institutional change was seen as linked to the policy context, but also a desire for new government to

rebrand, change it up ... The LHPA (Lifestock Health and Pest Authority) dysfunction was used as the excuse to then take on a much broader set of reforms. (2b\_19)

The potential for institutional change to broaden the audience that might be interested and receptive in working for landscape management outcomes was seen as a beneficial outcome of the reform process:

I'm sure there's lots of positives about the LLS, but I think one of the ones is that you're dealing with ... I guess it's the community: the community includes

landholders and community, it includes urban people, it includes people that don't even own land but are just business providers or service providers, but all those people in those rural areas have some sort of understanding of agriculture. (2b\_21)

However the challenge of balancing vested interests and broader community engagement seemed likely to remain a feature of the new legislated body:

Because potentially the Board can say 'we've got community representatives, we've got elected representatives on the board, we know what we're doing, we don't need you' or 'why should we listen to you?' (2b\_20)

Whether the reform was perceived as a creative or disruptive force, the need for strong procedural integrity measures was considered necessary for maintaining authentic community engagement:

it's really important to hold community engagement and collaborative planning initiatives as part of the standard for quality NRM or whatever it turns into. So that you have it as something you can audit against. Is really, really important. (2b\_19)

#### **4.4 Summary**

This chapter has presented some of the empirical data as it was captured and developed through analysis. These extracts are linked with the emerging analysis that became the foundation of each case narrative. By combining these extracts with code information from the data management software (see Appendices Seven and Eight), the process of data interpretation is able to be followed. While qualitative data analysis does not lend itself to positivist notions of reliability and validity, these strategies increase the integrity of the research findings through transparent record keeping.

This chapter has included extracts for each case study example. The following chapter will present an overall analysis of the case study data.

## Chapter 5: Synthesis chapter

### 5.1 Introduction

The research presented so far has demonstrated that while institutional frameworks may create legal obligations to implement some form of participatory process they do not always prescribe a particular mechanism. Even where a specific process *is* defined, accompanying guidelines or standards provide limited operational detail. For project conveners and participants, this leads to flexibility in how framework documents are interpreted and implemented. At the same time, this flexibility is not extended to the requirements for compliance and accountability as stipulated by the framework.

The case study narratives have revealed that tensions of participatory processes *in practice* can undermine project viability and community acceptance of natural resource decision-making. A lack of integrity measures in the design and delivery of participatory processes weakens best practice. The institutional framework permits limited empirical attention to the integrity and effectiveness of these mechanisms. The benefits of participatory processes are smothered by policy reform and competing priorities that treat community as a desired but passive partner in governance legitimacy.

This chapter now describes the results of a comparative analysis across all four case study examples. The analysis focuses on areas of academic and practitioner concern identified in Published paper one (Howard, 2015a) and Chapter 2: Literature review. These include:

- The variety in possible participatory processes;
- The influence of competing expectations and motivations for undertaking participatory processes;
- Understanding and measuring success in participatory processes;
- And what type of 'community' actually participates in these mechanisms.

The comparative analysis reveals that achieving community support and acceptance is the main motivation for implementing a participatory process. Ideas of 'best practice' are often linked to gut feelings of fairness that limit understanding of

effectiveness. A common commitment to transparency of information does not always extend to defined roles and responsibilities.

Empirical analysis reveals a tension between legislated commitments to community engagement and implementation through participatory processes. This can be described as a *substantive/procedural* tension or, in the terminology of the investigative framework, a disconnect between the legislation and practice elements of governance.

In this framing, legislation represents the rule of law and serves as both the foundation and pinnacle of institutional settings for social and environmental justice. A substantive commitment to community engagement creates an overarching norm that must then be implemented through procedural design. Good reform requires a balance between substantive and procedural considerations, and legislation must consider how definitions and expectations influence this balance.

The comparative analysis demonstrates that norms of community engagement require development and standardisation. These findings reinforce the need for legislation to embed procedural guidelines and best practice standards alongside requirements for community engagement through participatory processes.

## **5.2 Method**

The documentary and interview data collected for each case was combined and analysed as one data set. The process of data coding has been described in detail in Chapter 3: Methodology. Once all transcripts had been coded, the final code structure was revisited across the entire data set. Fifty-two codes have been applied to 3,140 coded segments. Details of the codes and sample extracts are attached in Appendices Seven and Eight.

Using MaxQDA visual tools, the coded interview data uncovered commonalities and divergences between the case studies. Basic counts of the governance features of each participatory process were also captured. The data provided useful verification for the narrative analysis of the case studies. Where possible, results are presented here in graphs and tables.

## **5.3 Results: Case study synthesis**

The following sections present the key findings from the comparative analysis.

### 5.3.1 Procedural elements

During case study development, a checklist was developed to enable comparison of governance design across the data set. These results are displayed in Table 5.1.

**Table 5.1: Governance features of each case study example.**

<b>GOVERNANCE features</b>	<b>1a</b>	<b>1b</b>	<b>2a</b>	<b>2b</b>
<b>Substantive/legislated</b>				
Mechanism meets legislated need		Grey	Grey	Grey
Community initiated process			Grey	
Agency initiated process	Grey	Grey		Grey
Agreed principles	Grey		Grey	Grey
<b>Procedural/policy</b>				
EOI for membership		Grey	Grey	Grey
Terms of reference		Grey	Grey	Grey
Code of conduct			Grey	Grey
Use of IP2 guidelines <sup>11</sup>				Grey
Independent chair		Grey		
Formal roles and responsibilities	Hatched	Hatched	Hatched	Hatched
Minutes publicly available		Grey		
Sitting fees		Grey	Grey	Grey
Representative roles		Grey	Grey	Grey
<b>Process/practice</b>				
Rotating chairperson			Grey	
Agenda circulated	Black	Black	Black	Black
Agenda developed by chair		Grey		Grey
Agenda developed by secretary	Grey		Grey	
Minutes recorded	Grey	Grey	Grey	
Minutes circulated	Black	Black	Black	Black
Membership ratified by committee	Grey		Grey	
<b>Evidence/evaluation</b>				
Evaluation of governance mechanism			Grey	Grey
Media online	Grey	Grey	Grey	
Consultation documentation online	Black	Black	Black	Black
Minutes publicly available		Grey		
Submissions available online	Grey	Grey		
Engagement plan	Black	Black	Black	Black
Indicators defined				Grey

The grey shading indicates presence, black shows commonalities and the hatching illustrates one feature NOT present in any example (combined data from Case 1 & 2).

<sup>11</sup> International Association for Public Participation

Common features include a commitment to transparency of information through circulation of meeting documents and publication of certain project documents online. These features are prescribed in the procedural guidelines. However, formal roles and responsibilities are not defined in any of the cases. Although procedural guidelines might have specified the positions to be filled, there was flexibility to determine the scope of these positions and how they would interact.

Only one case had defined indicators for success that extended beyond acceptance and procedural compliance, and considered the operation of the participatory process itself. If evidence is not collected about the implementation of the process, it is difficult to evaluate how authentic or satisfying the process was for participants. It also conveys the impression that meeting the procedural requirement is the only metric that really matters.

The investigative framework considered whether case studies collected empirical evidence about their efforts to engage community in natural resource governance mechanisms.

Respondents were asked what indicators they used to evaluate their progress.<sup>12</sup> Indicators range from procedural 'tick the box' to more subjective values and are rarely linked to formal framework documents such as best practice guides (see Table 5.2). This subjectivity also influences respondents' expectations about the purpose of community engagement and what it would achieve in their case (see Table 5.3).

As a result, respondents expressed a range of normative assumptions about the final outcome of the participatory process (see Table 5.2 and 5.3). These assumptions are associated with subjective indicators that are not formally evaluated. Personal experiences in developing, implementing or participating in participatory processes are influential.

By failing to link these subjective indicators to evaluation of the participatory process, the case studies replicate a common finding from the literature: a lack of well-

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12. These responses were coded as 'Indicators' in the data analysis software. There were 78 coded extracts across the data set. These were grouped to draw out the main indicators across the entire data set. This required aggregation and extracts are provided in Appendix Eight to allow others the opportunity to check the logic, or offer alternative interpretations.

informed empirical evidence impedes effective reform and implementation of best practice participatory processes.

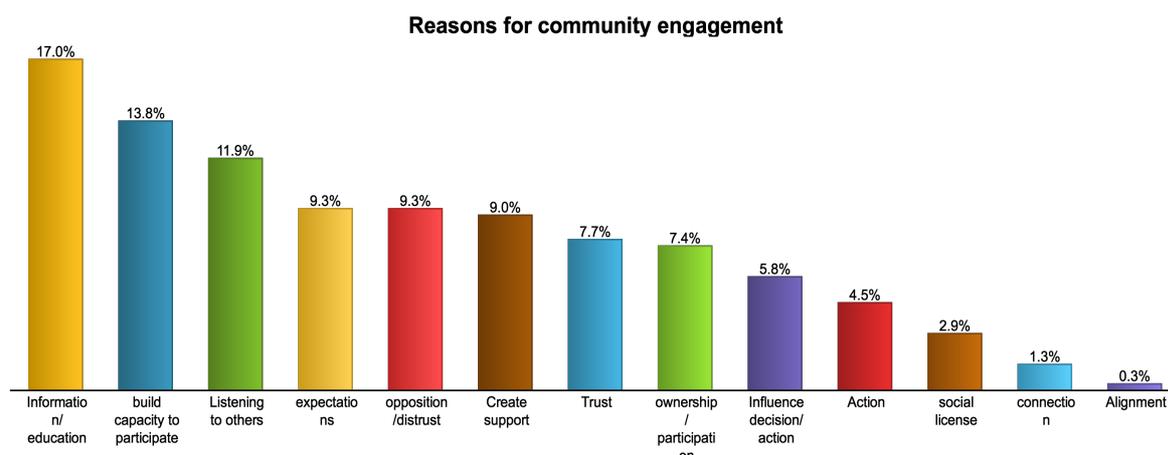
**Table 5.2: Illustrates the varied indicators respondents use to evaluate their community engagement activities**

Subjective indicators	Objective indicators
Word-of-mouth	Subscriptions
Community acceptance	Complaints
Follow-up action	Attendance
Integration	Media stories
Citizen view	Commitments
Self-interest	Implementation

**Table 5.3: Indicators were often linked to an assumed outcome, as illustrated by the final row in this table**

What indicators do you look for to assess if your community engagement is:			
On-track?		Off-track?	
No negative media	Active participation	Negative media	
Community acceptance	Taking citizen view	Bad word-of-mouth	Self-interest dominating
Legitimate procedures	Continuation – follow up action	Complaints	<i>"No love in the room"</i>
Subscribers (social media)	Integration with other interests	Unsubscribe requests	
Implementation of commitments		Non-participation	Not listening
Attendance		Absence/ withdrawal	Unbalanced
<b>= A better project</b>	<b>= Empowered community</b>	<b>= A government problem</b>	<b>= Illegitimate decisions</b>

### 5.3.2 Reasons for conducting community engagement



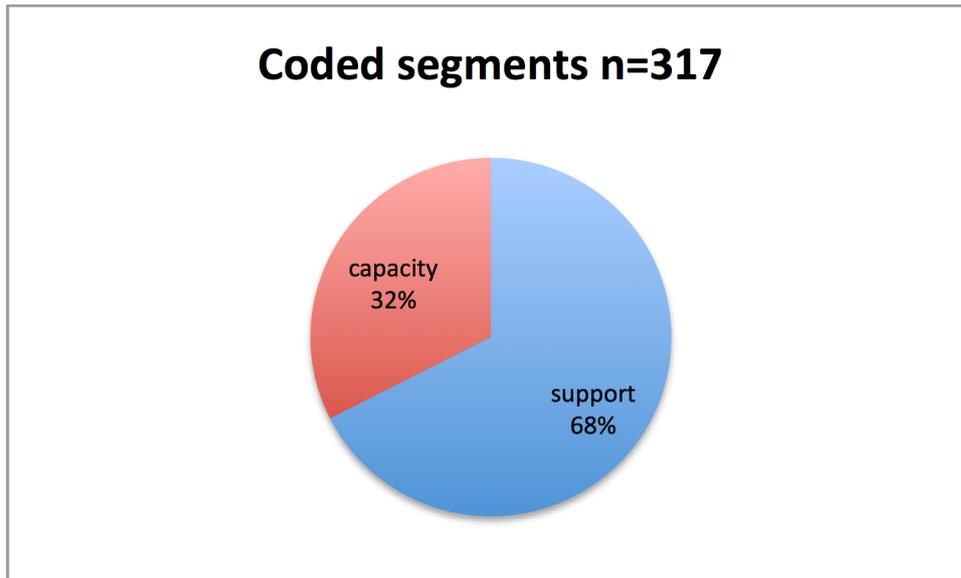
**Figure 5.1: Shows the reasons for conducting community engagement given by respondents (N-312 coded segments)**

As shown in Figure 5.1, *informing* and *educating* community members about an issue was the most common reason given by respondents. A desire to build capacity to enable participation was also significant, with listening and hearing other perspectives another important reason. ‘Expectation management’ is linked to establishing trust, creating support and increasing community ownership of an issue.

**Table 5.4: Reasons given for conducting community engagement in natural resource governance across both case studies – coding aggregated under two key themes**

Support	Capacity
Create support	Build capacity to participate
Inform/educate	Motivate action
Hearing other perspectives	Influence decisions
Build trust	Encourage ownership/participation
Manage expectations	
Address opposition/distrust	
Gain social license	
Alignment	
Connection	

Coded extracts were aggregated under the headings 'support' and 'capacity' and analysed as a percentage of the total (see Table 5.4). This analysis illustrates that the majority of responses are linked to generating community support or acceptance through a range of community engagement activities (see Figure 5.2).



**Figure 5.2: Percentage of coded extracts for 'reasons' showing majority of responses focused on generating community acceptance.**

Additional relational analysis supports the conclusion that the primary reason respondents undertake community engagement is to gain some form of community support or acceptance, and the most common method employed is to *inform* or *educate* (see Appendix Ten). Providing information and developing education resources or media products are the most common mediums for achieving these objectives. This includes publication of documents on webpages, public presentations and 'dissemination' through a range of workshop settings. How information can be provided was not a focus of the case study enquiry and is included here in recognition of the wide range of possible avenues through which *inform* or *educate* objectives can be implemented.

For community members involved in the case study examples, procedural legitimacy was often limited to a gut feeling of 'fairness'. This was highly subjective and resistant to 'tick the box' quantification. At the same time, procedural accountability requirements encouraged attempts to 'count' the outcomes of participatory processes. This tension between intuitive and factual indicators reinforces the findings that while there are many different versions of community engagement, they tend to seesaw between instrumental and transformative objectives, often within the same project or policy framework.

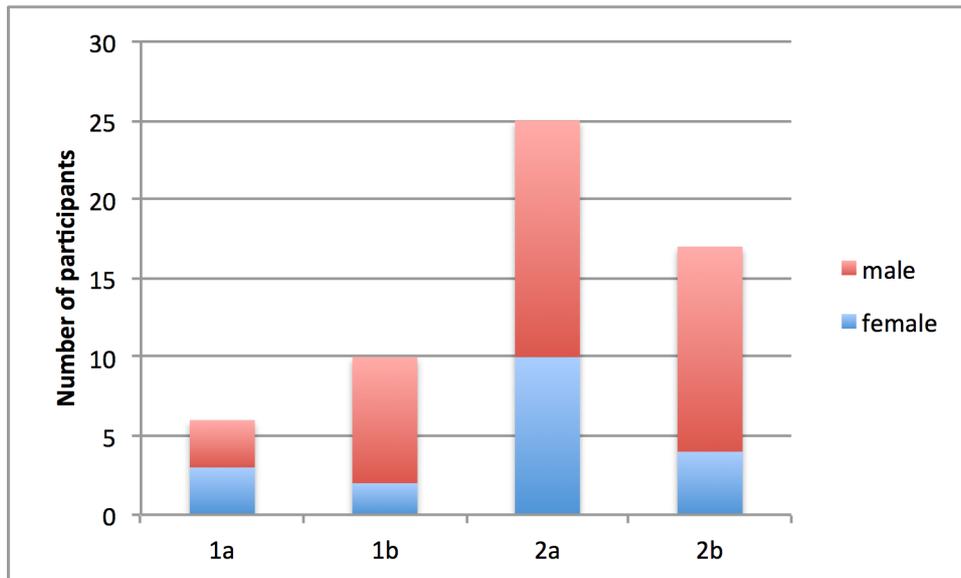
### **5.3.3 Who is the community?**

Subjectivity continues to feature in the comparative analysis. Informants relied on a combination of procedural guidance and personal instinct to answer questions about whose voices are being heard in the participatory process examples. While respondents are aware of best practice guidelines and standards that drew attention to questions of representation, these were rarely mentioned in the interviews.

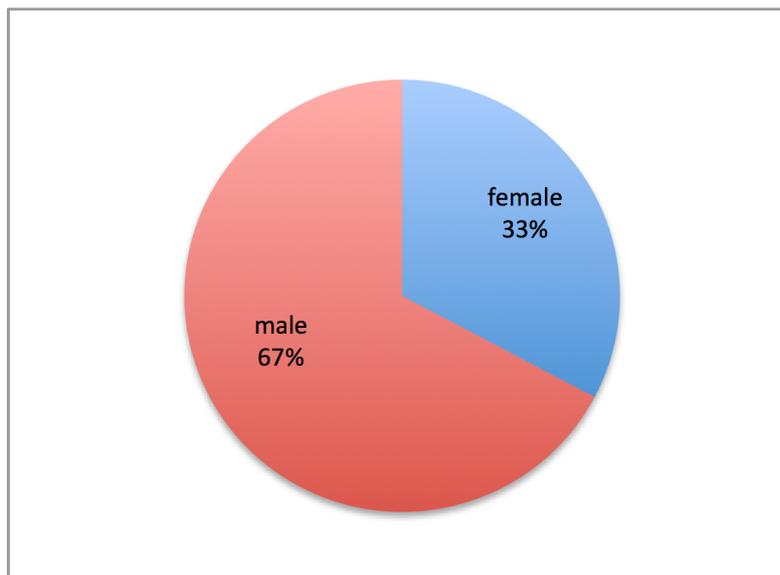
Processes that utilised self-nomination through Expressions of Interest (EoI) often relied on advertisements in print media and on websites. None of the empirical evidence collected backs up the claim made by some respondents that using social media enables access to a diversity of perspectives. Governance documents neglect questions of gender and ethnicity, although representation of different sectors such as industry or landholder interests, were raised.

The case study respondents had a wide range of abilities and experiences. The documentary analysis also showed that although there is evidence of some processes of selection, overall, the composition of the participatory processes was defined by self-nomination and a willingness to participate. A broad range of appropriate governance skills were rarely described or present, with implications for the scope of activities that could be conducted.

The data reveals a bias in favour of male participation (see Figures 5.3 and 5.4). This variable is not part of the research design. However, wider reading of the literature of participation justifies attention to the likely impact of gender imbalance for achieving authentic and well-informed community engagement (Brush, 2003; Eversole, 2011; Johnson et al., 2004; Neef & Neubert, 2011). Points of interest include the higher female participation in the community consortium and collaborative governance models (1a and 2a). It is possible that the strong commitment to broad participation that motivated these examples created a more inclusive approach to membership recruitment (Ansell, 2007; Brush, 2003; McKinney & Kemmis, 2011), however this is not explicit in the project documentation and would require additional research to explore in more depth.



**Figure 5.3: Gender participation in each case study example**



**Figure 5.4: Total participation by gender across both case studies (n=58)**

### 5.3.4 The impact of policy reform

Policy reform impacted both case studies during the research period and provided an insight to the impact of reform on participatory processes.

Periods of policy reform are by nature disruptive. Reform brings the potential for significant change to established power dynamics. It also creates uncertainty and the opportunity for vested interests to influence change. In this way, policy reform provides a window into the struggle between established political interests and the values of public participation. Political will is a necessary factor in determining how

high-level statements of intention about community engagement are put into practice (McKinney & Field, 2008; Wiersema 2008).

For example, the extensive community consultation undertaken during the review of the *Environmental Planning and Assessment Act 1979*, No 203 (NSW) (NSW Government, 2012; NSW Government, 2012a; NSW Government, 2013) suggested a shift in norms that would see principles of community engagement defined in legislation. However, during parliamentary debate, important institutional innovations, such as the Community Participation Charter were lost and the status of this draft *Bill* (NSW Government, 2013a) remains unclear two years later.

As the New South Wales natural resource management system was reformed, existing mechanisms for audit and review were altered. The significant role of the Natural Resources Commission in establishing guidelines and evaluating progress was not recognised in the detail of the new legislation, although they retain a role in the current regime. Terminology changed from 'community' to 'customer', revealing an ideological shift that was not well grounded in the public consultation process (Department of Environment, 2009; Natural Resources Commission, 2014).

Fragmentation of policy emerges as a significant barrier to improving community engagement in natural resource governance. The political tendency to separate policy areas enables progress in one area of community engagement to be quarantined from related or overlapping legislation. It also allowed resistance to flourish, undermining the development of new norms of community engagement.

A similar fragmentation across jurisdictions creates barriers to innovative participatory processes. A lack of regional capacity to implement state and federal requirements reduces bureaucratic confidence in these processes. At the same time, high-level commitments such as *NSW 2021* (NSW Government, 2011) continue to promise increased regional or local decision-making. The principled policy methodology employed in this research reveals that the intimate link between policy and politics cannot be ignored when considering how participatory processes might threaten the established power structures of natural resource governance.

In this way, the role of participatory processes in debates about the devolution or centralisation of natural resource governances can be seen as a power struggle

between the established norms of Australian representative democracy and concepts of 'local' or regional scale governance.

The lack of legal and policy clarity, identified in the case studies, confuses expectations of what community can expect to achieve through their participation. The difference between increasing community empowerment and achieving a project approval is vast in terms of expectation management. For each party involved in designing, implementing and participating, personal expectations were rarely informed by legislated objectives. This has implications for the perceived and actual legitimacy of participatory processes.

The case studies demonstrate the important role that best practice standards for community engagement can play in driving improvement at the organisational and individual level. Standards were used to both articulate and evaluate expectations around participatory processes. By providing clear guidance about the purpose of these processes, best practice standards were most effective when they were linked to legislative responsibility through audit and review.

### **5.3.5 Capacity**

The data reveals that for participatory processes to be effective, legal requirements and policy statements must be matched by a skilled and capable supply of participants. Theoretical clarity about best practice community engagement was diluted during implementation of participatory processes. Participants focused on issue-related outcomes, rather than the activities of governance itself. The evidence requirements neglected to collect data about the implementation of participatory processes. As a result, awareness of practice and theory was dependent on the skills and capacity of individual participants.

The case studies show that increasing understanding of the institutional framework is necessary for building community capacity to actively and effectively participate in governance regimes. Participants with a passionate interest in the particular natural resource issue were focused on immediate activities rather than broader systemic concerns. This led to frustration about the limited impact of their participation on policy outcomes.

This lack of governance knowledge undermined participants' ability to propose strategic reform. It also limited their ability to negotiate the boundaries of the participatory process, the accountability requirements and evidence that would be collected. This contributed to a loss of community ownership and a tendency to look towards the parties with institutional power to drive the process forward.

Evidence from the case study data shows that for those embedded in a particular participatory process, imagining alternatives to the status quo is difficult. During data collection, questions about possible reforms were met with blank stares. Analysis required a keen ear to any oblique references to activities or ideas of governance. This included norms and expectations around decision-making mechanisms, and descriptions of cynicism, withdrawal, opposition and non-participation. The research reveals that people articulate concepts of governance without using the specific term. 'Governance' includes references to the shifting institutional architecture, fears of change, risk, uncertainty, and spirited discussions of power, politics and money.

In this context, reform suggestions combined instrumental or transformational perspectives. Small procedural changes, such as earlier circulation of the minutes, were contrasted with aspirational systemic reform. This suggests that researchers interested in implementation must keep a firm eye on participatory dynamics and articulate them through repeated engagement with the empirical evidence.

## **5.4 Discussion**

### **5.4.1 Frameworks and reform**

The key findings from the analysis and synthesis of the case studies have been presented in Table 5.5 as three dilemmas that pivot around the research focus on the way that legal rules, policies, organisational norms and social norms interact, to shape both *form* and *function* of 'community' in natural resource governance.

**Table 5.5: Three dilemmas of institutional frameworks for community engagement**

	<b>Claim</b>	<b>Evidence</b>
<b>Dilemma 1</b> Legitimacy	Frameworks are focused on building industry capacity and expertise in community engagement.	Policy uncertainty and community disengagement reduce participation; compliance focus distracts from authentic implementation of participatory processes.
<b>Dilemma 2</b> Culture change	Frameworks drive change in existing norms about community engagement.	Norms are dependent on culture; implementation draws on established norms and power dynamics; expectations of participation are not grounded in legal requirements.
<b>Dilemma 3</b> Expectations	Frameworks will articulate and formalise expectations about community engagement.	Struggle to reconcile diffuse concepts of 'community'; Limited definitions of community enable diverse expectations to flourish and reduce procedural avenues for challenge.

The comparative analysis reveals that subjective values are influential in determining expectations of community governance. Each respondent had a different internal logic for their expectations of what community engagement would lead to, either in terms of a particular project, or in broader society. These informants often worked at different levels of the investigative framework. The co-existence of these different internal logics within one project or process illustrates the complexities of community engagement.

Across the case studies, informants paused when asked about strategies for accessing diverse community voices. Answers were generally vague and revealed little structured planning for accessing more than a subjective and self-generated definition of 'community'.

This lack of thoughtful consideration of what 'community' was being targeted suggested an important role for procedural guidelines that direct attention to identifying missing voices. This was particularly noticeable when claims of community acceptance and legitimate decision making were challenged. Subjectivity can result in accusations of self-interest or poor process when other members of the 'community' feel left out. The results show that even the best intentions can be let down by a tendency to work with 'the usual suspects' and a sense that community engagement is a largely intuitive activity.

The data shows that concepts of procedural legitimacy are subjective and linked to gut feelings of 'fairness'. As a result, legitimacy becomes separated from the legal and policy details. This results in highly subjective indicators that resist 'tick the box' quantification and complicates evaluation of the mechanism.

#### **5.4.2 Accessing the community**

For those designing and implementing participatory processes, a project level focus encourages pragmatic planning. A recognised limitation is the financial and human resources required to facilitate broad community participation. In each case, trade offs had to be made between the desire (or requirement) for community engagement and the capacity of the project leadership.

When questioned, respondents were able to present a nuanced perspective about the limitations of their approach while being practical about the causes and impacts. For those participating in the participatory process, the perceived fairness of the activity itself became a topic of concern that was held distinct from achievement of a specific project outcome. This indicates that ideas of effectiveness and legitimacy are related to an individual's place in the project, their interest in the outcome and their personal experience of participatory processes in practice.

For participatory processes to improve, reform suggestions must be informed by grass roots, implementation knowledge. This requires building participant awareness about the differences between *governance*, *management* and *government*.

#### **5.4.3 Vested interests and community leadership**

Each case struggled with how to manage vested interests. The difficulty of activating community participation led some participatory processes to rely on those who had a direct interest in the outcome of the process. This was variously described as a negative or positive, indicating that vested interest does not carry an inherent value judgement, but is mediated through the context of the participatory process and the natural resource issue.

Strong governance guidelines were seen as necessary to accommodate vested interests while taking advantage of the motivation to increase participation, attendance and consistency. Negative consequences of self interest require strong

facilitation and leadership. Where this fails, the broad-brush compliance standards are not adequate, reinforcing the need for project specific governance documents.

Community members took repeated leadership roles in their geographical region, reappearing in several cases wearing different hats. This poses a challenge for rural regions in identifying how these community assets exert influence across a range of issues. The value of these individuals lies in the skills and experience they can offer. However there is a risk that over-commitment can lead to increased rates of participant 'burn out'. The influence that these active individuals might exert on multiple projects or issues also requires further consideration. While these individuals are clearly accepting a community leadership role, this dynamic might also replicate existing patterns of power and influence. Reforms to address the peculiar challenges of community engagement in regional and rural areas must consider capacity building as an ongoing investment, rather than episodic interventions that create community champions in isolation.

## **5.5 Conclusion**

The data reveals, once again, the diverse and highly subjective nature of participatory processes in natural resource governance. This finding has continuing relevance for attempts to evaluate and improve implementation of institutional frameworks for community engagement.

By working with the case studies as one data set, comparative analysis reveals tensions of expectations, motivations and participation. The data suggests that tensions are linked to powerful assumptions that surround participatory processes. These assumptions complicate and often undermine the efficacy and legitimacy of these mechanisms.

The comparative data echoes the conceptual division between *tangible* and *intangible* norms of community engagement described in Published paper one (Howard, 2015a), Table Two. These norms emerge from repeated interactions between individuals and organisations within the context of an institutional framework. They exert influence on both expectations and implementation practices in natural resource governance, although these are rarely clearly articulated.

The interaction between procedural fairness, community acceptance and legitimacy is vital to developing good quality community engagement. Viewed through the lens of the participatory process, this analysis clearly shows how subjective many of these elements can be. The investigative framework underpinning this research encourages reform that can balance legislation, policy, practice and evidence to standardise implementation norms.

Meeting rules or governance documents can provide a form of negotiated guidance for participatory processes, establishing ground rules that enable quieter voices to be heard. Clearly defined roles and scope of influence can reduce confusion about the purpose of the process. Anchoring participation to a clear purpose can avoid negative and unproductive interaction between individuals. Procedural documents can combine vision statements with nuts and bolts detail of how the process will work in practice.

Participatory processes may lack the voices of marginalised or disadvantaged community members. For processes that aim to achieve 'legitimate' community acceptance the best practice literature recommends a range of strategies to ensure that power dynamics are not simply replicated through participatory processes (Eversole, 2011; Fischer, 2005; Reed, 2008; Workshop IDS, 1998). Beyond community acceptance, these strategies are important to ensure that policy development is well informed by knowledge that may make or break implementation. The data presented here supports balancing procedural elements with more substantive commitments to inclusive and community-centric decision making.

The legislative reform encountered in this research seemed to be based on political pressures rather than considered and strategic responses to the challenges of natural resource governance. Although both case studies identified local government support as important for community acceptance, this 'local' mechanism lacked constitutional certainty and had limited legislated responsibility for many natural resource issues that require community participation.

This research illustrates that claims to local or regional devolution are largely political, with limited reflection in changing norms of accountability and direction from the centre. This dissonance exists in the gaps between rhetoric and reality, and shows that genuine reform must engage both high-level legislative commitments and

procedural design of policy to ensure that the intentions are enforceable. Analysis of the data shows that implementation case studies provide a valuable lens for learning about this interaction across the investigative framework of the research. The results described in this chapter provide the springboard for recommendations and future research directions detailed in Chapter 6: Conclusion and implications.

## **Chapter 6: Conclusions and implications**

### **6.1 Introduction**

This final chapter brings together the theoretical insights and empirical analysis of the preceding chapters and published papers to address the primary research question guiding this thesis:

How are participatory processes currently defined and experienced in Australian natural governance; and how could they be improved?

Section 6.2 outlines the research journey and the broad conclusions. Section 6.3 presents governance reform recommendations based on the conclusions discussed in section 6.2. These recommendations contribute to the Next Generation rural landscape governance program which framed this research project.

The investigative framework developed in this research provides an internal logic for the structure of the thesis. Section 6.4 employs this framework to discuss the research conclusions and implications in more detail. Each element of the investigative framework is populated with specific research questions and assumptions which are addressed in the context of the thesis.

Research frameworks naturally impose limitations on data collection and analysis. Section 6.5 outlines these and their implications for the research findings. Through recognising and articulating limitations to the research design and analysis, the generalisability and transportability of the research findings are considered.

This chapter concludes with recommendations for future research directions based on the research findings and the principled policy methodology employed.

### **6.2 Conclusions of the research**

The tension between formal rules and community engagement in practice is the fundamental tension underpinning this thesis. Improving community participation and action in an increasingly complex world is a subject of concern and research for academics, practitioners and policy makers alike. The field continues to expand, with efforts and innovations being documented across different governance scales and jurisdictions (Borrini-Feyerabend et al. 2014; Lees-Marshment, 2014; Lewanski &

Florida, 2013; ; Lindquist, Vincent, & Wanna, 2013; United Nations Open Working Group, 2015; Victorian Auditor-General's Office, 2015).

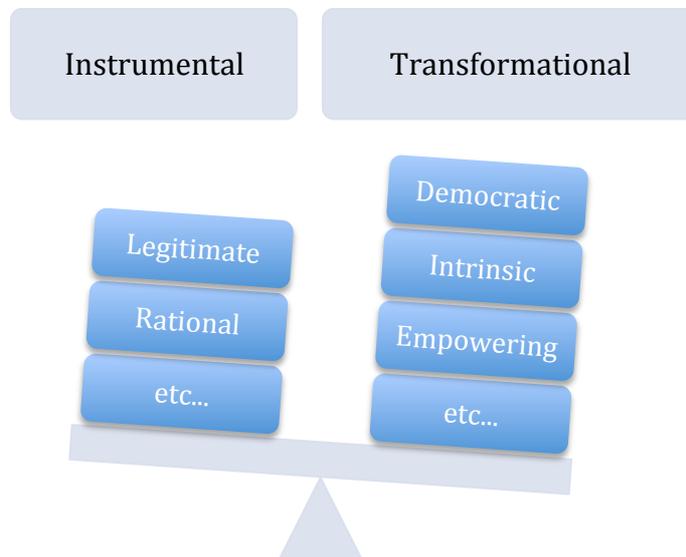
This research takes a step back from normative assumptions about the assumed benefits of increasing legal and administrative requirements for community engagement. The influence of cultural, organisational and social norms is of key interest to this research. This interest is based on the definition of governance as an interaction between formal and informal rules and behaviours. This positioning suggested that articulation of norms is likely to reveal how informal dynamics impact on the way that participatory processes operate in practice, and suggest new norms that could drive improvement. This required a research approach that paid attention to the fine grain of participatory processes as they are implemented.

The principled policy methodology employed in this thesis enables this tracing of how legal requirements for community engagement in natural resource governance are implemented in practice. The empirical analysis collected a 'vertical slice' of data from case studies that translated a legal requirement for participatory processes into project level implementation. The investigative framework sought to uncover normative values about community engagement and chart their influence through participatory processes. The analysis enables attention to the different ways that respondents address complex concepts of governance and community across the investigative framework.

The research finds that current natural resource governance regimes permit flexibility and discretion in the design and implementation of participatory processes. The range of possible processes, a lack of integrity checks and limited avenues for community challenge threaten authentic implementation. Achieving balance between authentic community engagement and accountable government emerges as the central challenge for effective institutional reform.

This research illustrates that different expectations of community participation co-exist under the same legislative framework. These expectations seesaw between transformational and instrumental norms, between ideals of community empowerment and community acceptance (as illustrated in Figure 6.1). Participatory processes are often ill defined and struggle to address community concerns about the influence of power and advantage in their implementation. This leads to

frustration with the gap between community efforts to participate and the objectives of the legislation.



**Figure 6.6.1: Seesawing between normative expectations of community engagement**

Legislation can provide community members, industry and policy makers with a clear direction. However this research shows that current legal requirements for participation fail to provide this clarity. Community engagement is not clearly prioritised and often jostles with other legislated objectives for attention. This leads to confusion about the degree of effort that should be applied to achieving best-practice participation. A lack of substantive commitment sees community engagement become subordinate to the natural resource outcome. As a result, participatory processes become focused on achieving community acceptance as part of a procedural hurdle. This is the current context of community engagement in natural resource governance in Australia.

### **6.3 A model for reform**

The chapter now presents possible governance reforms to address the second part of the central research question:

How are participatory processes currently defined and experienced in Australian natural governance; **and how could they be improved?**

While each case study example contained variation and diversity, several key commonalities were identified during analysis:

- The role of accountability mechanisms and requirements in driving expectations of participatory processes;
- The influence of the wider policy context on the implementation of participatory processes;
- The significance of vested interests in activating and managing participatory processes;
- The key relationship between legal and policy requirements for participatory processes, and community capacity to participate.

As demonstrated in this research, governance reform to improve community engagement must address problematic aspects of discretion, flexibility and accountability. Participants need to understand the role of participatory processes in the legal and policy context. The regime must create opportunities to challenge inadequate or unsatisfactory processes through procedural mechanisms. Commitments to 'localism' or devolution of decision-making must be closely examined to identify legal or policy barriers that will undermine effective implementation. Ideally, these changes would be informed by a facilitated and active discussion of community values concerning natural resources and their management.

The underpinning influence of the investigative framework is illustrated in Table 6.1. The findings become the foundation for a series of governance reforms. These proposed reforms strive to maintain a connection between institutional frameworks and on-ground implementation of participatory processes in natural resource governance.

**Table 6.1: Reform recommendations mapped to the conceptual and investigative framework**

Conceptual framework	Investigative framework	Reform recommendations
<b>Substantive</b>	<b>Legislation</b>	<ul style="list-style-type: none"> <li>• Begin to establish a new norm for community engagement by making a substantive commitment to community participation in the objectives of natural resource legislation;</li> <li>• Legislate to establish independent oversight body insulated from political influence;</li> <li>• Legislated objectives clear on how community engagement is to be prioritised in decision making or under legal challenge;</li> <li>• Harmonisation of associated policy through legislative reform to ensure implementation of substantive intent;</li> <li>• Confer legal standing for a defined community to trigger review and challenge of unsatisfactory or inauthentic processes.</li> </ul>
<b>Procedural</b>	<b>Policy</b>	<ul style="list-style-type: none"> <li>• Develop a range of procedural mechanisms to support substantive commitment;</li> <li>• Implement a process of administrative review and transparent reporting of these processes; Audit legal and policy requirements to ensure community capacity is aligned with governance objectives;</li> <li>• Negotiate accountability requirements with community participants - incorporate community developed indicators in evaluation procedures;</li> <li>• Address power imbalances through governance support and capacity building for community participants;</li> <li>• Develop best practice standards and procedural guidelines;</li> <li>• Implement regular audit and review procedures through legislated independent body.</li> </ul>
<b>Process</b>	<b>Practice</b>	<ul style="list-style-type: none"> <li>• Implement governance support for participatory processes;</li> <li>• Develop industry and agency expertise in community engagement through implementation of best practice guidelines and standards;</li> <li>• Build applied knowledge with community participants to build capacity for participatory processes;</li> <li>• Work with community participants to reflect on power dynamics and build strategies for achieving harmonisation.</li> </ul>
	<b>Evidence</b>	<ul style="list-style-type: none"> <li>• Be clear about the objectives of any particular participatory process;</li> <li>• Link these objectives to requirements for evidence and incorporate community negotiated indicators of success;</li> <li>• Build empirical knowledge of implementation dynamics and develop applied theory for community engagement in governance;</li> </ul>

Conceptual framework	Investigative framework	Reform recommendations
	<b>Reform</b>	<ul style="list-style-type: none"> <li>• Promote harmonisation of socio-economic and ecological research to identify optimum scale for regional governance;</li> <li>• Link awareness of legitimacy and good government with strategies to build community capacity; Consolidate participatory demands in rural areas;</li> <li>• Build capacity to develop community generated accountability mechanisms;</li> <li>• Offer funding and governance support to develop innovation in the design and delivery of participatory processes.</li> </ul>

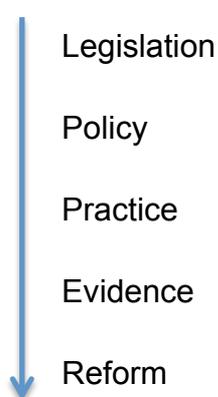
These reform recommendations are informed by the specific context of the Australian federated system and the socio-ecological landscape of rural Australia. They may be relevant to other federated governments or communities facing similar socio-ecological conditions.

The reform recommendations aim to balance rights to participate with commitments to build community capacity and hold participatory processes to account. Reform must ensure that the community can effectively meet their legislated duties in natural resource governance regimes. The reform recommendations are summarised in Table 6.1 and discussed in more detail in section 6.4.

#### **6.4 Discussion: Implications of the research**

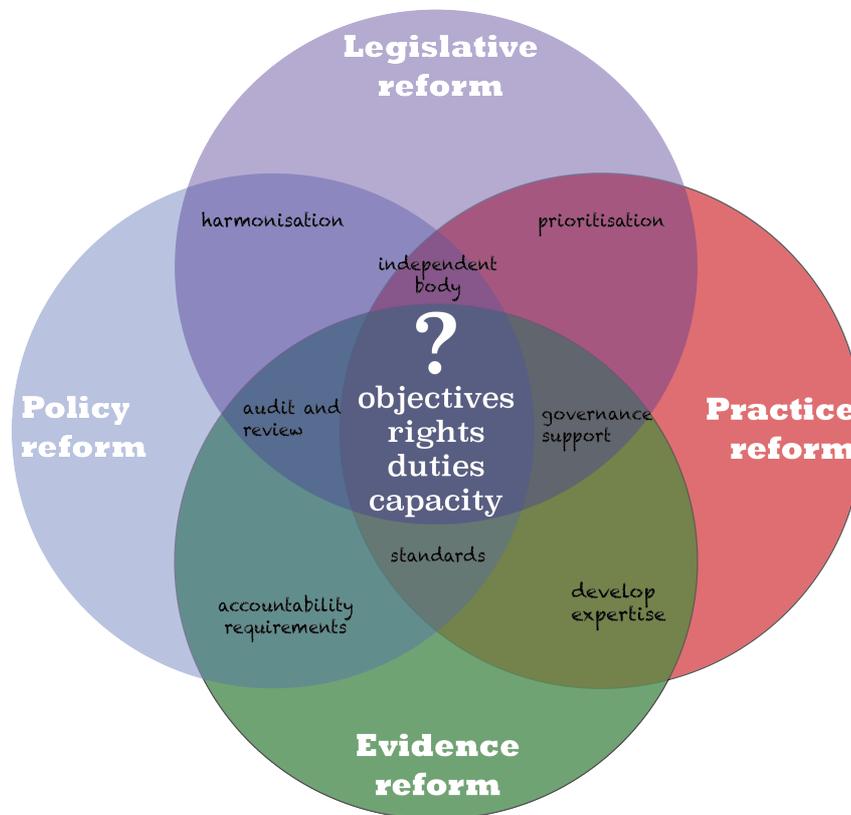
The investigative framework developed through the initial literature review and the subsequent thematic analysis became a useful heuristic for the entire research project. In communications with project partners or research participants, the framework provided a short cut for introducing the research approach, embedded assumptions and boundaries. The framework provided a structure not only for designing and analysing the research project but also for presenting conclusions and implications.

The five elements of the investigative framework were arranged on a vertical axis to guide data collection (see Figure 6.2).



**Figure 6.6.2: The vertical slice of the research design**

However, during data analysis the interaction between the different governance elements became vital to identifying points of reform. This interaction reveals the real word complexities of natural resource governance and is illustrated in Figure 6.3.



**Figure 6.6.3: Illustrating interactions between the elements of the investigative framework.**

#### **6.4.1 Legislation: Research question one**

International agreements create aspirational benchmarks for substantive rights of public participation. Through ratification and agreement, nation states endorse a norm of community participation that must then find expression in national governance arrangements. Legislation is an essential ingredient of high-level commitments to community engagement in natural resource governance regimes.

The ability of national and intra-national legislation to meet these high-level expectations is a concern of this research, guided by the secondary research question:

What expectations and definitions of community engagement are embedded in current natural resource legislation, and what substantive guidance is provided for their implementation through participatory processes?

The analysis of specific legislation and the associated participatory process provided a window into current natural resource governance in Australia. Two core issues were identified. One was the tension between substantive and procedural forms of legislation for community engagement. The second was the confusion of community development and environmental decision-making. These issues confirmed the guiding assumptions of the secondary research question<sup>13</sup> and are discussed here in the context of legislative reform.

The Australian environmental legislation reviewed for this research (Appendix Three) shows that key terms such as 'community' and 'public' are rarely defined. Without definition, the use of these terms allows diverse expectations to become established when read by different audiences. This ambiguity is often compounded by the inclusion of community participation as one of several other legislated objectives, without clear identification of how these objectives should be prioritised in decision-making or in circumstances of legal challenge.

Ambiguity in terminology can be useful for progressing discussions or achieving in-principle support on contentious points (Dellinger, 2012). However, ambiguity becomes problematic during implementation. A lack of clarity creates opportunities for different interpretations to co-exist. The success of reform in a federated democracy will be improved where intentions are aligned across jurisdictions and portfolios (Abbott & Marchant, 2010; Riley, 2012; Tan, 2006). This harmonisation requires clear definitions of key terms and legislated mechanisms for checking on how these reforms are implemented.

Legislative reform can establish mechanisms for audit and review of legal requirements in practice. This includes the creation of independent bodies that combine oversight of procedural implementation with recommendations for improvement. Independent audit and review can augment procedural requirements by evaluating progress towards clear and defined objectives. It can also be tied to funding allocations or statutory reporting, increasing the likelihood that findings will be seen as enforceable and actionable. Case study two demonstrated the positive

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<sup>13</sup>. Assumptions:

- Community engagement is an ambiguous term which encompasses diverse expectations and confused objectives;
- Community engagement requires substantive definition and clearly articulated expectations to improve its role in natural resource governance.

influence of independent review in stimulating a shift in organisational norms of community engagement.

The tension between substantive and procedural avenues for legislative reform is difficult to reconcile. Participatory processes can be delivered through purely procedural reform. Procedures offer immediate and measurable avenues for change. However they may be inadequate for addressing community dissatisfaction with the outcomes of natural resource decision-making. While evidence demonstrates community support for 'fair' procedures (Tyler, 2006), an over-reliance on procedures can avoid a substantive decision on the value of community perspectives.

Procedural limits also determine whether community can dispute the integrity of a participatory process. Without substantive guidance about the value of community engagement, compliance and accountability checks remain linked to natural resource objectives, rather than achieving quality community engagement (Kirk & Blackstock, 2011).

For community members to challenge unsatisfactory or insincere participatory processes, they must hold legal standing within the legislative framework. Legislative reform to confer standing creates a link between procedural requirements for participation and the substantive quality of that process (Black, 1997; Carson, 2008; Dellinger, 2012). However, the extent to which standing also confers a duty to monitor and uphold the intention of the legislation raises questions of community capacity and obligations.

A confusion of community development and environmental decision-making objectives is a finding from this research and the broader literature (Adams & Hess, 2001; Eversole, 2011; Shortall, 2004). This confusion is linked to the previously discussed lack of clarity in terminology and limited definition of the role participatory processes will play. Natural resource legislation may be considered a vehicle for community development through the design and implementation of participatory processes. This confusion has its origins in international agreements such as Agenda 21 (United Nations Environment Programme, 1992) and Rio+20 (United Nations General Assembly, 2012) that firmly link human rights to participate with environmental issues.

If natural resource legislation attempts to deliver community development through participatory processes, then the balance of power must be altered to achieve this end (Wiersema, 2008). Legislative reform to address power imbalances must include substantive commitments to community leadership and procedural mechanisms to change established power structures (Black, 2001). Power imbalances can be addressed by establishing independent support for participatory processes (Gaventa, 2006). Legal reform for participatory *rights* should be developed in combination with reform for participatory *duties* to ensure that communities are equipped with the necessary skills and resources to meet the objectives of the legislation. Ensuring that community capacity is aligned with legislated objectives requires harmonisation of high-level commitments with policy details (Majchrzak, 1984).

#### **6.4.2 Policy: Research question two**

Investigation of the policy element was guided by the secondary research question:

What expectations and definitions of community engagement are embedded in current natural resource policy, and how are these implemented in participatory processes?

The research identifies a range of political pressures and policy dynamics that influence the implementation of participatory processes. The identified lack of legislative clarity about the purpose and form of community engagement led to diverse participatory processes operating under the same legal requirement. The policy documents vacillated between transformational ideals of community empowerment and instrumental claims to community acceptance. These different norms are rarely articulated or linked to the detail of the participatory process being described, supporting the guiding assumptions of research question two.<sup>14</sup>

Principles of transparency and access are important international norms for public participation in environmental governance (Jendroska, 2013; Lambropoulos, 2010; Werksman & Foti, 2011). Clarity of purpose and procedural integrity mechanisms are

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<sup>14</sup> Assumptions:

- Ambiguity at the substantive level increases the influence of discretionary/ administrative power in the design and implementation of participatory processes;
- There is a tension between functional and transformational perceptions of community engagement

key to meeting these principles. Transparency in political power dynamics must also be a serious ingredient of successful reform (Bratspies, 2011; Whitman, 2008). Ideally a symbiotic relationship between legislation and policy would see high-level aspirations aligned with policy detail to ensure that the intention is translated into action.

However, the difficulty of divorcing political behaviour from policy design suggests that integrity mechanisms are better determined by legislative decree in an attempt to safe guard their operation in a politicised context. Modern democratic politics is reactive to media scrutiny and vocal opposition. Well-resourced lobby groups and powerful interests are able to exert pressure on the policy cycle beyond the limits of election campaigns. Policy is vulnerable to changing political leadership and this flexibility challenges reform that might prioritise community interests or threatened established power dynamics. Legislative reform can be a slower process and may attract more scrutiny through review and debate, although as case study one and two demonstrate, political dimensions remain influential.

Integrity mechanisms such as audit and review encourage attention to the capacity of all parties, including staff and managers, to design and implement community engagement. Auditing performance against best practice standards can move the governance framework beyond an intuitive faith in 'virtuous' engagement, to understanding that key ingredients can be clearly articulated and assessed. Well-designed standards can be used to govern discretion and promote accountability (Arnold & Gunderson, 2014) by ensuring that they are not just 'nice ideas' but legally enforceable (Ross, 2010).

A robust audit and review mechanism can shine a light onto the implementation of community governance without denying flexibility in design. This can support innovative forms of community engagement by auditing both the substantive and the procedural details of any particular participatory process. For audit and review to succeed, it must be insulated from political influence. The independence of the review process then becomes a proxy for the overall legitimacy of the policy framework.

### 6.4.3 Practice: Research question three

The Practice element of the investigative framework is guided by the secondary research question:

What expectations and definitions of community engagement are embedded in current natural resource practice, and how are these experienced through implementation of participatory processes?

This included attention to how legal and policy requirements for community engagement were implemented and experienced. Natural resource governance is a site of ongoing debate about devolution or centralisation of environmental decision-making and action { Curtis et al., 2014; Kotze, 2014; Pieraccini, 2015). These debates illustrate the power struggle between established norms of representative democracy and concepts of 'local' or regional scale governance, and support the guiding assumptions of Research question three.<sup>15</sup> Relinquishing power through the operation of participatory processes raises questions of accountability (Jacquet, 2014; Prager et al, 2015; Stoker, 2013).

Accountability requirements are a necessary feature of transparent and trustworthy governance. Legitimate community engagement cannot avoid questions of accountability where decisions are made through participatory process.

At the same time, accountability requirements can have an adverse impact on good quality community engagement, by distracting effort and attention from implementation. Accountability requirements are required to focus on the main concern of the legislation. This separation between 'issue' outcomes and 'governance' outcomes is difficult to articulate. It requires clear legal and policy guidance to avoid the common complaint of 'tick the box' community engagement.

Participatory processes can be sites of negotiation. It is here that flexibility and discretion can be creatively harnessed to deliver local or regional governance solutions. This possibility depends on not only the stated purpose of the legal framework but also the procedural details that put commitments into practice. Unless

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<sup>15</sup>Assumptions:

- Practical experiences are disconnected from substantive and procedural definitions and expectations;
- A tension between functional and transformational perceptions is present throughout the investigative framework.

community engagement is clearly defined and prioritised, procedural mechanisms are likely to remain focused on achieving and demonstrating compliance.

At the practice level, power dynamics are often hidden from view. A history of disadvantage, and poor civic education and geographic distance from centres of political power all contribute to power imbalances. Simply creating a requirement to a participatory process will not address the complex reasons why individuals might not be able or willing to take advantage of this opportunity. To achieve effective participatory processes, building community capacity must be a legitimate focus of all reform efforts in natural resource governance.

Best practice standards and review mechanisms can provide for more integrity in the design and delivery of community engagement. Legal requirements can establish a normative expectation and triggers for challenge. But all of these elements hinge on the ability of the community to successfully meet and negotiate participatory requirements.

#### **6.4.4 Evidence: Research question four**

The research interest in evaluation is guided by the secondary question:

How do definitions and expectations of participatory processes differ, and what are the evidence implications for improving community engagement as an element of natural resource governance?

Although purposes of community engagement are articulated in well-established typologies, they are not integrated with legal requirements. A lack of definitions and prioritisation of objectives, combined with a limited reliance on best practice standards, leads to confusion between stated intentions, expectations and desired outcomes. This has serious implications for the collection of empirical evidence about the impact of community engagement in natural resource governance.

As previously noted, collecting evidence to meet reporting requirements creates time and accountability pressures. These may inhibit attention to the longer-term outcomes of community engagement, reducing empirical knowledge and evidence-

based improvement. This finding supports the guiding assumptions of Research question four.<sup>16</sup>

While gathering evidence about participatory processes is important, indicators must capture diversity rather than struggle for standardisation (Berner et al., 2011).

Beyond the individual's *capacity* to participate is their *motivation* to participate, which relies on subjective values. This subjectivity may be based in a vested interest or an altruistic motivation for the public good, or any combination in between.

Understanding the influence of these subjective motivations could improve the design of participatory processes to address likely power imbalances. Integrity mechanisms could be strengthened by awareness of how different interests might change participants' behaviour, depending on their motivation for becoming involved in the process.

Section 6.4.3 suggests that participatory processes could be seen as negotiation spaces for community involvement in natural resource governance. Negotiation spaces can link participants to the legal and policy objectives of the institutional framework. They can facilitate awareness of the different expectations that may be co-existing in any one participatory process. Reframing community engagement as a creative negotiating space increases the opportunity to capture progress on both subjective and objective values.

Current natural resource governance requires evidence as part of development applications, planning frameworks and permit systems. Standard project development practices are well entrenched and can provide an acceptable avenue for improving norms of community engagement. Developing indicators in accordance with best practice standards could ensure that community participation informs both pre- and post-evaluation procedures. Building these requirements into legislation that clearly prioritises community engagement would combine substantive and procedural elements to enable a shift in the collection of evidence. In this way the need for evidence should not inhibit authentic community engagement.

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<sup>16</sup> Assumptions:

- Confusion of intention and ambiguity of definitions leads to a focus on outputs rather than outcomes, and lack of empirical evidence for participatory processes as a governance tool, which makes it difficult to improve beyond the process level;
- An understanding of the functional/transformational divide will improve participatory processes across the investigative frame.

For negotiations to be successful and authentic, changes to the established power dynamics must be possible. The current reliance on quantifiable indicators links ideas of 'good governance' to well-established institutional structures (Lees-Marshment, 2014). This reinforces the status quo and undermines innovation in community engagement. As previously identified, participatory processes present a challenge to dominant power dynamics. By inviting community to negotiate indicators of success and evidence requirements, a pathway to significant reform is possible. The procedural steps on this pathway must then align to accept new indicators of good governance in reporting and accountability mechanisms.

#### **6.4.5 Reform: Research question five**

The applied focus of the research led to a series of specific governance reform suggestions. These suggestions are outlined in Table 6.1.

The reform recommendations emerged from the empirical analysis of the case study data and are guided by the secondary research question:

What alternative rules could improve participatory processes in natural resource governance and what are the barriers or enablers to achieving this reform?

The subtle differences between *governance*, *management* and *government* are theorised in the academic literature. These theoretical understandings are useful for understanding community engagement, participatory processes and institutional frameworks. These theories form the basis of best practice guidelines and standards. However the empirical evidence presented in this research demonstrates that during implementation, subjective expectations and values dilute theoretical clarity about best practice community engagement. The distinction between local and regional delivery is not clearly addressed. Community preferences for inter-governmental collaboration and devolution of decision-making sit awkwardly with calls for more centralised responsibility (Brown, 2014; Curtis et al., 2014).

To facilitate better reform, community governance requires further theorising and contextualising in an applied, hands-on sense. Participants need to consider their activities within the context of the mechanism and the wider institutional framework.<sup>17</sup>

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<sup>17</sup> The capacity of participants to envision alternatives is explored in Chapter 5 (section 5.1.4) and challenges the assumption underpinning Research Question 5: Participants in existing participatory processes can envision effective reform.

Understanding the activity of 'governance' must become a part of building community capacity to participate. This requires theories of community natural resource governance that are accessible beyond academic audiences. High-level commitments to devolved governance cannot succeed without a skilled and capable community.

As previously discussed, participatory processes can offer potential sites of negotiation for community engagement in natural resource governance. The difficulty of balancing accountability and responsibility with community capacity is a real barrier to realising this potential. This research shows that policy harmonisation to support and implement community capacity building is crucial to creating new norms for community engagement in natural resource governance. Integrity mechanisms must be flexible, robust and transparent. Clear objectives, quality standards, audit and review processes need to integrate community visions of accountability, responsibility and evidence.

## **6.5 Limitations of the research**

The empirical research described in this thesis is a qualitative study based on post-positivist values of subjectivity and relativism. As a result, the research design does not seek to establish positivist conditions of experimental validity. The research design is explained and defended in Chapter 3: Methodology. This section outlines the research limitations, possible impacts of these limitations and the strategies employed to address these issues.

The investigative framework employed in this research emerged from a wide-ranging literature review. The review crossed disciplinary boundaries, particularly focusing on the intersection of social science with legal perspectives. The resulting research framework rested on a conceptual division between substantive, procedural and process elements of governance. This framing resonated with similar conceptual divisions found in economics and political science. A challenge for cross-disciplinary scholarship is to adequately address more than one established body of work (Aslin, 2010; Bammer, 2012). A strategy to address this limitation is to submit work for peer-review to a range of academic journals and presenting this research at cross-disciplinary academic conferences. This solicited valuable feedback that was addressed through the publication process.

The applied focus of the analysis also limits the contribution of this research to the development of cross-disciplinary governance theory. The research presented here is focused on building empirical evidence rather than building theory. This limitation is addressed in the research conclusion that community natural resource governance requires further theorising and contextualising in an applied, hands-on sense. There is an identified need for work that builds on theories of power in governance to develop theory that is accessible to community governance participants (Prager et al., 2015; Pattberg & Widderberg, 2015; Pieraccini, 2015).

Two of the original research objectives described in Chapter 3, Table 3.2 were not completed during this research. Objective four intended to develop criteria for balancing competing norms in reform proposals. However, the case study data revealed that this objective would require a different data collection instrument because the variation in individual and institutional understandings of community engagement was too great. Objective six intended to assess the feasibility of the reforms proposed in this chapter and was not completed due to time limits. While it would have been valuable to include this in the final thesis, strategies to meet this objective have included peer-review through publications, three conference presentations to receive feedback, and regular sharing of work in progress with the case study participants. The reform recommendations have formed the basis of a working paper and presentation to research partners during the final stages of the Next Generation of rural governance program.

## **6.6 Future research**

The tension between formal rules and community engagement in practice is the fundamental tension underpinning this thesis. The extent to which expectations of community engagement can be successfully formalised in legislation remains an active research question.

This thesis has responded to calls for more empirical evidence about the implementation and evaluation of institutional frameworks for public participation (McKinney & Field 2008; Rowe & Frewer 2004; Koontz, 2005; Prager et al. 2015). The research provides rich detail that demonstrates the value of extending a principled policy methodology to include in-depth case study data. While in-depth case study analysis is time consuming, it has the ability to ground-truth quantitative

assessment of framework documents. Combined with a clear and accessible investigative framework, application of the methodology across a range of policy areas and scales could build a detailed picture of governance reform and provide a pathway for improved community engagement and cross-disciplinary conversations.

#### **6.6.1 Capacity building: Community rights and duties**

Legislated requirements for community engagement lead to questions of community capacity to meet these requirements. Further research is needed to understand how rights to participate create associated duties to meet these obligations, and the implications for community engagement mechanisms. The link between community engagement and community development is under-researched in institutional framework analysis and is worthy of deeper exploration across a range of public policy areas. Connecting concepts of community governance with accountability and responsibility is a research challenge that requires strong vertical and horizontal analysis.

#### **6.6.2 Scale of natural resource governance**

Finding the optimum scale for natural resource governance is a common concern of literature in this field (Curtis et al., 2014; Hordijk et al., 2014; Wyborn, 2013). The difficulty of separating scale from issues of community capacity, adequate resourcing and policy harmonisation supports future research that works across disciplinary boundaries to ensure that the impacts of governance reform on fundamental questions of democracy, rights, duties, and community empowerment are understood and articulated.

The need to renegotiate the best scale for rural natural resource governance is a question largely addressed by geographers and economists; this research suggests the need for more effective cross-disciplinary dialogue that embraces socio-legal perspectives and considers the governance implications of scale. Cross-disciplinary research is needed to build a more functional governance model that facilitates community engagement, develops community capacity to participate and encourages sustainable natural resource governance.

### **6.6.3 Developing norms: Industry, community and vested interests**

Despite requirements to implement 'whole of government/whole of community' approaches to natural resource governance, the role of industry and private sector frameworks for community engagement remain under-researched. The important role of private landholders and corporations in rural communities and their associated investment in natural resource management on private lands suggest that future research needs to pay increased attention to how concepts of community, accountability and governance are framed by non-government sectors.

Suggestions of vested interests complicate notions of impartial and equitable governance, however attempts to neutralise these interests can create unanticipated consequences of disengagement, with potentially negative impacts in rural and regional areas. Research is needed to understand how non-government actors envision natural resource governance, what indicators of success they are looking for, and what role they see themselves playing in future governance regimes.

## **6.7 Conclusion**

This research has drawn attention to the way that the 'rules of engagement' are defined and experienced in current Australian natural resource governance. Results illustrate that diverse expectations are embedded in the range of participatory processes operating under the same institutional framework. Fundamental issues of power and participation are present at each level of the investigative framework. Issues of democracy, justice, procedural fairness, social capital and subjective experiences of implementation are captured in current case study examples. The lens of 'governance' brings all of these factors together to question how decisions are made, how they are implemented and how they are evaluated to better understand how norms for community engagement are created and reinforced in participatory processes.

The interaction between procedural fairness, community acceptance and legitimacy is vital to developing good quality community engagement. This research demonstrates the importance of balancing procedural elements with more substantive commitments to inclusive and community-centric decision-making. The interaction between these two elements is complex, and the data shows that

implementation case studies provide valuable insights for learning about this interaction across the investigative framework of the research.

Many of the recommendations from this research are concerned with building community capacity. These lessons are drawn from a study in the natural resources context, where individuals and communities are working on the practical problem of how best to protect, exploit, restore and reclaim environmental values. These communities and individuals are working to ensure that the messages of sustainable development and inter-generational equity are not lost in routine and inadequate forms of natural resource governance. This thesis contributes a methodology for tracing how high-level commitments to community participation are implemented in practice, and demonstrates that rights to participate need to be balanced with commitments to build community capacity and hold governance mechanisms to account to ensure that the community is able to effectively participate in natural resource governance.

The simple answers, such as designing an inclusive public meeting, have already been supplied. The next generation of answers must face the imperfect and complex conditions of community engagement in natural resource governance; this research takes an important step towards providing those answers.

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## APPENDICES

### Appendix One: Journal-article format Guidelines

At UNE the PhD course is described as one of 'advanced study and research' and the resulting thesis should be 'substantially an original contribution to the subject concerned' (UNE *Handbook 2008*). Exclusive of appendices, the thesis should not exceed 100,000 words for non-science subjects and for scientific subjects, the word length would normally not exceed 50,000 words.

Where the thesis contains supporting articles and/or papers which have been authored jointly, ***the candidate is required to indicate the extent and nature of their own and others' contributions***. The nature and extent of the candidate's input must be precisely expressed for each paper at the end of the *Statement of Originality* (to the extent of identifying which figures or text are the candidate's original work). The nature and extent of the intellectual input by others must be explained clearly and acknowledged in the *Statement of Contribution by Others*. Where publications of others have been used, these must be stated, and clear and appropriate acknowledgment must be made to the other authors. The name of the principal author must be clearly stated.

Two statements shall appear at the end of each chapter, the *Statement of Contribution by Others*, and the *Statement of Originality*. These must be signed by the candidate and the Principal Supervisor, who must certify that all co-authors have given their consent for having their work included in the thesis and that they accept the student's contribution as indicated in the *Statement of Originality*. In addition, the thesis should present an integrated body of work.

Guidelines for structuring journal-article-format theses are as follows:

**Fore-section** needs to include:

1. *Title page* showing the title of the thesis, the full name of the candidate together with their prior degrees and other qualifications indicating the awarding institutions, and the date when submitted for the degree;
2. *Declaration* – a statement signed by the candidate certifying that the work has not been and is not being submitted for any other degree to this or any other university. The candidate will also certify that all help received in preparing the thesis and all sources used, are duly acknowledged;
3. *Acknowledgements* – these are optional;
4. *A table of contents* indicating clearly how the thesis is structured and how the journal articles are organised;
5. *Tables, diagrams and abbreviations* where appropriate; and
6. *An abstract or summary* of approximately 300-400 words.

**The body of the thesis** then follows, with pages numbered consecutively.

1. The first section of the body of the thesis should be an ***Introduction*** which should make clear the aims and focus of the study, identify its significance, and set the frame and sequence for each of the papers that follow. Its maximum length need only be 20-30 pages.
2. A number of chapters, which may be written in the format of a self-contained journal article, will follow. These need not have been submitted to any journal. Each chapter must include by the candidate a signed *Statement of Originality* and *Statement of Contribution by Others*.
3. Chapters of the thesis and self-contained articles need to be integrated and therefore need to flow cogently from one to another. It needs to be made clear how the chapters are linked and how they contribute to each other.
4. The final chapter should provide integrative ***Conclusions***, drawing together all the work described in the journal-article-format parts of the thesis and relating this back to the issues raised in the Introduction.
5. A consolidated list of references for all chapters should be included.

## Appendix Two: Research questions;

Theoretical framework	Assumptions	primary research questions	Secondary questions	Tertiary questions	
Socio-legal framing of natural resource governance	research statement - <i>Improving the 'rules of engagement': understanding the expectations, definitions and purposes of community engagement in Australian natural resource governance</i>	How are participatory processes currently defined and experienced in Australian natural governance; and how could they be improved?			
LEGISLATION (Substantive elements) - CONTENT OF legislated rules, definitions, objects, goals	A1	Community engagement (CE) is an ambiguous term which encompasses diverse expectations and confused objectives	RQ 1	What expectations and definitions of community engagement are embedded in current natural resource legislation, and what substantive guidance is provided for their implementation through participatory processes?	Q1(a) How are the terms "community" and "community engagement" defined in NRM legislation?
	A2	CE requires substantive definition and clearly articulated expectations to improve its role in natural resource governance.			Q1(b) How is implementation (operationalisation) of community engagement requirements addressed?(including evaluation)
					Q1(c) What mechanisms are there for judicial/administrative assessment of compliance with this element of the legislation?
					Q1(d) Are expectations of community engagement implicit or explicitly stated?
					Q1(e) What are the pros and cons of substantive definitions for implementation?
POLICY (Procedural elements) - METHODS TO DELIVER policy, guidelines, organisational culture	A3	Ambiguity at the substantive level increases the influence of discretionary/ administrative power in the design and implementation of participatory processes	RQ2	What expectations and definitions of community engagement are embedded in current natural resource policy, and how are these implemented in participatory processes?	Q2(a) How are the terms "community" and "community engagement" defined in NRM policy documents?
	A4	there is a tension between functional and transformational perceptions of CE			Q2(b) What expectations are attached to these definitions of community engagement?
					Q2(c) Are expectations of community engagement implicit or explicitly stated?
					Q2(d) How is discretionary/ administrative power exercised in interpreting and operationalising community engagement in NRM governance? (including evaluation)
					Q2(e) Have definitions of community engagement evolved from those articulated the substantive level?
					Q2(f) How is community engagement evaluated at the procedural level?

PRACTICE (Process elements) - practical, onground application	A5	Practical experiences are disconnected from substantive and procedural definitions and expectations		RQ3	What expectations and definitions of community engagement are embedded in current natural resource practice, and how are these experienced through implementation of participatory processes?	Q3(a)	How are the terms "community" and "community engagement" defined in NRM practice?
	A6	A tension between functional and transformational perceptions is present throughout the conceptual framework				Q3(b)	Have these definitions evolved from those articulated at the substantive and procedural levels?
						Q3(d)	Are expectations of community engagement implicit or explicitly stated?
						Q3(e)	<i>question deleted: to be picked up in additional questions at Q3c</i>
						Q3(f)	How is community engagement evaluated at the process level?
Evidence elements - improvement, knowledge, change, feedback	A7	Confusion of intention and ambiguity of definitions leads to a focus on outputs rather than outcomes, and lack of empirical evidence for CE as a governance tool, which makes it difficult to improve beyond the process level		RQ4	How do definitions and expectations of participatory processes differ, and what are the evidence implications for improving community engagement as an element of natural resource governance?	Q4(a)	Are there different <b>definitions</b> of community engagement operating simultaneously in Australian NRM governance?
	A8	an understanding of the functional/transformational divide will improve CE across the conceptual frame.				Q4(b)	Are there different <b>expectations</b> of community engagement operating simultaneously in Australian NRM governance?
						Q4(d)	Could substantive definitions improve the process and practice of community engagement in Australian NRM governance?
Reform elements - visioning alternative arrangements and reform possibilities	A9	Participants in existing participatory processes can envision effective reform		RQ5	What alternative rules could improve participatory processes in natural resource governance and what are the barriers or enablers to achieving this reform?		

## Appendix Three: Principle analysis

Jurisdiction	Instrument	Does "community" or "public" appear in the Objects of the law?	Is "community" or "public" defined?	Are any standards or principles of engagement referenced?	Are ESD principles referenced in the Objects of the Act?	Does the Act provide for public consultation in design of the legislation itself?	Does the Act provide for public consultation during implementation of the legislation?	Does the Act specify evaluation indicators for public consultation?	If yes, who approves this has been adequately met?	Does the Act mandate transparency/ access to information provisions?	Who is granted standing to appeal if consultation is unsatisfactory to community members?	Who has the discretion to offer or restrict these avenues?	Does the Act include detail about how consultation will influence decision making?	What is the purpose of public consultation according to the prescriptions of the Act?			
Federal	Commonwealth of Australia Constitution Act (1900)	X	✓ Queen's subject	X	X	X	X	X	-	X	-	-	-	-			
Federal	Environment Protection and Biodiversity Conservation Act 1999	✓	X	X	✓	✓	✓	X	-	✓	unclear	Minister	Advice only	Inform and command			
Federal	Water Act 2007/ Basin Plan 2012	X	X	✓	✓	X	✓	✓	Federal minister	✓	X	-	X	Inform and command			
NSW	NSW Environmental Planning and Assessment Act 1979 No 203	✓	X	X	✓	✓	✓	✓	Relevant planning authority	X	✓	Minister or Director General	Advice only	Inform and command			
NSW	NSW Catchment Management Authorities Act 2003 No 104	✓	X	✓	X	✓	✓	X - NRC Standards	Minister	X	X	-	X	Facilitate democratic principles			
NSW	Native Vegetation Act 2003 No 103 (2003)	X	X	X	✓	X	✓	X	-	X	-	Land and Environment Court	Court's discretion	Inform and command			
NSW	Mining Act 1992 No 29	X	X	X	X	X	✓	X	-	✓	X	-	X	Inform and command			
NSW	Protection of the Environment Administration Act 1991 No 60	✓	X	X	✓	✓ Committees	✓	-	-	✓	-	-	Advice only	Inform			
NSW	Protection of the Environment Operations Act 1997 No 156	✓	X	X	✓	X	X	X	-	✓	-	-	✓	Inform and command			
NSW	Local Land Services Bill 2013	✓	X	X	X	X	✓	X	-	✓	-	-	-	Inform and command			
NSW	Water Act 2000	✓	X	X	✓	X	✓	✓	-	-	-	-	-	Inform and command			

## Appendix Four: Ethics approval



**Ethics Office**  
**Research Development & Research Division**  
Armidale NSW 2351  
Australia  
**Phone** 02 6773 3449  
**Fax** 02 6773 3543  
jo-ann.sozou@une.edu.au  
www.une.edu.au/researc

### HUMAN RESEARCH ETHICS COMMITTEE

**MEMORANDUM TO:** Prof Paul Martin & Ms Tanya Howard

#### School of Law

This is to advise you that the Human Research Ethics Committee has approved the fol

**PROJECT TITLE:** Improving the 'rules of engagement': how is cor engagement currently defined and experience Australian natural resource legislation, policy or practise: and how could it be improved?

**APPROVAL No.:** HE13-176

**COMMENCEMENT DATE:** 01 September, 2013

**APPROVAL VALID TO:** 01 September, 2014

**COMMENTS:** Nil. Conditions met in full

The Human Research Ethics Committee may grant approval for up to a maximum of three years. approval periods greater than 12 months, researchers are required to submit an application for re each twelve-month period. All researchers are required to submit a Final Report at the completior project. The Progress/Final Report Form is available at the following web address:  
<http://www.une.edu.au/research-services/researchdevelopmentintegrity/ethics/human-ethics/hr php>

The NHMRC National Statement on Ethical Conduct in Research Involving Humans requires that researchers must report immediately to the Human Research Ethics Committee anything that mig ethical acceptance of the protocol. This includes adverse reactions of participants, proposed ch the protocol, and any other unforeseen events that might affect the continued ethical acceptab the project.

In issuing this approval number, it is required that all data and consent forms are stored in a secure location for a minimum period of five years. These documents may be required for compliance a processes during that time. If the location at which data and documentation are retained is cha within that five year period, the Research Ethics Officer should be advised of the new location.



Jo-Ann Sozou  
Secretary/Research Ethics

02/08/2013

## Appendix Five: Information sheet for participants



Australian Centre for Agriculture and Law  
School of Law  
University of New England  
Armidale NSW 2351  
Australia  
Phone 02 6773 3282  
Fax 02 6773 2084  
Thoward8@myune.edu.au  
www.une.edu.au/aglaw/

### INFORMATION SHEET for PARTICIPANTS

I wish to invite you to participate in my research project, described below.

My name is Tanya Howard and I am conducting this research as part of my PhD in the Australian Centre for Agriculture and Law at the University of New England. My supervisor is Professor Paul Martin.

<b>Research Project</b>	Improving the 'rules of engagement': community engagement in Australian natural resource legislation, policy and practice.
<b>Aim of the research</b>	The research aims to improve the way that community is involved in natural resource governance in rural Australia by investigating how laws, policies and on-ground experiences interact.
<b>Interview</b>	I would like to conduct either a face-to-face or telephone interview with you at a time and location convenient to you. The interview will take approximately one hour. With your permission, I will make an audio recording of the interview to ensure that I accurately recall the information you provide. Following the interview, a transcript will be provided to you if you wish to see one.
<b>Confidentiality</b>	Any information or personal details gathered in the course of the study will remain confidential. No individual will be identified by name in any publication of the results. All names will be replaced by pseudonyms; this will ensure that you are not identifiable.
<b>Participation is Voluntary</b>	Please understand that your involvement in this study is voluntary and I respect your right to withdraw from the study at any time. You may discontinue the interview at any time without consequence and you do not need to provide any explanation if you decide not to participate or withdraw at any time.
<b>Questions</b>	The interview questions will relate to your particular case and are designed to capture your perceptions of the challenges and opportunities for better natural resource governance in Australia.
<b>Use of information</b>	I will use information from the interview as part of my doctoral thesis, which I expect to complete in January 2015. Information from the interview may also be used in journal articles and conference presentations before and after this date. At all time, I will safeguard your identity by presenting the information in way that will not allow you to be identified.
<b>Upsetting issues</b>	It is unlikely that this research will raise any personal or upsetting issues but if it does you may wish to contact your local branch of Lifeline

**Storage of information**

Australia, by dialling the toll-free number 131 114.

I will keep hardcopy recordings and notes of the interview in a locked cabinet at the researcher's office at the University of New England's School of Law. Any electronic data will be kept on a password protected computer in the same School. Only the research team will have access to the data.

**Disposal of information**

All the data collected in this research will be kept for a minimum of five years after successful submission of my thesis, after which it will be disposed of by deleting relevant computer files, and destroying or shredding hardcopy materials.

**Approval**

This project has been approved by the Human Research Ethics Committee of the University of New England (Approval NoHE13-176 Valid to 01/09/2014).

**Contact details**

Feel free to contact me with any questions about this research by email at [thoward8@myune.edu.au](mailto:thoward8@myune.edu.au) or by phone on 0417 002 084.

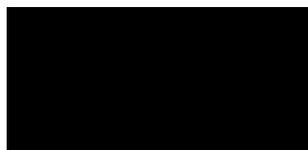
You may also contact my supervisors. My Principal supervisors name is Prof Paul Martin and he can be contacted at [pmartin9@une.edu.au](mailto:pmartin9@une.edu.au) or 02 6773 3881.

**Complaints**

Should you have any complaints concerning the manner in which this research is conducted, please contact the Research Ethics Officer at:  
Research Services  
University of New England  
Armidale, NSW 2351  
Tel: (02) 6773 3449 Fax: (02) 6773 3543  
Email: [ethics@une.edu.au](mailto:ethics@une.edu.au)

Thank you for considering this request and I look forward to further contact with you.

regards,



Tanya Howard

## Appendix Six: Interview questions prompts

<p>1. To start our conversation, tell me about your role in this particular case and the personal and professional journey that has brought you here?</p>	<p>Prompt for professional or personal descriptions. What perspective is this described from e.g. active or passive participant, instigator, facilitator?</p>
<p>2. From your perspective, tell me about the process of community engagement in this case and what you think the community's role is?</p>	<p>Who are the <b>community</b> in this particular case? What is the purpose of community engagement in this particular case? What do you <b>expect</b> to see arising from community engagement in this particular case What would you <b>like</b> to see arising from community engagement in this case? If there are differences, prompt for an explanation of the reasons as they see them. When did it start? Did it include information provision? Funding or donations to the community? How was the project introduced to the community? What records are available? Did you use a consultant? How involved were you? Ongoing communication? What role does media play?</p>

<p>3. Tell me about the decision-making structure of this case, and what role do you see community playing in this structure?</p>	<p>What kind of activities or processes? How would you describe them in terms of decision-making in this particular case? Probe for feedback loops, representative forums, formal and informal mechanisms</p>
<p>4. Can you tell me what legal requirements, policies or guidelines have influenced or guided your work in this case?</p>	<p>Looking for references either specific to this case or more general e.g. references to international principles, standards etc. guidelines, specific policy docs. Provide list of guidelines; principles eg IAP2 principles; Clean energy council guidelines; NRM Council guidelines; etc</p>
<p>5. One of the interests of this research is to understand whether ideas of community engagement might change as they are put into practice. What are your thoughts about this? Have you experienced this?</p>	<p>Prompt for articulation of any evolution of objectives from legislation to practice? How does this affect your community engagement practice?</p>

<p>6. Thinking about the current situation regarding environmental governance and community engagement, tell me what you think of the role of the legal system in guiding community engagement in natural resource governance?</p>	<p>Where do you source information about the rules and laws that might affect this particular case?</p> <p>Can you tell me what <b>rules</b> or <b>laws</b> were used to guide community engagement in this case, or more generally?</p>
<p>7. In your opinion, what changes to existing laws and policies could improve the role of community in natural resource governance, and how would you know that things were improving?</p>	<p>What kind of indicators would you be looking for?</p> <p>Transparency; happy punters; environmental outcomes; etc.</p> <p>Look for distinctions between decision-making, on ground actions, legislated requirements etc.</p> <p>Obstacles; barriers</p>

<p>8. So based on this, if you were evaluating community engagement in this case, how would you describe the outcomes?</p>	<p>Improvements, aspirations –functional or transformational.  Concepts of procedural justice, access to information, transparency.  Were you involved in any evaluation of community engagement in this particular case?  Describe how the evaluation was organized and carried out from your perspective?  In your opinion, what did community engagement achieve in this case?</p>
<p>9. Thank you, our conversation has covered a lot of ground. Do you have any other ideas or stories that you would like to add before we finish up?</p>	
<p>10. Can you suggest any other people that I should talk to about the details of this case or about the research topic in general?</p>	

## Appendix Seven: Code book

Code name	number of coded segments	Memo describing code
Indicators	78	reference to the possible ways that engagement is assessed by the respondent
Metaphor	4	descriptive device
good quotes	176	
key engagement event	159	reference to key event that describes the ups and downs of engagement
Factoid	118	facts to include in case study description
Place based	64	References to physical locations or factors that are important to the case
Reasons for community engagement	0	Created this code to separate indicators from objectives
Capacity	0	collapsing codes into binary category for analysis
connection	4	connection between community and developer
Motivate action	14	Evidence for engagement - action outcome
Influence decision/ action	18	engagement has impacted somehow on decision making or taking a particular action
Encourage ownership/participation	23	references to community buy in
Build capacity to participate	44	reference to skills and capacity to participate in governance mechanisms
Support	0	collapsing codes together for quant analysis
Manage expectations	29	When engagement creates expectations
Listen to others views	37	
Inform/educate	53	Engagement mechanisms focused on information sharing
Gain social license	9	expectations
Create support	31	
Build trust	24	or distrust
Address opposition/distrust	31	
Reform agenda	155	References made to reform agenda
democracy	2	
Environmental outcome	16	
social change	26	Transformational perspective
Networks and key individuals	132	References to key drivers and people/networks that seem to make things happen
Leadership	7	CAPACITY
Government	55	government as an actor, at all tiers
Local government	42	references to local government
community led	101	References to where community self organised without government requirements
Media	15	
Industry	56	references to industry
NGOs	21	
Evidence for engagement	310	References to evaluation of engagement
Practice and implementation	216	References to experiences of engagement in practice or in implementation

agency churn	22	references to changing institutional framework
Vested interests	5	
Where's the blood?	21	attention to the power dynamics that might be operating under the surface
real world considerations	64	references to the "reality" of the situation
voices missing?	81	references or omissions regarding community members who may NOT have been engaged
Equity	44	References to considerations and/or motivations of equity access to benefits profit share missing out
Power	71	references to power dynamics  also references to democracy/ government/ institutionalised power
one-on-one	19	references to intensive engagement approaches
governance design	258	references to mechanisms for community
Frameworks	65	
Policy settings	156	Policy settings concerning community engagement
Uncertainty	33	
Legal requirements	81	Conceptual framework - reference to legal requirements for community
interview subject background	31	
qualifications and experience	41	references to formal qualifications, job experience, volunteer and life experience
personal contribution	44	
important influences	34	

Document name	Code	Segment
Case1a_2and3	Evidence for engagement\Indicators	Respondent1: You reach it on terms of what, I think the perception of who was engaged and to what level are they engaged -- when you've got a room of 30, 40 people who all want to talk, and who all want to get involved, and who all want to put their stickers up; I think that you think it's been a pretty good engagement.
Case1a_2and3	Evidence for engagement\Indicators	And also, an example in Glen Innes when a couple of people were quite agro, and sort of raised voices a bit; and another couple who were sort of neutral, they said; "Hang on a minute, these people are trying to help us work out what our future is". So there was, within the meeting it didn't have to be the person running it to turn things down. The people themselves said; "Hang on a minute", and calmed it down a bit.
Case1a_2and3	Evidence for engagement\Indicators	Respondent1: Guess not shutting off people who are negative. Because that's a temptation, is not to give them much voice in that.  Interviewer: Yeah.  RESPONDENT2: Yeah. So let people run --  Interviewer: So if there's negativity coming out on the floor, that's not --  Respondent1: That's not a bad thing.  RESPONDENT2: No, it's not a bad thing at all. I mean, you learn from it. Quite seriously. Yeah.
Case1a_2and3	Evidence for engagement\Indicators	Respondent1: I suppose another example would be if we started getting a lot of people asking us to take them off our email list.
Case1a_2and3	Evidence for engagement\Indicators	Respondent1: Or if there were postings.  RESPONDENT2: Or letters to the editor, but none of that.  Interviewer: Yeah.  Respondent1: It's also interesting to watch the Facebook site.
Case1a_2and3	Evidence for engagement\Indicators	Respondent1: And what kind of hits you're getting there. Because (consortium member also interviewed) posts a huge amount of material on there
Case1_5	Evidence for engagement\Indicators	There have to be subjective -- we have this problem, and obviously it's a constant problem, the indicators that I mentioned before for politicians tend to be very blatant ones: there are no bad articles in the press, that Alan Jones doesn't get too much run with the meeting down in Canberra against wind farms, and that local government doesn't take a very strong stand against new renewable energy projects in it's precincts.
Case1a_4	Evidence for engagement\Indicators	Respondent: I don't know. I suppose, we get some word-of-mouth feedback, which is one thing. And you tend to get the bad feedback that way, more than the good feedback. So that's the lack of that, I suppose is one thing.
Case1a_1	Evidence for engagement\Indicators	some of the broad indicators are just the number of supporters that we have on databases and the like.  Interviewer: Yeah.  Respondent: The attendance of public forums and meetings, all of which are really strong.  Interviewer: Mm-hmm.  Respondent: Level of media support.

Case1a_1	Evidence for engagement\Indicators	a couple of years ago, we were going head to head in the media because he was rolling out a red carpet for coal seam gas. But, I was invited to stand up and talk about the community wind farm at his fundraiser.
Case1a_1	Evidence for engagement\Indicators	So, yeah, in terms of how we assess them, like for a while there, not very long, but for a month or two, we had negative letters to editors, ABC Radio loved it, it was controversial. They'd interview them one day and me the next.
Case1a_1	Evidence for engagement\Indicators	Like they're good indicators, they're really good indicators that we're very confident that we're listening, that we have a very genuine intent.
Case1a_2and3	Evidence for engagement\Indicators	RESPONDENT2: It's hard to say, because the progress of the project is slow and so if we get to the point where we're setting up an organization or structure, then we go back to publicity and public meetings, discussions and so on. So we'd get a feel from that, but on an ongoing basis, there isn't --  Respondent1: It's who do you speak to down in the mall (Laughs)
Case1_5	Evidence for engagement\Indicators	Interviewee: Yeah, okay. All community engagement for Office of Environment Heritage is every point at which the department and in its regulatory and legislative role touches the community either in an enhancement of the environment or protection of the environment or a compliance role.
Case1_7	Evidence for engagement\Indicators	So some of the issues were they were getting some negative media.
Case1_7	Evidence for engagement\Indicators	Respondent: Well, I think one of the basic, which is by no means is any big indicator, but one of the basic indicators is publicity. Negative or positive. Say if a project is going belly up, you're going to hear about it through the local media. Everyday I monitor the media around wind.
Case1_7	Evidence for engagement\Indicators	So having a channel of communication is really vital. That's a really clear indicator of whether they're actually engaging with the local community.  Interviewer: Okay.  Respondent: Or whether they're just trying to develop a project.  Interviewer: Yeah. Yeah.  Respondent: It's true. It's simple but it true. Like having a contact person and name and number that people can, ongoing, have conversations with about a project, is vital, even if nothing is going on. And often the developers will say, "We don't need to talk to them because we've got nothing to say." Well, that doesn't matter.
Case1_7	Evidence for engagement\Indicators	Also, in terms of social license and having some sort of relationship, one of the key things that I don't think has been done well, is really good stakeholder mapping and also the social impact assessments. Just having some of those basic things documented. Having strong processes is also not always a good indicator of relationship, but a good indicator of a desire and a structured, a structured process for actually relating and managing expectations and those sorts of things.
Case1_7	Evidence for engagement\Indicators	That's one thing that the mining industry does very well. It has a structured set of processes, which it may not demonstrate -- things still could go wrong, which they do, but at least there's a demonstrated commitment to do the right thing. Because they looked at the elements and they've mapped it and there's a commitment across the whole project lifecycle from the top to the bottom about how things should be done.

Case1_7	Evidence for engagement\Indicators	So it's simple stuff like that that really brings people undone and makes the community get really cranky. Like if they've been promised a new update on a road. The junior guy might say, "Yeah, mate. We're going to upgrade that." Then there's expectation that's spread amongst the community that may never have been communicated to the project manager. It's kind of managing community expectations sometimes is a big issue and keeping processes and registers on those sorts of things.
Case1_7	Evidence for engagement\Indicators	Having a hierarchy of approval.
Case1_7	Evidence for engagement\Indicators	Sounds really simple, but you can imagine some of the communities are very remote, all they've got is their own conversations and their local newspaper. This stuff is very important to them. Whereas you've got big city slickers coming in, promising the earth and getting out of there. It leaves a very bad taste in peoples' mouths.
Case1_6	Evidence for engagement\Indicators	that projects are getting approved in a timely and effective manner. But, they're being approved in areas -- that it's been directed into areas where communities want to see renewable energy projects developed
Case1_6	Evidence for engagement\Indicators	the other thing is that the fights over these things, they're going to continue to be robust, but that they are contained and managed rather than being left to get out of hand at the last minute.
Case1b_11	Evidence for engagement\Indicators	If we're not doing our job well then the Department of Planning gets phones calls and letters, (laughs) so we know.
Case1b_11	Evidence for engagement\Indicators	Sometimes we are not given them directly, but we get told that they had complaints, or submissions, or whatever. I suppose there's the formal process is, we put our environmental assessments on exhibition and there's submissions, which then we respond to. Sometimes people write or phone into the Department, saying "we don't like this", even if it's not the time for exhibition, or whatever, so we get comments on that. I think people phone us or email us anyway or we read something in the paper, or hear it on the local radio, and then we know we're not doing our job well enough. So it's pretty direct feedback.
Case1b_11	Evidence for engagement\Indicators	Then talking to people or turning up at a CCC meeting, people will say "this is an issue".
Case1b_11	Evidence for engagement\Indicators	If we've got a wind farm in Yass, we look at the Yass Tribune online every week or a Google Alert that picks up 'Yass' and 'wind farm' or something; 'Glen Innes' and 'wind farm'. We're tracking those kind of things.
Case1b_10	Evidence for engagement\Indicators	What you end up with is natural resource management becomes a government problem, not a community problem. See what I mean?  Interviewer: Yeah, absolutely.  Respondent: That's a bad outcome.
Case1b_10	Evidence for engagement\Indicators	There was 19 roadshow things around the State. We never heard anybody anywhere, and you probably won't, say "we love our CMA". Have you ever heard anyone say, "we love our CMA?"  Interviewer: No.  Respondent: Isn't that a problem? I think it's a massive problem.  Interviewer: Oh absolutely.  Respondent: But you'll hear people say "we love our..." What's something that's valuable to the community? "We love Landcare. Don't take Landcare from us". CMA? "Oh you can have the CMA". That's kind of like an indicator.

Case1b_9	Evidence for engagement\Indicators	<p>You need to have a sense that this actually has a purpose. You know? Which means that there needs to be some real influence in the CCC on some aspects, some decisions. There has to be some decisions the CCC can influence and have input into. Otherwise, its very two dimensional and Epuron could probably just hold information sessions frequently and anyone could drop in. I think that there has to be a quest... it needs some quest, it needs a task.</p> <p>The CCC needs... yes, the information sharing and the question answering, all that is important and useful but the CCC also needs a task, something to actually get their teeth into. And then the CCC can go figure how it's going to contribute to that task. And most of the time I would recommend the CCC then go into community, goes out to that community, does some engagement, comes back, goes out to the community, does some engagement, comes back.</p> <p>It's really a conduit to the broader community, it has a role and to actively organize things and ask the hard questions and keeps local government mobilized where it needs to be, keeps local business owners mobilized where they need to be, so that it's a really a conduit. That the wind farm company can use. So I would say it's successful if it's real rich conversation happening which is not just... which actually is contributing to better outcomes for people.</p> <p>Yes, it's building trust, yes it's building relationships, yes the information flow is improved but it also should contribute to better outcomes. The project should end up being better and the way project happens should end up being better, than if</p>
Case1b_9	Evidence for engagement\Indicators	<p>But it's all this commercial side of things that is making things really hard for everybody on the ground. And a huge amount of risk and investment for people, like the development companies. And I think because of that, they're very tense and they can tend to act in a way that isn't really sending signals to the community that "we're with you".</p> <p>Interviewer: Yeah.</p> <p>Respondent: You know (laughs) they're so busy with their own concerns for making money because it's so tenuous. And it's not their fault it's just the reality.</p>
Case1b_9	Evidence for engagement\Indicators	<p>And I think that that, unfortunately, has the potential to continue to make things like CCC have a bit of a bad name or a bit of a lameness about them.</p>
Case1b_9	Evidence for engagement\Indicators	<p>And they'll have to start all over again when a new company comes in. And we don't know who they're going to be, or how they are going to be, or are they gonna pull the rug out from under us, given everything we've developed by now? What are they going to be like? And how's that going to change the dynamic? So yeah, I think it is a bit of an issue, for sure.</p> <p>Interviewer: Yeah.</p> <p>Respondent: With a change, we'll have to transition through that period, and not have actually lived through it I can only imagine what might happen there. So I think really you wouldn't be able to assess how well these CCCs can function (laughs) until they've been around for about four or five years, and seeing through pre-development. Around their planning approval stage, through to all the pre-construction and the construction period and the post-construction period. You could really sort of, follow the life cycle then across a few, then we'll really know if it's possible for them to be valuable</p>

Case1b_8	Evidence for engagement\Indicators	Another thing this consultation, too, is I think there's a perception that good consultation means the community gets what they want and that's sort of a benchmark; like if a development... if we listen to the community and we refuse a development, that's "Oh, Inverell has done well with their consultation." But I think it's up front, you've got to make people aware and say, "We will listen to you but it doesn't mean we're going to do what you want."
Case1b_8	Evidence for engagement\Indicators	Yes, and I think media plays on that, too, because it makes a good story if council listens to community, refuses, whatever; but if... we could still listen to them and we approve it, were we successful in our consultation? How do you measure it?
Case1b_8	Evidence for engagement\Indicators	How do you measure it? What do you do now to measure it?  Respondent: We don't.  Interviewer: Okay.  Respondent: We... you could measure the level of participation on development applications that actually go to council, which is less than 5%, I think, over the last five years.  Interviewer: Okay.  Respondent: So, that could mean that people come to the front counter and they get the answers they want, so they don't object; or it could mean that I go out and I talk to people, so they don't object. So there's a lot of reasons; it could be that people don't really care? Or... you know.
Case1b_8	Evidence for engagement\Indicators	So, does that mean if we notify more people and get more submissions- did we do better consultation? I suppose, at the end of the day, did we get a better outcome? So, did we make the developer spend an extra hundred thousand dollars to change the project for the sake of one submission? Is that a good outcome?  Or did it take my staff two weeks to assess an application because we got 80 submissions? It didn't change the nature of the development. It just - So, is that a better outcome? Not for council, because it's taking away resources that we don't have.  And that's what I said to you before. Sometimes, when you notify neighbours, you cross your fingers and hope you don't get a submission because it means we can approve the development in two weeks; half a day to do the report and the conditions. If we get a submission, it's two weeks report; then, you've got to go to council and --
Case2b_19	Evidence for engagement\Indicators	The way we coped with it organizationally, as part of our organization monitoring and evaluation strategy, was quantitative and qualitative evaluations on every single program we did.  Interviewer: Okay.
Case2b_20	Evidence for engagement\Indicators	Respondent: Every single program. the sub-regional resilience assessment and that document is as it is because of the input and reflects their view of the most important things and the conceptual models of their regions.

Case2b_20	Evidence for engagement\Indicators	If you've got a process that is working well and people participate in it, are keen to continue participate, and are able to voice their concerns if they think things are not going on the way in which they expected. And generally from, if you like, free and frank discussion that you get at the panel. It seemed that they were working very well and we also received kind of third party feedback from the panel members that said to Directors or to other staff that they really enjoyed being on the panel and really enjoyed the work. And yeah, and the response at the end of our Narrabri meeting was really gratifying. But yeah, all of them indicated that they really enjoyed both the process and the work that they'd done and hoped it would continue in some form in the future. I'm pretty sure that was a universal feeling.
Case2b_21	Evidence for engagement\Indicators	Nobody turning up to events (laughs) was a bit of an indicator! I think, yeah, just basically, that we basically, particularly with our vegetation projects, so, anything around any vegetation biodiversity, it's, if we had any... our on ground projects and our capacity building workshops that we had on veg-planning or biodiversity management or whatever, we just weren't engaging people.
Case2b_21	Evidence for engagement\Indicators	if there are workshops and field days, it's numbers that turned up. And also, what sort of contact you have with those... after those events and the feedback that you get from those events.
Case2b_21	Evidence for engagement\Indicators	for example, with the kayak trips and the spotlight nights, I always get e-mails back from people that attended them about it and I think that shows an engagement. If they're going to make the time to talk to you and send you an e-mail about the event, then obviously, they're being quite engaged by that process.
Case2b_21	Evidence for engagement\Indicators	it's not only events but it's also what happens after those events; whether the conversations have happened but also then, do... does that then lead to on-ground works or meeting any of the other CAP targets.
Case2b_21	Evidence for engagement\Indicators	through participation in MyBMP and, whether you had people that would then follow through to inquiring about that or participating in the MyBMP Program, which was often talked about at those events, as well.
Case2b_21	Evidence for engagement\Indicators	there are many programs in place to evaluate the success of the on-ground programs and so, by undertaking certain activity, has it actually made a difference to the natural resources' health but also, there was questions around there but that engagement process with landholders, you know: did they find it effective? Has it helped them address other issues on their farm? So, there's a whole MERI process that would be put in place with those on ground projects, but I'd have to say, I've never seen anything come out of that process to know - as a staff member, I never saw anything come out of that process. I'm sure it did. I just never quite followed up on it!
Case2b_21	Evidence for engagement\Indicators	for all of these events that, for the last couple of years, there are always people that turn up; like we probably had - I don't know - maybe 200 people turn up to the events over the last couple of years and in terms of seeing whether that's been a success or not, I think - I would say that it has, to some extent, but what we - what you need to have in place with those events to better evaluate them is that they need to be - need to be really strongly linked to the next step and so, last year, with our Bio-links programs, we held these engagement events; got people along, started talking about native vegetation, conservation or how to better link vegetation in the landscape and why you'd want to do that and we created a guidebook to show them how to do that, as well.
Case2b_21	Evidence for engagement\Indicators	And then, we had our Bio-links program and so we had a contact list that we could follow up with and talk to about it and say, "At the workshop we spoke about this, are you interested?" like that. So, it gave you, I guess, those contacts or that starting point from where you could then try and engage them in the Bio-links program. It was still difficult.

