The power of procedural policy tools at the local level: Australian local governments contributing to policy change for major projects

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ABSTRACT
As local governments have limited formal powers and less substantive policy instruments at their disposal, they are a particularly rich area for the study of procedural policy tools. This paper examines the role played by procedural policy tools deployed by local governments in Australia around the policy formation for, and approval of, major projects. This research analyses two Australian case studies: the East West Link tunnel in Melbourne, and the Coal Seam Gas projects of Northern New South Wales. Both are examples of major turnarounds in the public policy position of state governments, due to the persistent opposition of potentially impacted communities and their local governments.

This paper investigates what local governments did in these two high-profile cases to facilitate advocacy against the proposed projects. It found a rich mixture of procedural policy tools were deployed: from providing information and expertise and supporting community campaigns, to launching their own campaign, staging regular physical protests and forming an advocacy committee. Critical procedural tools that escalated the campaigns against the projects in Northern NSW included a community poll revealing the extent of community opposition to the industry, while in Melbourne, a joint legal action launched by impacted local governments proved decisive. These actions drew into question the legitimacy of the state government’s position in support of the projects, highlighting the power of procedural tools at this level of government.

INTRODUCTION
Local governments in Australia, also known as councils or municipalities, are the lowest level of government, closest to citizens. They are a creation of state governments, similar to other Federal states, such as Canada and the United States (Henderson, 2018). Even within Australia, local governments vary widely in their geographic extent, their population size, budget and the scope of their influence and responsibilities. Local governments do not receive as much scholarly attention as other levels of government in public policy

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and political science literature, perhaps because local governments have fewer formal powers, and therefore less substantive policy tools at their disposal, and are subjected to a high degree of oversight by higher levels of government (Coghill, Ng, & Thornton-Smith, 2014; Grant & Dollery, 2012).

In Australia, local governments are not in the Federal constitution as a separate level of government and exist due to local government acts created by state governments, which dictate their role, powers, size and electoral rules. There have been a number of proposals for local governments to be recognised under the Australian Constitution, including two failed referendum, in 1974 and 1988. The proposal for constitutional recognition lacks clarity on the core objectives it seeks to achieve and therefore the optimal approach, and clear support for change is yet to materialise (Twomey, 2012). Critics of local government describe their responsibilities dismissively as ‘roads, rates and rubbish’. However, it is acknowledged that the role of local government has changed significantly from property-oriented services to people-oriented services, with Dollery and others seeking to stimulate ‘the debate that failed to happen’ in Australia, about how this redefinition informs the future role of Australian local governments (Dollery, Wallis, & Allan, 2006).

Policy tools or instruments can be defined as ‘... the techniques of governance that help define and achieve government goals’ (Howlett, 2017, p. 96). Substantive policy tools are those such as regulation and taxation that directly affect production, consumption and distribution. Procedural tools, in contrast, only do so indirectly and commonly include administrative changes, public participation and any actions that influence the arrangement of the policy-making game without pre-determining its outcome (Howlett, 2017). Procedural policy tools ‘focus upon altering political or policy behaviour in the process of articulation or implementation’ (p.55 Howlett, 2019). The scope of local government’s substantive policy tools is limited in comparison with other levels of government and thus for many areas of policy they must rely more heavily on procedural policy tools.

An area of procedural tools, public participation and stakeholder engagement, is a central concern for local governments, and is required by legislation in all Australian jurisdictions (Christensen, 2019). There is a significant variation in the degree to which this is executed as a result of different legislative requirements in different states, as well as the individual character of a local government, their leadership and resources available (Christensen & McQuestin, 2019). Within the sector, there is an acknowledgement of the important role local governments play in fostering democratic engagement, cooperation and coordination (Aytont, Adams, & Russell et al., 2013; The Office for the Community Sector, 2013). Some authors suggest that greater decentralisation of decision-making can enhance democratic quality; providing theoretical support for an expanded role for local governments (Katz & Nowak, 2017; Stoker, 2006).

The concept of multi-level governance acknowledges that for many areas of policy, effective governance requires decision-making to be coordinated across levels of government (Daniell & Adrian, 2018). This can be challenging, particularly when government actors hold divergent views. Thomas and Kilmann (1974) identify three types of multi-level governance dynamics; ‘accommodating’, ‘competitive’ or ‘collaborative’. Where the relationship between levels of government is competitive, as it is in the case studies analysed in this paper, advocacy can take place. Government advocacy has not received much scholarly attention in the past (Verhoeven & Duyvendak, 2017). While advocacy is
something local governments commonly engage in, it has also received limited research attention (Henderson, 2019; Loftis & Kettler, 2015).

Local governments use a number of strategies to advocate with the intention of influencing decision-making at higher levels of government. To influence policies outside their legal jurisdiction, local governments must rely on procedural policy tools. This includes community engagement, information dissemination and letter writing, as well as campaign activities that might more often be expected from non-government organisations, such as petitions and demonstrations (Verhoeven & Duyvendak, 2017). Grant and Dollery (2012) discuss the opportunities and barriers for local government in exercising autonomy in policy-making given the constraints of the legal environment for local governments in Australia. Other research identifies the prevalence of local Australian governments operating outside their immediate legal remit to influence environmental policy (Thomas, 2010).

There are a number of disincentives to local governments opposing state government positions, as states have legal powers over local government boundaries, electoral practices, funding and responsibilities, and can put them into administration under certain circumstances (Henderson, 2018). Henderson’s research on local government advocacy identifies examples of the unique ways in which local governments advocate, given that they do so under a ‘shadow of hierarchy’ (Henderson, 2018). Henderson’s examples of local government advocacy include contacting local parliamentarians, specialist advocacy officers, harnessing existing marginality, developing campaigns, empowering community leaders and enhancing the sense of marginality (Henderson, 2018). Local governments have a unique position from which to utilise a range of procedural policy instruments. Their proximity to citizens in particular puts them in a strong position to embrace many of the community engagement tools available to governments.

The aim of this research is to contribute to an understanding of how local governments use procedural policy tools to advocate for the influence of public policy decisions at higher levels of government, in particular, those relating to major development projects. In doing so, the paper also contributes to a better understanding of local government advocacy, by identifying the types of policy tools that local governments use to advocate on policy issues that are outside their decision-making jurisdiction. The research question addressed in this paper is, ‘what policy tools do local governments use to influence policy outcomes relating to major projects?’ Because major projects are an area of policy outside the legal remit of local governments, they do not have any substantive policy tools at their disposal for influencing the policy outcome; therefore, this paper explores a considerable scope of procedural policy tools that local governments employ using policy tool typologies to define the types of activities that characterise local government advocacy.

The paper first introduces the conceptual framework and the research methods, including the two case studies and key data from the case studies. The analysis is then organised by the conceptual framework, providing evidence of the actions of local governments that can be defined as procedural information instruments, procedural authoritative instruments, procedural financial instruments and procedural organisational instruments. It then concludes with a discussion of what factors influenced local governments’ use of procedural policy tools and a conclusion summarising the findings,
including a table identifying the different procedural policy tools used in the case studies as they relate to the different typologies of procedural policy tools.

**Conceptual framework**

Hood and Margett’s typologies of policy instruments, known as the ‘NATO’ scheme, have been, and continue to be, a prominent approach for classifying policy instruments (Hood, 1983; Hood & Margetts, 2007). It identifies four categories, which can be used to organise types of policy tools: ‘nodality’, ‘authority’, ‘treasury’ and ‘organisation’. Howlett (2019), further developed this approach as it applies to both substantive and procedural policy tools. Buchan et al. present a framework for categorising local government policy tools developed from local government policy tools developed from local government policy in the food and agricultural sector in the District of North Saanich, Canada (Buchan, Cloutier, Friedman, & Ostry, 2015). The framework presents four categories of local government policy tools (Buchan et al., 2015):

1. Provide resources
2. Undertake projects and programs
3. Advocate and facilitate
4. Regulate and establish policy.

The categories used by Buchan have similarities with Hood and Margett’s typologies of policy instruments (Hood, 1983; Hood & Margetts, 2007). The two frameworks are compared in Table 1.

Policy tool typologies have been developed predominately from the study of higher levels of government and with an emphasis on more substantive tools. Buchan et al.’s framework is a useful complement to the NATO typologies as it has been developed in the local government sector, and in an area of policy where a number of important levers and actors are outside local government, and therefore it takes into account procedural approaches and makes explicit the advocacy and facilitation activities of local governments. However, it also takes a narrower view of the scope of other policy tool typologies, which fail to accommodate the procedural activities that can occur in each. Howlett (2019), provides a description of the types of procedural policy tools that can be identified under each of the ‘NATO’ typologies. ‘Nodality’ includes information that governments can distribute as a result of their location as a node in policy networks, and therefore can be referred to as ‘procedural information instruments’ defined as information local governments distribute with the aim to alter policy outcomes. ‘Procedural authoritative instruments’ include: defining policy problems, knowledge generation and acquisition, making claims and stating policy positions. ‘Treasure’ or procedural financial tools

| Buchan et al., 2015 | Hood, 1983; Hood & Margetts, 2007 |
|---------------------|----------------------------------|
| Provide resources   | Treasure or money                |
| Undertake projects and programs | Organisation or personnel |
| Advocate and facilitate | Nodality or information resources |
| Regulate and establish policy | Authority |
include financial resources that are used to manipulate interest groups’ relationships and activities. Procedural organisational tools include staffing, and other organisational practices that influence policy processes. This paper also draws on Henderson’s (2018) work on local government advocacy, to deepen the discussion of the types of actions taken by local governments. The actions of local governments take that relate to political marginality are referred to in this paper as ‘highlighting political marginality’, which includes tactics used to escalate campaigns beyond the bureaucracy by targeting a government’s likelihood of re-election. This is advocacy that is particularly proactive, or as Henderson characterises it, aggressive. This paper uses these theories to organise the analysis of the procedural policy tools local governments use to influence decisions at higher levels of government.

**Research methods**

This research uses a qualitative mixed methods approach, analysing two case studies in Australia to understand how local governments use procedural policy tools to influence major project policy and approvals. The two case studies analysed are: the East West Link proposed car tunnel development in Melbourne, announced by the Victorian state government in 2013; and the Coal Seam Gas projects approved and renewed by the NSW state government for the Northern Rivers region of NSW prior to 2013. They are both examples of large development projects that state governments were committed to; however, local communities, local governments and other stakeholders had significant concerns about and were opposed to. These case studies were selected as they are prominent instances where local governments played an important role in advancing the concerns of their communities in relation to major developments despite the strong policy commitments made by state governments to progress them. The underlying themes of the policy tensions also relate to topical issues of concern to the broader community and speak to the role that local governments are increasingly playing in relation to community identity (Chou & Busbridge, 2020; De Vries, 2020).

Data collection included in-depth interviews and document analysis. Semi-structured interviews were undertaken with key local government councillors, staff and community members who were involved in campaigns against the major projects. Table 2 summarises the number of people from each sector who were interviewed for each case study. Initial interview participants were identified from personal contacts, local government meeting minutes and documents, as well as media articles, to identify people both in the local governments and in the community who were most involved in the campaigns relating to the projects under investigation. A snow-balling technique was used to

|                          | Melbourne | Northern NSW | Totals |
|--------------------------|-----------|--------------|--------|
| Local Government         | 7         | 4            | 11     |
| State Government         | 2         | 2            | 4      |
| Community/community sector | 5      | 5            | 10     |
| Legal                    | 1         |              | 1      |
|                          |           |              | 24     |
further identify participants who held relevant information to answer the research question.

The interview format included the question, ‘how did your local government contribute to establishing and advocating for the community’s position on this project?’ This informed a broad discussion of the range of local government activities in relation to these major development projects. Triangulation of data was used to corroborate and complement data collected via interviews, to ensure multiple sources were consistent in relation to important findings. Local government meeting minutes and reports were a key source of data. Other sources used include state government statements, documents and reports, media articles and other written and visual materials contributed by the community.

**East west link, Melbourne 2012–2014**

In 2013, the Victorian Government announced its intentions to build the East West Link; a proposed car tunnel slated for North of Melbourne’s CBD. The tunnel would have direct impacts on the inner Melbourne suburbs of Fitzroy, Collingwood and North Melbourne, among others, as well as important public places, such as Melbourne Zoo and Royal Park. The project has attracted significant opposition from communities, local governments and other interest groups. Debates against the project included the amenity and traffic impacts for local communities as well as the greater congestion improvements that could be made by investing in public transport. There were also procedural concerns about the manner in which the project was planned and approved, without making public critical information about the costs and benefits of the project.

Yarra City Council was the most pro-active local government in their advocacy against the project. Early on, they organised a Public Transport Advocacy Committee, which brought together key groups from within the community to share information with them, provide them with training and resources and provide a forum for them to coordinate their efforts. This committee was focused on promoting public transport and opposing the construction of the East West Link. Yarra Council started their own weekly protest on the freeway to promote their alternative vision of ‘Trains not toll roads’ to passing traffic. Table 3 summarises the timeline of actions taken by Yarra City Council to inform and mobilise the community in response to the project.

Despite the breadth of opposition to the project, the state government continued in its commitment to the project, not adopting the majority of design changes suggested by local governments and communities during consultation processes. Local community members and local governments initiated separate legal actions against the project. These legal actions were not successful in changing the stance of the incumbent government, but with a state election looming, the position of the opposition was also of great consequence. NSW Labor in opposition was opposing the project but committed to proceeding with any signed contracts for the project. The local governments’ legal action set in motion their change in stance, to not honour contracts for the project even if signed, citing legal uncertainty. The incumbent government proceeded to sign the contracts just weeks before the election. In November 2014, the Labor Government came to power and stayed true to
their promise to not build the tunnel despite costing the Victorian Government 339 USDmillion to abandon the project (Lucas & Gordon, 2015).

**Coal seam gas, northern rivers NSW 2010 – 2015**

Prior to 2010, a number of Coal Seam Gas (CSG) licenses were approved in Northern Rivers, NSW. As early development activities commenced in the region, local communities started to mobilise against CSG. As they did so, they also connected with their local governments; Lismore City Council publicly opposed the industry early in the campaign, supporting the NSW farmer’s federation in calling for a moratorium on the industry (Lismore City Council, 2018). Ballina, Byron and Tweed shire councils also made public their position against the industry early on; however, there were minimal CSG licensed areas in their municipalities. The community self-organised a grassroots campaign against the industry. Early in 2012, the community self-surveyed, with a massive number of streets and communities signing road declarations to declare themselves CSG free. Lismore City Council mayor supported the movement, receiving the declarations, presenting them in her office and advocating for them to state MPs she met with. Later in 2012 at NSW local government elections, Lismore City Council ran a poll, which found that 87% of people in their LGA opposed CSG. At the same election in 2012, Kyogle voted in a council that was against CSG who proceeded to support the campaign against it.

Pressure mounted on the NSW government to change their position on CSG for the Northern Rivers region; there were physical protests, letters to government, meetings with Minister’s and advisors and demonstrators blocking work at drilling operations. However, the state government continued to renew the licenses the community and local governments were opposed to. The campaign against CSG in Northern Rivers was driven by the community, with local governments making important contributions. Lismore City Council was particularly active and Table 4 lists the actions that they took to contribute to the campaign against coal seam gas.

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**Table 3. Yarra City Council actions in response to the East West Link.**

| Action                                                                 | Date          |
|-----------------------------------------------------------------------|---------------|
| Established the ‘Public Transport Advocacy Committee’                | June 2011     |
| Public Transport Advocacy Committee proposed a focus on East-West Link and Doncaster Rail | Feb 2012      |
| Launched the ‘Trains not Toll Roads’ Campaign at Fitzroy Town Hall   | June 2013     |
| Hosted a council and community meeting against the East West Link    | July 2013     |
| Ran regular Friday morning ‘Trains not Toll roads’ protest          | August 2013 to December 2014 |
| Contacted other local governments to join the campaign               | 2013–2014     |
| Ran advocacy training and other upskilling and networking events     | 2013–2014     |
| Ran community events and supplied information and materials such as signage to those who wanted to hold events | 2013–2014 |
| Hosted a community forum to equip people in submitting on the project’s Comprehensive Impact Statement | November 2013 |
| Participated in Comprehensive Impact Statement Assessment Committee hearings alongside Moreland City Council | March – April 2014 |
| Submitted a joint legal challenge with Moreland against the project, casting doubt over the validity of potential signed contracts for the project | 21 July 2014 |

*Source*: interview data, material provided at interview and council meeting minutes
Table 4. Lismore City Council actions in response to Coal Seam Gas.

| Action                                                                 | Date          |
|-----------------------------------------------------------------------|---------------|
| Decided to support NSW farmers Association in requesting a moratorium on CSG mining in NSW | December 2010 |
| Decided to send a series of letters to state and federal politicians calling for a moratorium pending an independent review | January 2011  |
| Decided to impose a moratorium on all CSG related activities on Council owned and operated land | December 2011 |
| The Mayor attends community ceremony to receive ‘CSG free’ road declarations | April 2012    |
| A community Poll is conducted at a council election to determine the views of the community on CSG | September 2012|
| Decides to send a series of letters to NSW politicians informing them of the result of the poll and urging them to prevent CSG activity in the LGA | October 2012  |
| Decided to erect signage reflecting the poll result that 86.86% of the community is opposed to CSG | December 2012 |
| Hosts a public meeting at Lismore City Hall                           | December 2012 |
| Initiated joint funded research with NOROC on groundwater health     | December 2012 |
| Decided to write to the Premier and MP calling for a withdrawal of all CSG licenses and for the LGA to be considered a no-go zone for CSG | June 2014     |

Source: (Lismore City Council, 2018)

As the state government continued to resist changing their position, community blockades at test drilling sites became a key component of the campaign. The third and final blockade was at Bentley, where protestors sustained a physical presence for over five months, with hundreds permanently camping on-site and thousands more on stand-by in an instance of a police response. After intelligence of a police intervention, people started arriving on-mass; however, they were informed the intervention was cancelled and Metgasco’s exploration license was suspended due to insufficient community engagement. This was followed by a state government policy to buy back all coal seam gas licenses in the Northern Rivers region.

Nodality: procedural information instruments

In both case studies, local governments contributed to alternative sources of information about the projects. They did so in a number of ways: using in-house expertise, organising forums to promote independent research, and sharing information and viewpoints about proposed development activities. For example, Lismore City Council was instrumental in initiating funding for Southern Cross University to undertake a baseline water assessment of the region via NOROC, a regional alliance of local councils. Yarra City Council developed an alternative business case for a Doncaster rail public transport project and they networked with experts, such as town planner Paul Mees to present evidence-based arguments against expanded road development (Yarra Campaign for Action on Transport (YCAT), 2012). They also contributed to the development of positive alternative visions for their neighbourhoods by undertaking best practice community engagement and community visioning exercises. Local governments have access to information from state governments, more so than community-based groups,

Councilors were instrumental in getting information about what was happening, they had a legitimate position to get information. They first brought it to our attention early on . . . they’re a canary in the coal mine effectively (community 2).
Their willingness to share this information with the community was essential in enabling the campaigns against these projects. For example, they shared the location of test drilling sites in both cases, which enabled the community to mobilise physical protests.

**Procedural authoritative instruments**

Local governments generated alternative problem framing and alternative policy arguments and helped to build the legitimacy of those messages in the public arena. They facilitated the political engagement of their local communities and interest groups in relation to these major projects and actively advocated for them. Yarra City Council took very confidence in advocating and facilitating the involvement of other groups. They set a motion to the campaign, supporting and resourcing community ownership of the messages (local government 5, community 5).

We led the campaign to start with, we kicked off the campaign against it, we resourced that, we provided materials, we provided training, leadership and direction – and once community groups formed around this action we supported them to continue it (local government 1).

Yarra Council organised a committee early on to generate activity against the project and build support for Doncaster Rail (local government 5, community 5) (City of Yarra, 2012).

We pulled together some community members ... I've got a list of them here, we've got a number of everyday residents who just wanted to be involved in the campaign, Public Transport Users Association, Victoria Walks, Yarra Climate Action Now group which is called YCAM, we had the Yarra Campaign for Action on Transport, we had the Bicycle Network Victoria ... the council contacted these groups (local government 5).

These groups were invited to be part of an advocacy committee to advocate for more public transport, as well as to campaign against the construction of the East West Link. It was also noted in interviews that Yarra City Council was able to do this effectively because it had a range of highly active civil society groups that it could work with. Council worked with these groups to further build their capacity to advocate against this project and on similar policy issues (local government 5). By using procedural approaches that were networked with the community, Yarra local government invested in the development of a stronger, broader movement that can sustain its position over the long term.

Yarra City Council also undertook overt advocacy style actions including staging their own weekly physical protest by the side of the Eastern Freeway off ramp.

I was personally present at weekly protests for nearly two years ... a lot of councillors turned up to all of the events and were involved, and we took legal action. And all of that demonstrated to the community that we had conviction and we were going to see it through to the end, so that gave them the confidence to do that too (local government 1).

In contrast, Lismore city council did not lead physical protests but made an important contribution to the campaign by supporting the community’s protests, advocating via letter and in person at meetings with state MPs, by creating more forums for the issues to
be discussed and providing a conduit role between state government and local community,

The sum of all the parts made the whole, I think that we certainly contributed, Lismore contributed, the mayors who turned up contributed . . . We had a lot of conversations with politicians, we made sure we were front and centre, when you’ve got your local leaders supporting you, I think it makes a difference in terms of being taken seriously in Sydney and Canberra (local government 9).

They also contributed to spreading the campaign to other local government areas, ‘Simon was very active in local government . . . He wrote to all of the other local governments, they all had a motion against CSG in the end’ (community 9). For East West Link, Yarra City Council also contributed to spreading the campaign to other local governments. This network building was an important contribution to the success of these campaigns.

In both case studies, there were critical procedural tools that escalated the campaigns against the projects. These were particularly pro-active measures that reach beyond the bureaucracy. In Northern NSW this was a community poll, which revealed the extent of community opposition to CSG, while in Melbourne, this was a joint legal action launched by Yarra and Moreland City Council, which proved instrumental in triggering the policy change.

Some people in the community might just talk about the community campaign, but there is no doubt that in isolation a community campaign achieves nothing, you needed the strategy around the official process and the willingness to take it to the legal extent. To create an environment that enables people, who might be sympathetic, to actually discredit the project (local government 3).

The legal action worked in combination with electoral accountability to achieve a turnaround in state government policy. A number of interview participants agreed that the political threat of the greens in the inner-city Melbourne seats motivated Victorian Labor to be responsive to the community’s views and to align their policy position with the local government and community campaign against the project (local government 3 & 4, community 4 & 5).

In Northern NSW, a number of interview participants spoke about the critical importance of the local government poll in highlighting the breadth of the campaign against coal seam gas and therefore calling into question the legitimacy of the state government to continue to support the industry in the region.

I’ve got to say that if not for holding that poll, or plebiscite or whatever you want to call it I don’t think that the size of the opposition ever would have been adequately acknowledged (community 8).

Lismore City Council managed to leverage this poll out of existing resources by building it into the regular local government election process. Despite this, the NSW government continued to renew gas licenses in the region even after the outcomes of this poll. In this case study, the community’s physical protests were instrumental in bringing about a change in the state government’s policy position, with a number of interview participants discussing the government’s reluctance to take the political risk of breaking up such a large sophisticated blockade (local government 7, community 8 & 9).
I don’t think we were even heard, I think we had their arm so far up their back that they had no other choice, I don’t think they heard us, cause they’re still committed to this gas industry (local government 7).

Although the community’s actions were instrumental, local government’s contribution highlighted the legitimacy of the movement against the industry. When the NSW government considered how they should respond to the Bentley blockade, they considered the support of local governments in the region as evidence of the breadth of the communities’ position against coal seam gas (Shoebridge, 2014). These discussions led to the decision by the NSW government to call off a planned police intervention at Bentley and implement a program to buy back all coal seam gas licenses in the region. As in the East West Link case study, electoral accountability combined with these dynamics to play an important role in bringing about a change in the state government’s policy position.

In terms of the timeline you had the Bentley blockade, it successfully led to that drilling operation being cancelled, the police operation being cancelled, but it didn’t lead to the end of the issue and the cancellation of the licenses, and the establishment of a gasfield free northern rivers. That only happened after the state election in which the National Party suffered an existential shock, because it lost Ballina, which it had held since, forever, and it came within 1300 votes of losing Lismore (community 8, Coal Seam Gas).

These key procedural policy tools, legal action, and a community poll helped to highlight the political marginality of public opinion in relation to these major projects, and proved instrumental in contributing to successful campaigns and a turnaround of the state government’s policy position in relation to these projects.

**Treasure: procedural financial instruments**

While there were many similarities between Yarra City Council and Lismore City Council’s resolve to represent their communities’ views against these major projects, the extent to which they felt comfortable committing council funds to the cause varied considerably. In the case of East West Link, Yarra City Council contributed financially to the campaign by contributing staff time, by mobilising and networking with community leaders, and by sharing materials, training and resources. A number of interview participants discussed the importance of these tangible resources, with 100,000 USD dedicated to the campaign (State Government 2, Community 2, Local Government 5) (City of Yarra, 2014). Despite this confident activity from Yarra City Council, there was significant pressure from state government for local governments to refrain from advocacy. A number of interview subjects spoke about the pressures on local government to limit or stop campaign activities – through media articles and threats of sacking. The media highlighted the ‘waste of public funds’ pointing to the local government’s expenditure on the campaign (Ainsworth, 2014).

In contrast, while Lismore City Council made their dedication to the campaign clear, they were conscious to avoid or minimise spending resources on the campaign, feeling this would not be seen as acceptable by state government or the media (Local Government 7, Local Government 9). In interviews, Lismore councillors revealed a strong dedication to contributing to the campaign against the industry,
I was told this is a state issue, nothing to do with you, and my response was, I stand up for the people of this community and my first responsibility is for the people here and their wellbeing not just now but for the future, that just discounted that (sic), there were people who said don’t get involved, this is not your issue, but there are lots of issues that local government is an advocate for (Local Government 8).

Despite this conviction, there was significant evidence of the pressures, which limited how Lismore city council was prepared to act upon their convictions, ‘Local government is a creature of the state, your options are very limited really. Council couldn’t go out and spend its funds on this [campaign], we’d be seen to be anti-national party, anti-coalition’ (local government 7).

There was also the argument about the waste of money, [the poll] is going to cost a lot. In the end, the bill we got from the electoral commission did not itemise what it was [the cost of including the poll question], there was a small increase on the election before, so you couldn’t say it cost anything, and this latest election, cost more again, so there was no way of quantifying that it cost more, so that argument went (Local Government 8).

Lismore City Council still leveraged significant value for the community towards the campaign by drawing on existing resources and staff, and piggy-backing onto existing processes. For example, by adding the community poll on CSG to the local government election papers. Another reason given for the reservation to allocate funds to a campaign was because of the lack of funding local governments in Australia commonly experience,

Councils are being starved of funds every which way, in NSW we have a cap on rates, every year council gets given . . . yes you can have a 2% increase in your rates, the cost of capital works doesn’t go up with the cost of the consumer price index, it doesn’t go up 2.7% it goes up at 6 or 7% so every year councils go backwards 4 or 5% just to stay even, this has been going on for 40 years, that’s why our roads are like cow tracks (Local Government 7).

This evidence provides insights into the way that local governments use their resources as procedural tools to influence decision-making in relation to major projects.

**Procedural organisational instruments**

Both Lismore and Yarra City Councils have a particularly progressive culture and organisational practices of community engagement and Yarra City Council has dedicated advocacy staff. Other key organisational practices include open council meetings where the public is able to raise issues and ask questions. They also hosted meetings and stimulated deliberation about the proposed projects. One of the reasons procedural policy tools were so powerful is that the actions of local governments were viewed as almost inseparable from that of their communities, and therefore local government actions have the legitimacy of their citizens behind them. Interview participants described this dynamic in a number of ways; ‘It works when local council is connected to its community and community is connected to the council, there’s a feeling of joint ownership’ (community 2).

All along the support of local government was really, really important . . . In some ways it validates what you’re doing . . . You can flip it around though too, they [Yarra City Council] only did those things because they knew they had enormous community support, and not
every council has that surety, there are councils that are much more divided because their constituents are more mixed, so I think that really made a difference too (community 3).

Local governments gave legitimacy to community activities, but conversely local governments only had that legitimacy because they were reflecting the views and values of their communities. This is evidence of the unique advantages of local governments that despite their limitations, more than other levels of government they are able to effectively work alongside and harness the legitimacy of their constituents to influence policy outcomes.

Discussion

The influence of state governments had an important influence over the local governments’ choice of procedural policy tools. Other research has found that the nature of state government power over local governments has an important influence over the degree to which local governments respond to their communities and the way in which they advocate (Roos & Lidstrom, 2014) (Henderson, 2018). This paper finds that the legislative contexts in each state contributed to determining the choice of policy tools used by local governments. The Local Government Act 1993 NSW, outlines the ‘council’s charter’ which includes ‘to exercise community leadership’ (chapter 3 section 8). It also requires councils to consult with the community to prepare community plans. Victoria’s provisions for local government are more extensive. At the time of these case studies, the Local Government Act 1989 Victoria was in operation and it defined the role of local government as to ‘provide governance and leadership for the local community through advocacy, decision making and action’ (preamble, Victorian Local Government Act 1989). In Victoria, local government is also recognised at the level of government in the state constitution. This correlates with the degree of activity against the major projects demonstrated by the most active local government in each case study with Yarra City Council in Melbourne taking the most pro-active actions.

In both case studies, councils experienced a high degree of pressure from state governments and the media not to advocate against state government supported projects, ‘There were a lot of threats, we didn’t get funding [on other projects], Yarra was on the outside …’ (local government 5). Given that local government advocacy was frowned upon, enabling the community to escalate the campaign and publicise opposition to the project through their own groups was more advantageous than local government being seen publicly as the primary agitator.

A Northern NSW councillor spoke about the way that state governments exert their power over local government but conversely the important role of local government in defending their community’s interests,

Councillors are really an arm of the state government, and we don’t have any powers other than what state government has given us. And if we go outside of that, look what happened to Byron with Australia Day, they cannot hold anymore citizen ceremonies because they decided not to hold them on Australia Day but the day before … There’s always that big stick that you’re waiting for, if it’s worth it, and I think around issues like coal seam gas it is, I think you’ve got a responsibility to stand up and be counted (Local Government 9).

Given the pressure these local governments were under to conform to state government policy positions, it is exceptional that they advocated to the degree that they did.
**Conclusion**

Procedural policy tools are often seen as secondary to, or as playing a supportive role to substantive policy tools. However, these case studies demonstrate how, in the hands of local governments, procedural policy tools can play a critical role in policy formation, both within and well beyond local governments’ legal decision-making jurisdiction. Procedural tools facilitated local governments’ partnerships with, and leveraged the legitimacy of their constituents, a key success factor in achieving successful policy influence. Rather than playing a supporting role in substantive tools, they can contribute to over-turning substantive policy decisions, by networking with, enhancing and maintaining political constituencies in support of alternative policy outcomes.

Multi-level governance supports the notion that levels of government should be coordinated in their approach to community engagement. However, this can be particularly challenging when government actors have divergent policy views. While many might see shifts in policy influence across levels of government as destabilising or threatening, they can also have a number of benefits, with research suggesting such policy experimentation can lead to problem-solving, policy innovation and more beneficial policy outcomes (Daniell & Adrian, 2018).

Local governments use a range of procedural policy tools to influence policy outcomes relating to major development projects and these can have potentially significant outcomes. Community mobilisation was critical in achieving the turn-around of the state government’s position on these major projects, but equally, many questioned whether a community mobilisation on its own would have been successful without the support of local governments. While increasingly the important role of local governments in community engagement is being increasingly acknowledged, including with requirements in Australian legislation for them to do so, the role that they play in advocating for those views is receiving less traction (Christensen & McQuestin, 2019; Savini & Grant, 2020). In contrast, the findings from these case studies demonstrate that it is the advocacy tools of local governments in combination with community engagement tools, that make a significant contribution to their ability to represent the interests of their communities.

Table 5 summarises the range of procedural policy tools that local governments used in these case studies.

The findings from these case studies increase the breadth of our understanding of the types of procedural policy tools used by local governments. These findings also provide greater insight into the nature of local government advocacy and the type of policy tools that are used to influence policy change. The findings are limited by the sample size of this research, and as such the procedural policy tools included in this table will not be absolutely exhaustive. However, these case studies are examples of exceptionally active local governments and include the actions of multiple local governments in each case study, and as such, this paper does present a relatively broad range of procedural policy tools that are deployed by local governments to influence decision-making outside their jurisdiction regarding major developments. There is an opportunity for further research to be conducted into the range of procedural policy tools used by local governments, the way that these tools influence decision-making at
Table 5. Procedural policy tools used by local governments to influence public policy for major projects.

| Typologies of procedural policy tools | Examples from local government |
|--------------------------------------|---------------------------------|
| ‘Nodality’ Procedural information instruments | Share information gained from state government and project proponent with the community |
| | Share information from in-house experts |
| | Share information from, and network with alternative experts from outside government |
| ‘Authority’ Procedural authoritative instruments | Generate and contribute to alternative problem definition |
| | Make and promote alternative policy claims through traditional government channels as well as through supporting and staging physical protests |
| | Mobilise community actors |
| | Establish advocacy committee |
| | Spread campaign to other local governments and interest groups |
| | Community poll |
| | Legal action |
| ‘Treasure’ Procedural financial instruments | Provide in-kind resources to support advocacy activities |
| | Provide financial resources to support advocacy activities |
| ‘Organisation’ Procedural organisational instruments | Create a culture and practices of community engagement within the organisation including inclusive council meetings and deliberative planning activities |
| | Employ dedicated advocacy staff |
| | Convene meetings and stimulate deliberation |

higher levels of government and the relationship between local government advocacy and their use of procedural policy tools.

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