

An agreement for the partnership and relationship between the Queensland Government and Local Government in Queensland

State of Queensland

Local Government Association of Queensland Ltd on behalf of Queensland Local Governments

2019

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Signing page

Signed by the Honourable Anastacia Palaszczuk MP, Premier and Minister for Trade and the Honourable Stirling Hinchliffe MP, Minister for Local Government, Minister for Racing and Minister for Multicultural Affairs, for and on behalf of the Queensland State Government.



Anastacia Palaszczuk MP
Premier and Minister for Trade



Minister Stirling Hinchliffe MP
*Minister for Local Government, Minister for Racing
and Minister for Multicultural Affairs*

Signed by Mayor Mark Jamieson, President and by Greg Hallam AM, Chief Executive Officer of the Local Government Association of Queensland Ltd. for and on behalf of Queensland Local Governments.



Mayor Mark Jamieson
*President of the Local Government
Association of Queensland Ltd.*



Greg Hallam AM
*Chief Executive Officer of the
Local Government Association of Queensland Ltd.*

this 20th day of August 2019.

An agreement for the partnership and relationship between the Queensland Government and Local Government in Queensland

1. Preamble

Queensland has a long and proud history of Local Government - the first Local Governments were already in place at the time that Queensland achieved statehood.

Local Government is the level of government closest to the community. Every day it affects the lives of Queenslanders – our local services, where we live, and the look and feel of our communities. Local Government is a genuine partner in the Australian government system.

Both the Queensland Government and Local Government strive to make Queensland a better place to live, work and play. The *Advancing Queensland Priorities* are a set of priorities to be owned by all Queenslanders, designed to produce six community outcomes:

- Create jobs in a strong economy
- Give all our children a great start
- Keep Queenslanders healthy
- Keep communities safe
- Protect the Great Barrier Reef
- Be a responsive Government.

The Queensland Government and Local Government will work together to strengthen our communities, with a focus on these priorities.

Formal arrangements to guide the relationship between the Queensland Government and Local Government have been in place for over a decade. It is the intent of both Parties in executing this Agreement to continue in this tradition of working in genuine partnership to improve the quality of life Queenslanders enjoy. It is also recognised that other agreements covering specific matters may be needed and this Agreement does not limit the capacity of the Parties to enter into such agreements.

2. Objective

The Agreement formalises a set of principles to guide the relationship between the Parties and identifies the roles and responsibilities of each party. It encourages positive and cooperative relations between both Parties, with the aim of strengthening Queensland and achieving better community outcomes.

3. Principles

3.1 Subsidiarity

- 3.1.1 Both Parties agree that responsibility for decisions should rest with the lowest level of government capable of properly doing so.

3.2 Jurisdiction

- 3.2.1 It is recognised that both Local Government and the Queensland Government have legitimate interests and jurisdictional responsibilities.
- 3.2.2 Local Governments' legitimate interests and autonomous jurisdiction responsibilities are for the good rule and government of their local areas.
- 3.2.3 The Queensland Government's legitimate interests and jurisdictional responsibilities are for the good rule and government of the entire State. In exercising this jurisdiction, the Queensland Government has the responsibility to set, regulate and enforce appropriate policies and standards for the good of the entire community and which have state-wide and regional impacts and implications. In doing so, the Queensland Government regulates activities and functions which may involve Local Government. During the development, regulation and enforcement of appropriate community standards, the Queensland Government will consider the interests of a variety of community sectors, of which Local Government is an important sector.

3.3 Intervention

- 3.3.1 It is recognised that Local Governments are ultimately accountable to their communities for their activities.
- 3.3.2 Local Government will be subject to minimum intervention from the Queensland Government in respect of its legitimate interests and jurisdictional responsibilities (including but not limited to revenue raising, local laws and land use planning).
- 3.3.3 The Queensland Government interest will be only exercised where legitimate State interests exist.

3.4 Accountability, transparency and governance arrangements

- 3.4.1 Although Local Governments are accountable to their communities and subject to minimum intervention from the Queensland Government, Local Government is subject to oversight by independent bodies including the Queensland Audit Office, Ombudsman, the Independent Assessor and the Crime and Corruption Commission.
- 3.4.2 The governance arrangements that apply to Local Government should, where appropriate, be consistent with those applying to the Queensland Government.
- 3.4.3 To ensure the highest level of integrity and accountability, Local Governments are committed to open and transparent decision-making.

3.5 Compliance requirements

- 3.5.1 To ensure that appropriate standards are maintained for the benefit of the entire community, Local Government has a responsibility to comply with any applicable legislative, industry or professional requirements.
- 3.5.2 Where Local Government enforces community regulatory standards on behalf of the Queensland Government, these standards will be, to the greatest extent possible, performance-based rather than prescriptive to ensure local autonomy, interests and conditions.

3.6 Devolution/delegation of responsibilities

- 3.6.1 The devolution or delegation of new responsibilities, roles and functions to Local Government should only occur where:
- there has been prior consultation;
 - the financial implications and other impacts on Local Government are taken into account; and
 - the identification and availability of an ongoing revenue source—e.g. user charges—has been considered.

3.7 Diversity in Local Governments

- 3.7.1 The parties acknowledge the diversity which exists within Queensland communities and the impact of that diversity, bringing with it different cultural and social responsibilities on Local Governments.
- 3.7.2 The parties acknowledge that policy-making must embrace the diversity of communities.

3.8 Funding

- 3.8.1 Local Governments must think strategically to ensure they have the resources to be a strong voice for their communities. In particular, Local Governments must have both long term and short-term strategies in place to ensure they operate in a manner which is financially sustainable.
- 3.8.2 The Queensland Government provides a range of funding programs to Local Governments. Such funding programs are developed and implemented to support the financial sustainability of Local Governments and deliver benefits for advancing Queensland local communities.

3.9 Constitutional Recognition

- 3.9.1 The Queensland Government will maintain the recognition of Local Government in the *Constitution of Queensland 2001* and guarantee the continuation of a Local Government system in Queensland.