

An agreement for the
partnership and relationship
between the State of
Queensland and Local
Government in Queensland
2023

The Department of State Development, Infrastructure, Local Government and Planning connects industries, businesses, communities and government (at all levels) to leverage regions' strengths to generate sustainable and enduring economic growth that supports well-planned, inclusive and resilient communities.

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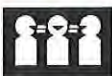
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Signing page

Signed by the Honourable Anastacia Palaszczuk MP, Premier and Minister for the Olympic and Paralympic Games and the Honourable Steven Miles MP, Deputy Premier and Minister for State Development, Infrastructure, Local Government and Planning and Minister Assisting the Premier on Olympic and Paralympic Games Infrastructure, for and on behalf of the Queensland State Government.



Anastacia Palaszczuk MP

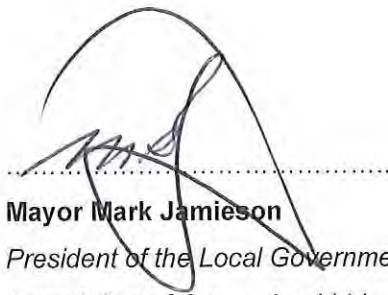
Premier and Minister for the Olympic and Paralympic Games



Steven Miles MP

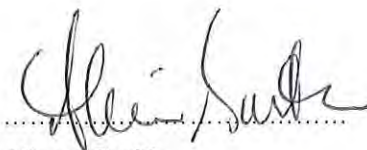
Deputy Premier and Minister for State Development Infrastructure, Local Government and Planning and Minister Assisting the Premier on Olympic and Paralympic Games Infrastructure

Signed by Mayor Mark Jamieson, President and by Alison Smith, 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.



Alison Smith

Chief Executive Officer of the Local Government Association of Queensland Ltd.

this 21st day of Feb 2023.

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 government's direction is informed by the government objectives for the community and commitments made to the people of Queensland. The objectives are long-term and can only be achieved by everyone involved working together. The objectives are:

- Supporting jobs
- Backing small business
- Making it for Queensland
- Investing in skills
- Backing our frontline services
- Keeping Queenslanders safe
- Connecting Queensland
- Educating for the future
- Protecting the environment
- Growing our regions
- Building Queensland
- Honouring and embracing our rich and ancient cultural history

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.

4. Roles and Responsibilities

4.1 Joint roles and responsibilities

The Parties have the common objective of enhancing the wellbeing of communities throughout Queensland with shared and overlapping jurisdictions.

Under this Agreement, both Parties will:

- Agree to deliver reforms to enhance integrity and confidence in the Local Government sector, with a particular emphasis on the conduct of councillors, complaints processes, Local Government elections and governance processes within councils.
- Seek opportunities to partner and work co-operatively, including joint planning, policy development and the joint delivery of programs.
- Agree, in conjunction with other stakeholders, to work together to improve the capacity, capability and diversity of Local Government, across a range of agreed areas, with a focus on building the sustainability of Local Governments and fostering integrity and accountability in Local Government.
- Recognise that each has a responsibility to ensure Local Governments are financially sustainable.
- Work together to: improve the alignment of Local Government funding with Queensland infrastructure priorities; respond to Local Government priorities and budget cycles; make grant funding arrangements simpler and easier to navigate; and investigate the feasibility of greater transparency regarding the overall Queensland Government funding contribution to Local Government.

- Agree that relations between the Parties should be conducted in a spirit of mutual respect and cooperation with an emphasis on partnership—a commitment to timely and frequent communication and with recognition of each other's roles and responsibilities.
- Where necessary, negotiate specific agreements and alliances in accordance with the intent and principles of this Agreement including, but not limited to, the Rural and Remote Councils Compact and also the Roads and Transport Coordination Accord, which is in addendum to this Agreement. The Department of State Development, Infrastructure, Local Government and Planning and the LGAQ maintain an up-to-date register of known agreements.
- Agree to work together on matters raised by the Australian Government which impact on Local Government.
- Work together on agreed initiatives which promote Government's objectives for the community.
- Agree to keep supporting the important partnership between the State and Local Government in disaster management across the full spectrum of prevention, preparedness, response, recovery and resilience. This includes recognition of the role of Local Disaster Management Groups and the LGAQ's seat on the Queensland Disaster Management Committee.

4.2 Queensland Government roles and responsibilities

Under this Agreement, the Queensland Government will:

- Ensure Queensland has a flexible and responsive system of Local Government which meets community needs and expectations and reflects the diversity of our communities.
- Demonstrate a commitment to good governance, a high standard of ethics and integrity, giving rise to community confidence in the State Government.
- Demonstrate it is doing the right things in the right way, always making decisions in the public interest.
- Undertake timely and meaningful engagement on all policy, legislation, strategy and program initiatives where Local Government has an interest, with where practicable, a minimum consultation period of four weeks to allow the LGAQ to engage meaningfully with its members.
- Ensure timely and meaningful engagement with individual councils when making decisions that directly impact their local government area.
- Promote awareness of the Agreement amongst all Queensland Government departments, ensuring whole of government commitment to the agreed principles.

4.3 Local Government roles and responsibilities

Under this Agreement, Local Government will:

- Demonstrate a commitment to good governance, a high standard of ethics and integrity, giving rise to community confidence in Local Government.
- Demonstrate they are doing the right things in the right way, always making decisions in the public interest.
- Recognise it is responsible for strategic planning and asset maintenance, designed to ensure sound financial management, a healthy balance sheet and an adequate revenue base relative to their revenue raising capacity.
- Undertake timely, cooperative, proper and meaningful engagement with the Queensland Government, where practicable, on all matters where the Queensland Government has an interest.

5. Operation and Review

This Agreement will remain in operation for three years from the date of signing. Meetings to review the operation of the Agreement may be held as required at the request of the Queensland Government or the LGAQ. Changes may be made from time to time by mutual agreement.

The Premier will meet with the LGAQ on at least a six-monthly basis and more frequently as warranted. At these meetings, the Parties will discuss key outcomes achieved under the Agreement, including progress against Government's objectives for the community, election commitments and the LGAQ's Annual Conference Resolutions and Annual Advocacy Action Plan.

The Minister for Local Government will meet with the LGAQ Executive a minimum of four times per year.

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