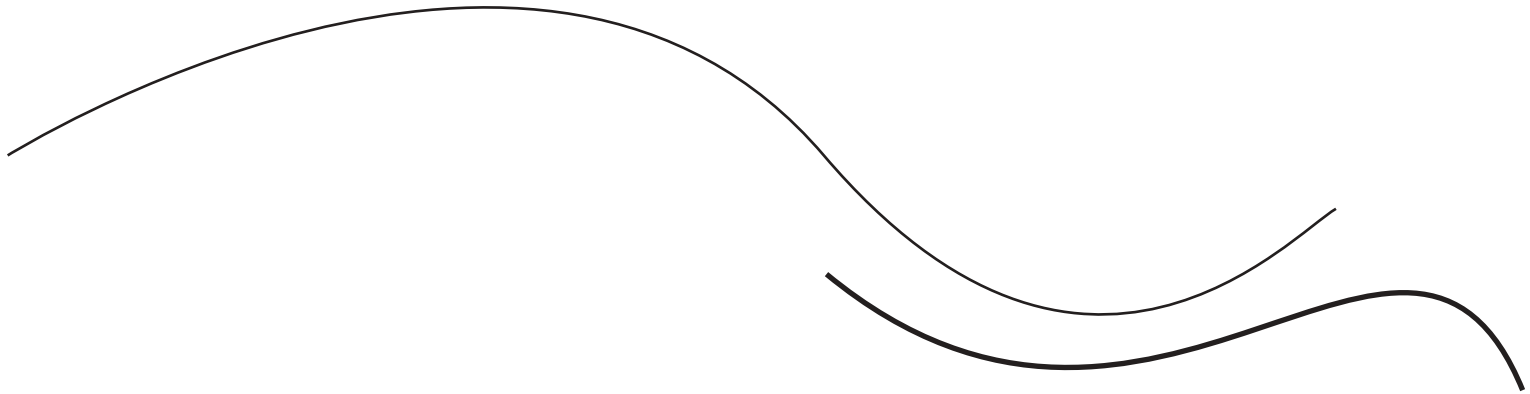


STATE-LOCAL GOVERNMENT RELATIONS

An agreement between the State Government and
Local Government in South Australia

2004



Government
of South Australia



Local
Government
Association
of South
Australia

Preamble

1. The South Australian Government and Local Government make this agreement to improve consultation arrangements, government communication practices and to build a closer, more productive and collaborative working relationship between State and Local Government.
2. This agreement is made on the 8th day of March 2004 between the Honourable Mike Rann BA MA, Premier, on behalf of the State of South Australia and Councillor John Legoe, President of the Local Government Association of South Australia, for and on behalf of South Australian local governments.
3. This agreement is presented in two parts. Parts I and II deal with the principles and processes which form the basis of this agreement and a schedule of agreed priorities is appended.

Objectives

4. The parties make this agreement with the ultimate aim of achieving better outcomes for all South Australian communities, our shared constituency.
5. This agreement seeks to:
 - 5.1 better coordinate activities and enable more strategic approaches to responding to community needs;
 - 5.2 increase the efficiency, effectiveness and coordination of services and infrastructure of State and Local Government;
 - 5.3 improve integration of strategic planning processes by State and Local Government;
 - 5.4 promote open and accountable government and transparent processes;
 - 5.5 foster more consistent approaches to the framing of policies and legislation that affect the other party; and
 - 5.6 provide guidance for local governments and State Government agencies in their contacts with each other.
6. The parties recognise that there will be times when urgent issues will arise and in these instances they agree to be flexible so as to respond in a spirit of cooperation. It is also recognised that there will be times when State and Local Government will disagree and it is acknowledged that these occurrences need not undermine the objectives of this agreement.
7. The parties shall use their best endeavours to facilitate the following principles and processes in a spirit of co-operation and in the best interests of the South Australian community.

Shared Understandings

8. This agreement has been developed on the basis that a level of trust and goodwill exists between State and Local Government in which the interests of their shared constituencies are considered to be paramount.
9. This agreement is not intended to create a legally binding relationship between the parties. Nor does it override or detract from commitments entered into as part of existing agreements to which both State and Local Government are parties.
10. The agreed principles and processes set out below are intended to guide attitudes and practices.

Part I - Agreed Principles

11. For the benefit of all South Australians, State and Local Government agree that the following principles should guide their relations:

Mutual Recognition

12. Relations between State and Local Government should be conducted in a spirit of mutual respect with an emphasis on improving communication and collaboration;
13. Local Government's collective capacity as a sphere of democratically elected governments with broad powers, responsibilities and discretions in relation to local areas should be enhanced;
14. Local Government's accountability to its communities and capacity for self management should be maximized;
15. The diversity of local governments' financial capacity and the State Government's fiscal position should be mutually recognised.

Communication and Consultation

16. The parties should jointly commit to regular and effective consultation and negotiation on the formulation and implementation of key policies, legislative proposals and significant programs/projects that affect the other party;
17. The parties should keep themselves informed about key policy issues or major proposals affecting the other sector.

Financial Relations

18. The transparency of the financial relations between State and Local Government should be improved to enhance decision making;
19. Planning for any new functions or services or where significant change is proposed by Commonwealth, State or Local Government should include identification of necessary funding sources and any proposed funding changes;
20. The use of intergovernmental agreements should be promoted to secure effective Commonwealth, State and Local Government participation in programs in which the parties have a significant statutory or financial involvement.

Shared Strategic Directions

21. Both State and Local Government have a responsibility to contribute to sustainable development that allows people and communities to provide for their social, economic, environmental and cultural well-being for current and future generations;
22. State and Local Government should have the opportunity to contribute to each others' strategic planning processes, enabling more aligned strategic plans;
23. State and Local Government should consult with each other on significant matters related to and raised by the Commonwealth Government which impact on Local Government, or on the State Government's relationship with respect to Local Government.

Part II – Agreed Processes

24. The State and Local Government agree to the following processes in pursuing this agreement:

Minister's Local Government Forum

25. The Minister's Local Government Forum is a mechanism through which State and Local Government can together, in a spirit of mutual respect, tackle some of the significant, complex and challenging issues that arise at the interface between State and Local Government activities.

To give effect to this agreement :

26. The State Government will institute systems and processes in order to:
 - 26.1 formally report to State Cabinet on the outcomes of the State/Local Government consultation processes associated with proposals with significant Local Government impact;
 - 26.2 promote coordination of its agencies in the design and conduct of consultation and communication with local governments;
 - 26.3 consult or communicate with the relevant local governments prior to implementing a new service or significantly varying an existing service or program that impacts on local government; and
 - 26.4 provide information on State/Local Government financial relations, including as part of the State Government Budget process, to the Local Government Association.
27. The Local Government Association of South Australia will institute systems and processes in order to:
 - 27.1 co-ordinate and facilitate local governments' collective decision making efforts and representation of views, while acknowledging the rights of individual local governments to represent their own views;
 - 27.2 when working with the lead State Government agency, coordinate feedback and consult on a particular issue with local governments;
 - 27.3 facilitate regional strategic planning processes and linkages between country regions on matters of interest;
 - 27.4 facilitate infrastructure planning, best practice initiatives in all Councils and promote council collaboration; and
 - 27.5 facilitate appropriate nominations on State Government statutory authorities and committees by taking account of an authority's role and function.

Implementation

28. There will be a shared responsibility to promote this agreement and the State Government and the Local Government Association agree to:
 - 28.1 pursue the intent of this agreement in a spirit of cooperation and maintain its effective implementation; and
 - 28.2 monitor the implementation of this agreement and suggest improvements.
29. The parties agree that this agreement can be amended from time to time following discussion between the parties and by mutual consent.

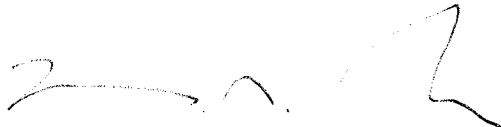
Review

30. The Minister for State/Local Government Relations and the President of the Local Government Association will:
 - 30.1 undertake a joint review of the application of this agreement before the expiration of 12 months from signing and with a view to establishing a new or amended agreement and schedule annually; and
 - 30.2 undertake a 12 month review of the performance of the Minister's Local Government Forum.
31. The Minister's Local Government Forum will monitor the implementation of the endorsed agreement and, for the purposes of the ensuing year, ensure that it is reviewed within 12 months of operation. The review provides an opportunity for issues and priorities to be discussed, updated and reaffirmed. Any revised agreement will be subject to approval by State Cabinet and the Local Government Association State Executive for State Government and Local Government respectively.

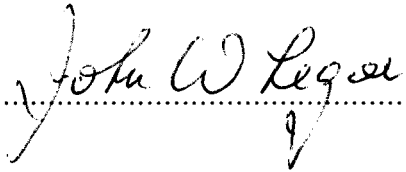
An agreement between the State Government and Local Government in South Australia

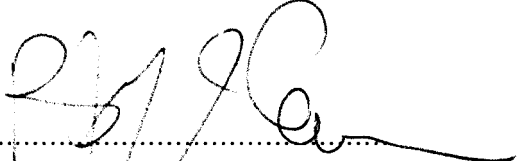
IN WITNESS WHEREOF the parties have executed this Agreement at the day and year first above written.

SIGNED by the said Mike Rann
Premier of South Australia
for and on behalf of the Crown

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SIGNED by the said John Legoe
President
for and on behalf of the
LOCAL GOVERNMENT ASSOCIATION
OF SOUTH AUSTRALIA

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In the presence of:
Rory McEwen
Minister for State/Local Government Relations

Schedule - Priorities for 2004

1. To give effect to the agreement, and without precluding other endeavours, this schedule identifies the key issues that State and Local Government agree to focus on over the next 12 months.

Alignment of Strategic Plans

2. State and Local Government will determine an approach to ensure that both spheres of government are able to influence the strategic plans of the other. This may involve specific consultation programs, workshops and other events.

Commonwealth-South Australian Issues

3. State and Local Government will work together to:
 - 3.1 support representation of Local Government in appropriate national forums and Ministerial Councils;
 - 3.2 jointly advocate for fairness and equity in the distribution between States and Territories of Commonwealth Financial Assistance Grants to Local Government, particularly in relation to local road funding; and
 - 3.3 advocate for increased levels of Commonwealth funding to South Australia where opportunities present themselves.

Governance

4. State and Local Government will work together to maximise community benefit in relation to the governance of South Australia. The State Government's 'Honesty and Accountability in Government' policy and the Local Government Association's proposed Governance Reform Agenda (to be developed through its Governance Advisory Committee) reflect community demand for the highest standards of governance.

Economic Development

5. State and Local Government will work together to understand how both spheres of Government can respond and support each other's contributions to the economic development of South Australia.

Minister's Local Government Forum

6. The following matters are included on the Forum's Agenda and are highlighted as key priorities for the 2004 period:

Infrastructure

6.1 Stormwater Management and Flood Mitigation

State and Local Government will continue to jointly address the need for improved stormwater infrastructure with the aim of mitigating floods and managing stormwater in a sustainable way.

6.2 Septic Tank Effluent Disposal Scheme (STEDS)

In partnership, State and Local Government will decide strategic directions for the Septic Tank Effluent Disposal Scheme to enable efficient and sustainable provision of effluent disposal in non-sewerage areas of South Australia.

Waste Management

6.3 State and Local Government will continue to work together towards achieving sustainable waste management in South Australia, by striving to reduce landfill and maximise resource recovery.

Natural Resource Management

6.4 State and Local Government will work together to achieve the objective of a more effective and integrated approach to natural resource management.

Planning and Development

6.5 State and Local Government will work together to improve the integration, efficiency and certainty of South Australia's planning and development assessment system.

Housing

6.6 State and Local Government will explore opportunities to work together strategically on housing issues in response to the changing and diverse needs of communities.

Surplus Land

6.7 The State and Local Government will work together to identify an effective and cooperative process for dealing with surplus public land so as to maximise social, economic and environmental benefit for the South Australian communities.

Financial Information

7. State and Local Government will work together to improve the transparency, consistency and mutual understanding of the fiscal position and financial capacity of each other's sector.
8. The State Government will publish summary information on the financial position of Local Government as well as information on State Government grants, subsidies and other payments to Local Government.
9. The Minister for State/Local Government Relations will provide a State Budget briefing to the Local Government Association outlining any changes to existing funding arrangements and State Government initiatives which have implications for Local Government and, as early as practicable within the constraints of proper confidentiality surrounding Cabinet and budget proceedings, have discussion on matters which affect Local Government.

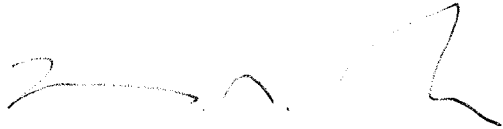
Consultation guidelines

10. State and Local Government will explore the need for joint development of guidelines for consultation and problem solving which relate to specific issues.

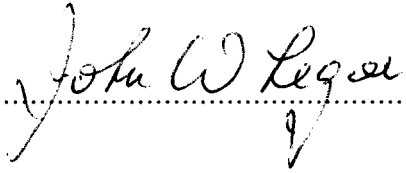
State - Local Government Relations — Schedule


IN WITNESS WHEREOF the parties have executed this Agreement at the day and year first above written.

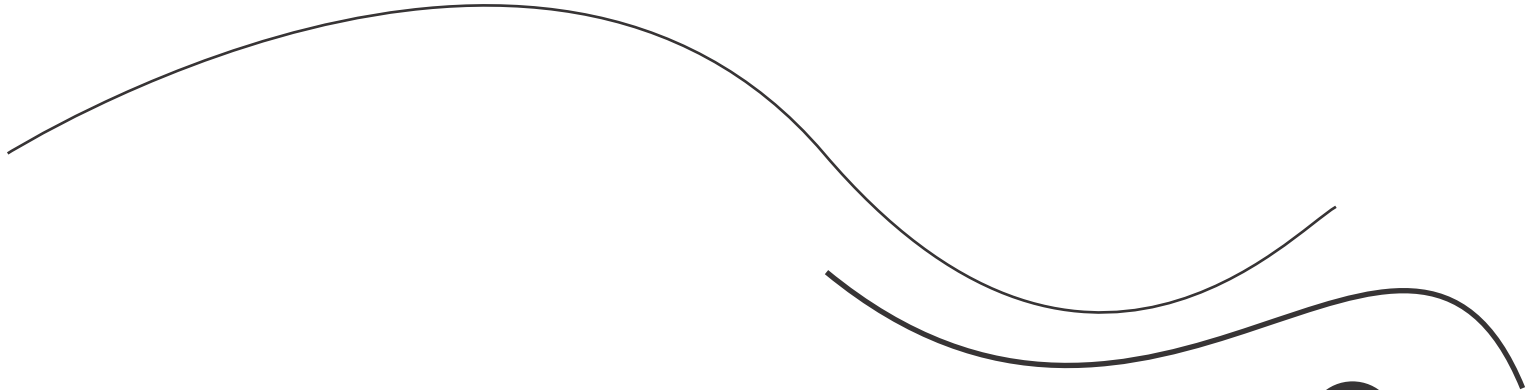
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In the presence of:
Rory McEwen
Minister for State/Local Government Relations



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