



LOCAL
GOVERNMENT
MANAGERS
AUSTRALIA
WA DIVISION INC.



WESTERN AUSTRALIAN STATE LOCAL GOVERNMENT AGREEMENT

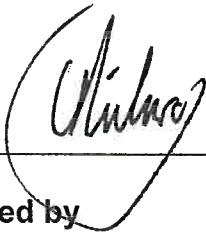
**AN AGREEMENT TO GUIDE STATE - LOCAL GOVERNMENT RELATIONS ON
LOCAL GOVERNMENT MATTERS**



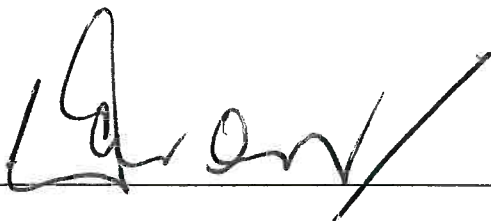
**Signed by
Hon Colin Barnett MLA
Premier of Western Australia**



**Signed by
Hon John Castrilli MLA
Minister for Local Government**



**Signed by
Mayor Troy Pickard
President of the Western Australian Local Government Association**



**Signed by
Mr Andrew Hammond
President of Local Government Managers Australia WA Division**

On this day the 6th of August 2010

1 Preamble

1. State and local spheres of government have been a critical part of Western Australia's governance arrangements for more than a century.
2. The existence and current configuration of the local government sector within Western Australia originates from the State Government's *Local Government Act 1960*. This Act formalised the structure of cities, towns and shires. These found earlier origins in the formation of municipal associations and road district boards.
3. Since 1960, there have been significant changes in the State's social, economic and cultural character which have been driven by population growth, industrial expansion and technological advances. Consequently, the needs and expectations of West Australians have grown and evolved.
4. It is recognised by both the State Government of Western Australia and the local government sector that the needs of 21st century West Australians will place even higher demands on the provision of services and the development of infrastructure. To meet these needs it is important that both the State Government and local governments work together in the public interest.
5. The purpose of this Agreement is to establish the key principles to guide an open and productive relationship between the State Government and the local government sector.
6. Parties to this Agreement share a commitment to encouraging grass roots democratic participation and will work together to increase the sustainability of the local government sector to serve local communities. It is intended that this Agreement will serve as the framework under which more specific areas of cooperation can be negotiated and agreed.

7. The Parties to this Agreement are:
 - The Government of Western Australia;
 - The Western Australian Local Government Association (WALGA), the peak body for local governments; and
 - The Local Government Managers Australia WA Division (LGMA), the peak professional body for local government officers.
8. The Parties acknowledge the *Local Government Act 1995* as amended establishes the system and purpose of local government in Western Australia.
9. The Parties acknowledge the importance of local government in the development and delivery of improved outcomes for Western Australians, and will work together to increase the capacity and long term sustainability of local government.
10. The State Government recognises that local government plays a significant role in community governance. The local government sector recognises that the State Government is responsible for strategic issues of State interest and for providing a coordinated approach to issues affecting all West Australians.
11. Parties agree:
 - i. To give effect to the Inter-Governmental Agreement Establishing Principles Guiding Inter-Governmental Relations on Local Government Matters (2006) by entering into this Agreement; and
 - ii. This overarching agreement will serve as the basis for continuing relations between the State and local government in Western Australia, to which subsidiary agreements will adhere.
12. The secretariat responsibility for the Agreement is to reside with the Department of the Premier and Cabinet and will be managed by the Inter-Governmental Relations Unit.

13. Despite anything expressed or implied to the contrary in this Agreement, this Agreement:

(a) is neither intended to be nor is it legally binding;

(b) is neither intended to nor does it create or give rise to

1. legal relations between the parties; and (c) is a mere non-justiciable statement of current intent.

2 Objectives of the Agreement

The Parties acknowledge and will work together to satisfy community expectations of:

- i. Improved community engagement;
- ii. Increased transparency and accountability for decision making;
- iii. Reductions in unnecessary legislation and the associated burdens of increased compliance and 'red-tape';
- iv. Continuous improvement in the efficiency, effectiveness, timeliness and appropriateness of government services to ensure the citizen's needs and expectations are put at the centre of service delivery;
- v. Improvements in governance and management systems across both spheres of government; and
- vi. To provide the predictability and stability required to assist the development of considered forward planning by all Parties.

3 Principles

The Parties to the Agreement agree to commit to the following principles:

3.1 Communication and Consultation

- i. Relations between State and local government should be conducted in a spirit of mutual respect with an emphasis on improving communication and cooperation.
- ii. The parties commit to open and timely communication and consultation on issues of relevance to the local government sector of Western Australia.
- iii. The parties recognise that the timing and methodology of communication and consultation will vary according to the particular circumstances and constituent groups.
- iv. Consultation will recognise and take into account the different decision making processes of both levels of government.
- v. Collaboration will aim to achieve outcomes for the benefit of the State.
- vi. An appropriate protocol will be developed which defines the range of communication and consultation mechanisms to be applied to the development of legislation, regulation, administrative and operation guidelines and other matters impacting on local government.

3.2 Accountability and Transparency

- i. Local government is accountable to its local communities and its operational autonomy is recognised and supported.
- ii. The State Government is accountable to the people of Western Australia and its state-wide obligations are recognised.
- iii. Parties will uphold accountability standards to restore and reaffirm community confidence and trust in all government sectors.
- iv. Local and State Government will continue to be accountable with respect to responsibilities, sustainability of services and working in a spirit of mutual respect and cooperation.

3.3 Financial Relations

- i. Diversity of local government's financial capacity and the State Government's financial position should be mutually recognised.
- ii. The transparency of the financial relations between the State and local government should be improved to enhance decision making, accountability and fiscal integrity.
- iii. The development and implementation of intergovernmental agreements should be promoted to ensure that roles and responsibilities are clearly articulated and financial considerations are made.

3.4 Operation and Review of the Agreement

- i. The signatories will hold two annual meetings, one of which is to be held for input and discussion prior to each State Budget and the other meeting will be held for discussion of State/local government matters at a strategic level to ensure community needs and expectations are being met and establishing a protocol for forward and agreed subsidiary memoranda. Matters discussed are to remain confidential between the relevant parties unless otherwise agreed.
- ii. The Parties will meet as required to maintain good communications and contribute to sector development.
- iii. Opportunity for meetings with Ministers will be determined by each Minister following a request from WALGA or LGMA.
- iv. The Parties agree to review the operation of the Agreement after a period of two years from its commencement.
- v. This agreement will continue to operate unless terminated by all parties and replaced by a subsequent agreement.
- vi. Noting the operation of Clause 4 above, if any signatory to this Agreement or subsidiary agreement proposes change(s), the change(s) will take effect from a date the parties have mutually agreed in writing.

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