

A Framework for State Government and Local Government Collaboration

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I INTRODUCTION

The State Government and Local Government currently enjoy a strong, open and productive working relationship. There are good networks, goodwill and good outcomes as a result.

This strong relationship has been built over a number of years with the help of a number of formal structures including the Partnership Agreements Program and the Premier's Local Government Council (PLGC). These structures, as concepts, are entrenched but they continue to evolve to support the continually changing environment in which governments operate – at both the strategic and normal business levels.

The current environment in which Local Government operates is characterised by debate around amalgamations, ongoing reforms and limited resources. It is a challenging time for Local Government.

There is general agreement within the local government sector that there is a need for change. But there is no agreement on exactly what needs to change or what the specific objectives of change would be. Some argue that the State Government should play more of a leadership role. Others argue that change needs to be driven by the sector. In any case, both spheres of government need to be involved in the debate.

There is, of course, ongoing business in which both spheres of government have an interest. There is much overlap in the interests and activities of the State Government and Local Government. Ongoing communication and collaboration on these day-to-day functions is crucial to ensure coordination and effective use of resources.

It is therefore necessary that there are structures in place to support effective collaboration between the State Government and Local Government on matters of strategic importance and day-to-day business. Governments in Tasmania must work together to ensure that Tasmanians are provided with the highest standards of representation, service delivery, asset management, and community responsiveness. Such a framework will facilitate intergovernmental cooperation leading to positive outcomes for Tasmania.

2 OBJECTIVE OF THIS PAPER

The objective of this paper is to outline the framework for collaboration between the State Government and Local Government in Tasmania. The Framework seeks to support collaboration on ongoing normal business as well as high-level strategic issues as they arise. The components of the Framework include:

- the PLGC;
- the Statewide Partnership Agreement on Communication and Consultation
- the Partnership Agreements Program;
- relationship management at the local level; and
- memoranda of understanding.

2.1 Premier's Local Government Council

2.1.1 High-level strategic issues (statewide)

The PLGC is a high-level forum for discussions between the State Government and Local Government on issues of statewide significance. The PLGC has three regular meetings a year and is convened for special meetings when required.

The PLGC membership comprises the Premier, who chairs the Council, the Minister for Local Government, the President of the Local Government Association of Tasmania (LGAT) and seven elected local government representatives from various Tasmanian councils.

The make-up of the PLGC means it has:

- the networks to consult widely and bring a range of opinions to the table;
- the power to be a key decision maker on matters of strategic priority; and
- the scope to be highly influential among stakeholders to decisions.

These characteristics, along with the flexibility around its meeting schedule, position the PLGC as a key player in managing matters of strategic importance to Local Government. With participation at the State and local level the PLGC can help to achieve a balance between Local Government led and State Government directed change in the local government sector.

2.1.2 Normal business (statewide)

With its regular meeting schedule, the PLGC is also well positioned to progress issues that are of an ongoing nature. The PLGC works to an annual work plan which currently addresses the following issues:

- local government reform and sustainability;
- partnerships and relationship management;
- planning, emergency management and environment; and
- governance.

A revised structure for prioritising the work of the PLGC for 2012-13 financial year is currently being considered.

2.2 Statewide Partnership Agreement on Communication and Consultation

2.2.1 Normal business (statewide)

The Statewide Partnership Agreement on Communication and Consultation supports ongoing communication and consultation on legislation and policy between both levels of government. The Agreement:

- sets out the basic guidelines for communication and consultation between the spheres of government including consultation timeframes and protocols for engagement;
- ensures that local government's position on issues is incorporated into cabinet minutes and briefings;
- ensures that the State Government consults with Local Government on relevant legislative proposals;
- commits the State Government to briefing LGAT on the State Budget prior to its tabling; and
- ensures that there is liaison on matters raised by the Commonwealth Government.

Issues or disagreements related to the implementation of the Agreement are dealt with by the PLGC.

2.2.2 *High-level strategic issues (statewide)*

Schedule six of the Statewide Partnership Agreement on Communication and Consultation identifies strategic issues to be progressed cooperatively by the two spheres of government. These issues are progressed by the PLGC through its work plan. The issues are reviewed every two years to assess progress, identify new issues, or discontinue issues.

2.3 **Partnership agreements**

2.3.1 *Matters outside of normal business (regional/statewide)*

Regional and statewide partnership agreements will be developed for strategic issues that:

- relate to more than one council;
- are outside of normal business and are unlikely to be delivered through other processes;
- have specific and achievable objectives that are supported by the relevant councils and the State; and
- can be adequately resourced.

2.3.2 *Matters outside of normal business (local)*

Bilateral partnership agreements will only be developed where the State and councils identify a need. Agreements will be developed where issues:

- are unique to a local area and of significant interest to the State and the respective council;
- are outside of normal business and are unlikely to be delivered through other processes;
- have specific and achievable objectives that are supported by both the Council and the State; and
- can be adequately resourced.

Alternative arrangements are proposed to progress issues that do not meet the above criteria (refer to section 2.4 'relationship management'). On this basis, it is anticipated that there will be fewer bilateral partnership agreements than there have been in the past.

2.4 **Relationship management**

Relationship management is the State Government's approach to pro-actively assisting councils to deal with local-level issues. It sees representatives from the Department of Premier and Cabinet's Local Government Division (LGD) working more directly with councils through visits to every council at least twice a year. The purpose of the visits is two-fold:

- to convey to councils information on the activities of LGD and the PLGC; and
- to listen to, and assist in the resolution of, local-level issues faced by councils.

Following each meeting, LGD will work with State departments and councils to resolve the issues raised by councils. Follow up activity might include:

- providing information/feedback to departments on behalf of councils;
- seeking information from departments for reference back to councils;
- providing contact details of appropriate State representatives to councils; and/or
- facilitating meetings between State and council officers.

The relationship management approach replaces the need for a large number of bilateral partnership agreements. In doing so it:

- sees issues dealt with in a more direct manner;
- seeks to increase the flow of information between LGD and councils; and
- reduces the administrative burden on councils and agencies related to partnership agreement development and implementation.

The way LGD interacts with departments will vary. For example, for issues related to the Department of Infrastructure, Energy and Resources, LGD will contact the relationship managers assigned to relevant councils.

2.5 Memoranda of understanding

Memoranda of understanding outline a common intent of the State Government and a council or a group of councils. They deal with defined issues that are outside of normal business. Like partnership agreements, MoUs are not (generally) legally binding and they are used to clarify roles and responsibilities and manage expectations associated with projects and endeavours that are to be undertaken. The key difference between MoUs and partnership agreements is that partnership agreements are signed by the Premier and overseen by ministers. Partnership agreements also detail specific activities to be progressed while MoUs are generally high level.

3 A SUMMARY OF THE COMPONENTS OF THE COLLABORATION FRAMEWORK

The table below summarises how the components of the collaboration framework will support interaction between the State Government and Local Government at all levels. The link between each level is LGD which will provide advice on how issues are best managed.

High-level strategic issues (statewide)	<ul style="list-style-type: none"> • PLGC • Statewide Partnership Agreement on Communication and Consultation
Normal business (statewide)	<ul style="list-style-type: none"> • PLGC • Statewide Partnership Agreement on Communication and Consultation
Matters outside normal business (local ¹ /regional/statewide)	<ul style="list-style-type: none"> • partnership agreements (primarily regional and statewide) • relationship management • PLGC • Memoranda of understanding
Normal business (local)	<ul style="list-style-type: none"> • Relationship management

¹ Bilateral partnership agreements will only be developed for local matters outside of normal business where there is an identified need and where issues are unique to a local area and of significant interest to the State and the respective council.