

30 September 2020

Ms Lyn Beverley
Committee Secretary
Senate Standing Committees on Foreign Affairs, Defence and Trade
Via email: FADT.SEN@aph.gov.au

Dear Ms Beverley

Australia's Foreign Relations (State and Territory Arrangements) Bill 2020

Thank you for the opportunity to make a submission into the Inquiry into Australia's Foreign Relations (State and Territory Arrangements) Bill 2020.

The Australian Local Government Association (ALGA) is the national voice of local government in Australia, representing 537 councils across the country. In structure, ALGA is a federation of State and Territory Local Government Associations. This submission should be read in conjunction with any separate submissions received from State and Territory Associations as well as individual councils.

We note that agreements between local governments and a foreign government entity is captured by the Bill as "non-core foreign arrangements" (those between Australian local governments and public universities, and foreign national governments, foreign regional and local governments and public universities). In addition, that the Act may also capture some activities of the state and territory local government associations and ALGA itself under the subsidiary arrangements entered into under head agreements, including by regulated parties. For example, the Japan Local Government Centre (CLAIR) is an exhibitor at our annual National General Assembly. CLAIR was established in 1988 by the Japanese Ministry of Home Affairs and is a semi-government organisation involving Japanese prefectures and municipalities (regional and grassroots level governments respectively) to help facilitate their various international programs.

Councils welcome clarity and support from the Australian Government and the Department of Foreign Affairs and Trade (DFAT) to ensure that our national interests are protected, and any foreign relationships are transparent. However, we wish to ensure that the implementation of the Act is not an undue burden on Councils or the Department. To this end we *recommend that the Government properly resource DFAT to ensure timely assessment of proposed agreements/arrangements and Ministerial decisions.*

To the best of our knowledge there are at least 37 agreements entered into by local governments that will be scrutinised by the Australian Government (attachment 1). In addition, there is almost 600 sister city affiliations between local councils in Australia and overseas cities. Preliminary discussions with the office of the Minister for Foreign Affairs and Trade indicates that all "sister city relationships" will fall under the Act. Councils across the nation manage multiple competing priorities within limited resources. Councils are exerting a considerable amount of effort on Covid-19 recovery activities and on projects and programs to support their local economic and community wellbeing. Consequently, we would

recommend that consideration be given to extending the deadline for councils to complete a stocktake of current arrangements and notify the Minister (currently proposed to be 6 months).

It has long been apparent to ALGA that there is very little understanding at the Australian Government level of the role local government plays internationally through sister cities and other alliances. With the exception of two policy papers released during the Rudd/Gillard era “Australia in the Asian Century White Paper” and the “Inquiry into the Nature and Conduct of Australia’s Public Diplomacy” government policies at both national and state/territory levels have been for the most part largely indifferent to local government engagement in establishing international relationships, as long as these remain broadly consistent with the priorities of these governments¹.

Councils want to work with the Federal Government and DFAT in the best interests of our communities and our country and recommend that an effective way to ensure this is for the Government to issue *clear guidelines to councils to help their assessment of which agreements/arrangements are covered under the new legislation and also guidelines around issues to be considered and/or avoided in negotiating non-core foreign arrangements.*

In closing I would like to highlight the four prime motivations for local government engaging in international relationships:

- Idealistic (such as the desire to promote peace and reconciliation)
- Political (often linked to broader world developments)
- Economic (development of new business and trade opportunities)
- Capacity building (to strengthen governance)

Please do not hesitate to contact me on (02) 6122 9400 or alga@alga.asn.au if you require further information.

Yours sincerely



Adrian Beresford Wylie
Chief Executive Officer

¹ The Australian Centre of Excellence in Local Government (2015) Sister Cities and International Alliances: Can and should Australian local governments play an expanded role?

Attachment 1 Local Government Arrangements (identified from public sources)

Partner	Subject	Date
New South Wales		
South Korea	MOU between Singleton Council and Dongjak District Council on future collaboration of mutual benefit	2016
Multilateral	International Partnership: C40 Cities network member addressing Multilateral climate change	
Multilateral	International Partnership: Carbon Neutral Cities Alliance	2006
China	MOU between the city of Sydney and Guangzhou, relating to education, trade, culture, business and sustainability	2014
China	MOU on libraries (to support literacy and cultural activities) between the city of Sydney and Guangzhou	2016
China	Business MOU between the city of Sydney and Guangzhou	2016
France	MOU between the Western City and Aerotropolis Authority and SUEZ on resource management, smart city and energy solutions	2019
Victoria		
China	MOU between Mildura City Council and the Wuhan Institute of Technology	2018
China	MOU between City Economy and Activation of City of Melbourne and Tianjin Municipal Tourism Administration	2018
China	MOU of strengthening exchanges and cooperation through overseas Chinese between Tianjin and Melbourne in humanities, trade and other field	2016
China	MOU on collaboration entered into between City of Melbourne and Nanjing	2019
China	MOU of establishing strategic partnership of cooperation for trade and investment between Nanjing Bureau of Commerce and City of Melbourne	2019
China	MOU on innovation and startups cooperation between Nanjing Pukou Hi-Tech Zone, City of Melbourne, Victorian Government Trade and Investment Office, Nanjing, and ACAS	2019
China	MOU between City of Melbourne and Chengdu on Creative Victoria and McClelland Sculpture Park and Gallery	2019
China	MOU establishment of economic partnership between Chengdu and City of Melbourne	2017
China	MOU between Melbourne City and Suzhou city on strengthening cooperation	2019
China	MOU on greater cooperation and exchanges to strengthen business development connections between City of Melbourne and Guangzhou	2003
China	MOU between Ballarat City Council and Yangzhou to strengthen and generate mutual economic, cultural and social benefit	2013
Indonesia	Letter of intent between city government of Bandung, West Java province of the Republic of Indonesia and City of Melbourne concerning city to city cooperation	2019
Japan	MOU between the City of Melbourne and City of Osaka on Main Streets Collaboration and Exchange	2018
Japan	MOU between Ballarat City Council and Inagawa on cultural and educational exchange	2013
India	Strategic alliance between Melbourne City and the National Capital Territory Government of New Delhi to expand relationships with industry associations and business	2008
Timor-Leste	Friendship agreement between Ballarat City Council and Ainaro on the development of educational programs and community development	2003
Timor -	Statement of Principles for Victorian Local Governments Working in East Timor	2000

Leste		
Queensland		
China	MOU between Shanghai Yuexing Group and the Rockhampton Regional Council to further strengthen trade and tourism development opportunities in the Region.	2017
China	MOU between Toowoomba Regional Council and Yuecheng District on the Development of Relationships for Friendly Exchange	2017
China	MOU between Brisbane and Shenzhen Foundation for International Exchange and Cooperation	2015
Vietnam	MOU between the Gold Coast Council and Da Nang City on cooperation and strategic relations	2020
South Australia		
India	MOU between Adelaide and Jaipur on smart cities initiatives	2017
China	MOU between City of Onkaparinga and Luzhou City on cooperation and development	2014
China	MOU for the establishment of a Shandong-South Australian Local Government Economic Development Cooperation Forum	2015
Multilateral	Multilateral International Partnership: Carbon Neutral Cities Alliance (CNCA)	2006
New Zealand	Agreement between Adelaide City Council and Canterbury Chamber Zealand of Commerce	1994
New Zealand	Agreement between Adelaide City Council and Christchurch's Development Corporation	1994
New Zealand	Agreement between Adelaide City Council and Christchurch's Tourism Council	1994
Western Australia		
Taiwan	MOU between Perth and Taipei on furthering Cultural Exchange between Taiwan and Australia	2019
Multilateral	Multilateral World Energy Cities Partnerships	2015

Source: <https://www.abc.net.au/news/2020-08-27/scott-morrison-china-belt-and-road-cancel-state-agreements/12596184> (downloaded 1 September 2020)