

MEMORANDUM OF UNDERSTANDING

Between

**THE COMMONWEALTH OF
AUSTRALIA**

and

THE STATE OF QUEENSLAND

with respect to

**THE CREATION AND OPERATION
OF REGIONAL DEVELOPMENT
AUSTRALIA COMMITTEES
(QUEENSLAND)**

**MEMORANDUM OF UNDERSTANDING
FOR THE CREATION OF
REGIONAL DEVELOPMENT AUSTRALIA COMMITTEES
(QUEENSLAND)**

PARTIES

The Commonwealth of Australia (represented by the Department of Infrastructure, Transport, Regional Development and Local Government)

and

The State of Queensland (represented by the Department of Employment, Economic Development and Innovation)

AGREEMENT

The purpose of this Memorandum is to record the arrangements between, and intentions of, the Commonwealth of Australia and the State of Queensland in relation to the creation and operation of the Queensland Regional Development Australia (QLD RDA) committees. The QLD RDA committees will:

- work with all levels of government to develop a shared understanding at a regional level of regional development issues and priorities;
- provide independent advice to government on the efficacy of the delivery of policies and programs across all levels of government;
- cooperate to improve the coordination and delivery of regional development initiatives;
- deliver strategic input into national programs and help co-ordinate development initiatives at the regional and local level;
- work with all levels of government as a key link organisation to empower communities in regional development activity; and
- participate, where appropriate, in Government place-based responses to economic downturn.

PREAMBLE

A. The Australian Government established a network of Area Consultative Committees (ACCs) in 1994. Since that time their role has evolved from providing advice and generating support for labour market programs, to playing a major role in working with their communities to develop projects that would be successful in attracting funding.

B. Under *Toward Q2: Tomorrow's Queensland*, the Queensland Government is committed to a Queensland that is:

- Strong: We want to create a diverse economy powered by bright ideas;
- Green: We want to protect our lifestyle and environment;
- Smart: We want to deliver world-class education and training;
- Healthy: We want to make Queenslanders Australia's healthiest people;
- Fair: We want to support a safe and caring community.

- C. The Queensland Government has dedicated significant resources to regional development throughout the State. Through its regional development agency, the Department of Employment, Economic Development and Innovation, the Queensland Government works with Queensland's regions to:
- Capture data reflecting the economic, social and environmental base line and trends.
 - Understand factors that support or hinder regional development.
 - Engage with local stakeholders to validate, inform, monitor and progress regional development and planning.
 - Influence the regional development activities of relevant State and Federal agencies.
 - Promote regions as a destination to invest, work, live and visit based on their unique strengths.
 - Lead economic growth through business and industry development planning and strategies.
 - Stimulate innovation capacity and drive increased productivity.
- D. The Queensland Government has a network of Department of Employment, Economic Development and Innovation regional centres across Queensland that undertake business, industry and regional development activities.
- E. On 20 March 2008, the Hon Anthony Albanese MP, Minister for Infrastructure, Transport, Regional Development and Local Government, announced that the ACC network would transition to become local Regional Development Australia committees.
- F. On 30 July 2008 in Broome, the Regional Development Council (RDC) met and approved a core set of principles for aligning the operations of Australian state and territory government regional development organisations.

CORE PRINCIPLES

- G. The following underpinning principles were agreed by the RDC meeting in Broome on 30 July 2008:
1. Integrated arrangements: the Australian, State, Territory and Local Governments will continue to work towards the eventual adoption of more integrated and aligned arrangements for regional engagement and economic development, recognising that alignment is necessarily a long term process;
 2. A commitment to collaboration: where possible, the three levels of government collaborate at the regional level;
 3. Common boundaries: review existing boundaries to align ACCs, Regional Development Organisations (RDOs) and local government boundaries wherever possible;
 4. Acknowledging the differences: regional engagement and economic development structures vary across the Australian Government and States and Territories;

5. The intention for tripartite arrangements: local regional development structures to involve the three spheres of government, including joint membership of committees and governing bodies;
6. Sharing of information: improve information sharing on regional development activities and outcomes;
7. Purpose and role of ACCs and RDOs: work towards a shared purpose;
8. Cross membership: as opportunities arise, work towards a degree of cross membership of committees;
9. Joint funding: where possible collaborate through joint funding of regional development bodies to enable an increase in the scope of their activities; and
10. Co-location: where possible co-locate regional development offices to facilitate better communication and minimise duplication of facilities.

H. This Memorandum is not intended to create legally enforceable obligations on the part of the Parties. This Memorandum is a statement of intent and does not seek to limit the operational independence of the participating organisations.

ARTICLES

1. Definition and Interpretation

- 1.1** In this Memorandum, unless the contrary intention appears:
- **ACC** means an Australian Government Area Consultative Committee;
 - **Chair or Chairs** means Chairperson/s of RDA committees in Queensland;
 - **Memorandum** means Memorandum of Understanding;
 - **Parties** means Parties to this Memorandum of Understanding;
 - **RDA** means Regional Development Australia;
 - **Ministers** means Australian Government Parliamentary Secretary for Regional Development and Northern Australia and the Queensland Minister for Primary Industries, Fisheries and Rural and Regional Queensland;
 - **DITRDLG** means Department of Infrastructure, Transport Regional Development and Local Government
 - **DEEDI** means Department of Employment, Economic Development and Innovation

2. Key Outcomes

- 2.1** The establishment of QLD RDA committees to:
- 2.1.1** create a Queensland network to provide strategic advice to the Australian Government and the Queensland Government;
 - 2.1.2** contribute to developing stronger regional communities through a strong Australian economy, improved infrastructure, a whole of government approach and closer cooperation between levels of government.

- 2.1.3 develop a cooperative culture with improved information sharing;
 - 2.1.4 maximise the impact of funding provided through resource sharing;
 - 2.1.5 implement a nationally co-ordinated approach to developing Australia's regions;
 - 2.1.6 provide a more coordinated service to the community; and
 - 2.1.7 reduce service duplication.
- 2.2 Greater collaboration at a regional level between the Commonwealth and Queensland Governments on regional development priorities and issues by:
- 2.2.1 identifying regional issues and priorities and developing appropriate responses;
 - 2.2.2 responding at a local and regional level to impacts of economic downturn and other significant issues as they emerge;
 - 2.2.3 working together to build upon regional development strengths and opportunities; and
 - 2.2.4 identifying Australian Government and Queensland Government programs, initiatives and other resources relevant to local and regional priorities.

IMPLEMENTATION AND MANAGEMENT

3. The Ministers

- 3.1 The Ministers will:
- 3.1.1 jointly develop policy to establish the QLD RDA committees;
 - 3.1.2 agree on joint projects and activities for the QLD RDA committees; and
 - 3.1.3 inform each other of work programs, funding agreements, outcomes and audits from jointly funded activities.

4. Administration Agencies

- 4.1 The Parties agree that:
- 4.1.1 DITRDLG will be responsible for providing direction and oversight to the RDA committees with respect to Commonwealth Government funding agreements. The responsible Commonwealth contact officer is identified in Section 16.1;
 - 4.1.2 DEEDI will be responsible for providing direction and oversight to the QLD RDA committees with respect to Queensland Government identified deliverables and funding agreements, The responsible DEEDI contact officer is identified in Section 16.2;
 - 4.1.3 DITRDLG and DEEDI will be jointly responsible for providing direction and oversight to the RDA committees for joint funded projects and activities; and
 - 4.1.4 DITRDLG and DEEDI will co-operate in supporting each committee to develop a strategic plan.

5. Implementation

- 5.1** The Parties will formulate a plan for the transition from ACCs to QLD RDA committees. The plan is to be implemented by or before 30 June 2009.
- 5.2** Implementation plans will include but not be limited to:
- 5.2.1** Timing of biannual consultation meetings between the Parties;
 - 5.2.2** Location of QLD RDA committees' premises and out-posted offices;
 - 5.2.3** Development of a QLD RDA committee constitution and code of conduct;
 - 5.2.4** Transition arrangements (including developing procedures for site closures, relocations, funding and establishment);
 - 5.2.5** A transition timeline to commence 15 April 2009 with full integration finalised on or before 30 June 2009;
 - 5.2.6** A selection and recruitment strategy for appointment of Chairs, Deputy Chairs and committee members;
 - 5.2.7** Development of a communication strategy and associated protocols;
 - 5.2.8** A risk mitigation strategy outlining options, should any of the above tasks not be achievable by or before 30 June 2009;
 - 5.2.9** Guidelines for the operation of QLD RDA committees including reporting and due diligence requirements; and
 - 5.2.10** QLD RDA committee boundaries.
- 5.3** The Parties will keep each other informed of progress with implementing the agreed plan.

6. Funding

- 6.1** The Parties understand funding will be provided for the new QLD RDA committees by way of separate funding agreements with each committee in respect of the implementation and ongoing operation of QLD RDA committees.
- 6.2** Funding will be in accordance with this agreement and arrangements set-out in separate funding agreements with the QLD RDA committees.
- 6.3** Funding by the Commonwealth will be paid in accordance with funding agreements with QLD RDA committees.
- 6.4** Funding by the Queensland Government will be in-kind in accordance with this agreement and separate funding agreements with the QLD RDA committees:
- 6.4.1** The Queensland Government's in-kind contribution will include co-location, wherever possible, for up to three RDA personnel per committee, dedicated Queensland Government regional officers that will work with QLD RDA committees on aligned joint activities, and support for aligned state-wide activities associated with the Agreement.
 - 6.4.2** The Queensland Government will also provide a supporting financial contribution through aligning regional activities with regional RDA

priorities, where possible. These aligned activities will represent significant support.

- 6.4.3** Any Queensland Government activities or funding provided is subject to formal Queensland Government approval processes and where applicable, relevant funding criteria.

7. Incorporation

- 7.1** QLD RDA committees will be incorporated under the *Queensland Associations Incorporated Act (1981)*.

8. RDA Committee Appointments

- 8.1** Committee members of the QLD RDA committees will be appointed by the Ministers.
- 8.2** Expressions of Interest for committee member appointments for QLD RDA committees will be publicly advertised.
- 8.3** The Chairs and Deputy Chairs are to be leading members of the community. They and the other committee members are to be drawn from the community, business and government to reflect the economic, social and cultural diversity of the region. The committee members will collectively have a strong understanding of the economic, social and environmental opportunities and challenges facing regional communities.
- 8.4** In making appointments the Ministers may take into account gender, skills balances, cultural and geographic (isolation) factors.

9. RDA Committee Activities

- 9.1** The Parties agree that Queensland RDA committees activities may include:
- 9.1.1** providing advice to Government about regional issues;
 - 9.1.2** providing strategic input into Commonwealth and State government programs;
 - 9.1.3** providing information to regional communities and local government on Commonwealth and State government initiatives;
 - 9.1.4** helping to co-ordinate regional planning and regional development initiatives;
 - 9.1.5** working closely with local governments and other regional organisations;
 - 9.1.6** developing regional development plans including priority issues, projects and actions in collaboration with key regional development stakeholders and drawing on existing plans and priorities;
 - 9.1.7** working with the Queensland Government's Ministerial Regional Community Forums as appropriate to advance key regional priorities;
 - 9.1.8** providing advice to the Queensland Government on regional development priorities which align across three levels of government;

- 9.1.9** promoting and contributing to delivery of the Commonwealth and Queensland Government response to the economic downturn, including:
 - 9.1.9.1** participation in the rapid response team initiative aimed at assisting retrenched workers with reemployment and minimising job losses;
 - 9.1.9.2** provision of strategic intelligence on economic and social regional impacts;
 - 9.1.9.3** identification and promotion of Commonwealth and Queensland Government programs and initiatives that assist workers, businesses and communities;
- 9.1.10** contributing to key Queensland Government regional development activities such as the Centres of Enterprise initiative;
- 9.1.11** working with other regional development organisations within Queensland, particularly those provided funding by the Queensland Government, to maximise regional development outcomes and ensure close alignment with regional priorities, wherever possible; and
- 9.1.12** participating in Commonwealth and State convened RDA meetings.

10. Identifying and Promoting RDA

- 10.1** The Parties agree that:
 - 10.1.1** DITRDLG will take the lead in developing RDA national branding and logo to be used by RDA committees;
 - 10.1.2** DITRDLG will trademark the name and associated logo of RDA and maintain continuing ownership of that name and logo;
 - 10.1.3** RDA committee offices in Queensland will display in a clear and visible place, at the public entrance of RDA premises, agreed RDA signage as prepared and supplied by the Australian Government;
 - 10.1.4** they will nominate RDA to parties external to this Memorandum, as a key advisor to the Australian and Queensland Governments and a key community-based organisation in progressing regional development initiatives in Queensland; and
 - 10.1.5** they will acknowledge in any printed or electronic correspondence or promotional material, the contributions made by the Commonwealth and Queensland Governments toward the establishment and ongoing operation of RDA and any services that RDA may deliver.

11. Cooperative Resource and Workload Management

- 11.1** The Parties will:
 - 11.1.1** consult where appropriate and keep each other informed of their intent to engage QLD RDA committees in activities and the likely resource and workload impacts that the engagement will have on the operations of involved RDA committees;
 - 11.1.2** not enter into contracts with QLD RDA committees that may compromise the capacity of a QLD RDA committee to deliver Ministerially agreed regional development activities as specified in approved operational plans and funding agreements.

12. Joint Projects

- 12.1** The Parties agree that QLD RDA committees may develop and undertake collaborative projects with a Queensland regional development focus, subject to resources being available.
- 12.2** Each Party understands that QLD RDA committees may share and provide feedback on all relevant information regarding the status of joint projects with the other Party, when requested in writing (including email correspondence) by contact officers listed in this Memorandum.

13. Liaison with Australian and Queensland Governments

- 13.1** The Queensland Government will meet at least biannually with the Chairs of the Queensland RDA committees.
- 13.2** DITRDLG will organise an annual national RDA Conference.

GENERAL TERMS AND CONDITIONS

14. Dispute Resolution

- 14.1** In the event of a dispute under this Memorandum, the Contact Officers listed at article 16 will each use their best endeavours to resolve the dispute between them at an operational level.
- 14.2** If the matter is not resolved through negotiations under article 14.1, the dispute will be referred by the Contact Officers nominated under article 16 to the Secretary of DITRDLG and to the Queensland Director-General of DEEDI.

15. Variation or Termination of Memorandum

- 15.1** This Memorandum will remain in force until it is terminated by either Party to this Memorandum upon giving three months written notice to the other party.
- 15.2** Either of the Parties to this Memorandum may, at any time by written notice, agree to vary this Memorandum. Any variation to this Memorandum must be in writing and signed by all Parties to this Memorandum.

16. Contact Officers

16.1 Department of Infrastructure, Transport, Regional Development and Local Government:

Marcus James
General Manager
Regional Policy & Engagement Branch
Local Government and Regional Development Division
Department of Infrastructure, Transport, Regional Development and
Local Government
GPO Box 594
Canberra ACT 2601
Telephone: 02 6274 7234
Fax: 02 6274 7780
Mobile: 0434 566 734
Email: Marcus.James@infrastructure.gov.au

16.2 Department of Employment, Economic Development and Innovation:

Mr Mark Bermingham
Executive Director
Regional Development and Services
Employment, Industry Development and Innovation
Department of Employment, Economic Development and Innovation
PO Box 15168
City East QLD 4002
Telephone: 07 3404 3591
Fax: 07 3224 7960
Mobile: 0412 105 275
Email: Mark.Bermingham@dtrdi.qld.gov.au

IN WITNESS WHEREOF this Memorandum has been signed on behalf of the

Parties on the dates below:

SIGNED for and on behalf of
THE COMMONWEALTH OF AUSTRALIA

by
the

-) The Hon Gary Gray MP
-) Parliamentary Secretary for
-) Regional Development and
-) Northern Australia
-) Australian Government

of the

.....
Signed

.....
Date

In the Presence of:

..... [WITNESS' SIGNATURE]

..... [PRINTED NAME OF
WITNESS]

SIGNED for and on behalf of
THE STATE OF QUEENSLAND

By

-) The Honourable Anna Bligh MP
-) Premier and
-) Minister for the Arts of the
-) Queensland Government

.....
Signed

.....
Date

In the Presence of:

..... [WITNESS' SIGNATURE]

..... [PRINTED NAME OF
WITNESS]