

MEMORANDUM OF UNDERSTANDING

between

THE AUSTRALIAN GOVERNMENT

and

THE GOVERNMENT of VICTORIA

with respect to

**THE FORMATION AND
OPERATION OF
REGIONAL DEVELOPMENT
AUSTRALIA (VICTORIA)**

**MEMORANDUM OF UNDERSTANDING
FOR THE FORMATION OF
REGIONAL DEVELOPMENT AUSTRALIA (VICTORIA)**

1. PARTIES

- 1.1 The Australian Government, represented by the Department of Infrastructure, Transport, Regional Development and Local Government (DITRD&LG)

and

The Government of Victoria, represented by the Victorian Department of Innovation, Industry and Regional Development (DIIRD).

2. AGREEMENT

- 2.1 The purpose of this Memorandum is to record the arrangements between, and intentions of, the Australian Government and the Victorian Government in relation to the creation and operation of the Regional Development Australia (RDA) Victoria committees. The RDA Victoria committees will:
- 2.1.1 work with all levels of government to develop a shared understanding at a regional level of regional development issues and priorities;
 - 2.1.2 provide independent advice to all levels of government on the efficacy of the delivery of their policies and programs;
 - 2.1.3 cooperate to improve the coordination and delivery of regional development initiatives;
 - 2.1.4 deliver strategic input into national programs and help co-ordinate development initiatives at the regional and local level;
 - 2.1.5 work with all levels of government as a key link organisation to empower communities in regional development activity; and
 - 2.1.6 participate, where appropriate, in Government place-based responses to economic downturn.
- 2.2 This Memorandum intends to support the adoption of more integrated and aligned arrangements for regional engagement and economic development between the Australian and Victorian Governments through RDA committees in Victoria.
- 2.3 The Parties acknowledge that this Memorandum is solely for the purpose of a commitment to collaboration on regional and economic development in Victoria and for no other purpose.
- 2.4 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 Parties.

3. DEFINITIONS

3.1 Definition and Interpretation

3.1.1 In this Memorandum, unless the contrary intention appears:

- a) **ACC** means an Australian Government Area Consultative Committee;
- b) **Administration Agencies** means DITRD&LG and DIIRD
- c) **Chair or Chairs** means Chairperson/s of RDA committees in Victoria;
- d) **Commonwealth** means Commonwealth of Australia;
- e) **Memorandum** means Memorandum of Understanding;
- f) **Parties** means parties to this Memorandum of Understanding;
- g) **RDA** means Regional Development Australia;
- h) **RDC** means Regional Development Council;
- i) **RDV** means Regional Development Victoria;
- j) **RDO** means State/Territory Government regional development organisation;
- k) **Ministers** means the Australian Government Parliamentary Secretary for Infrastructure, Transport, Regional Development and Local Government and the Victorian Minister for Regional and Rural Development;
- l) **DIIRD** means the Victorian Department of Innovation, Industry and Regional Development;
- m) **DITRD&LG** means the Department of Infrastructure, Transport, Regional Development and Local Government;
- n) **RDANAC** means the Regional Development Australia National Advisory Committee.

4. BACKGROUND

- 4.1 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.
- 4.2 The Victorian Government established Regional Development Victoria in 2003 as a statutory body administratively attached to DIIRD dedicated to facilitate economic and community development in rural and regional Victoria.
- 4.3 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 RDA committees.

- 4.4 On 30 July 2008 in Broome, the Regional Development Council (RDC) met and approved a core set of principles for aligning the operations of RDA to Australian state and territory government regional development organisations.

5. CORE PRINCIPLES

- 5.1 The following underpinning principles were agreed by the RDC at the meeting in Broome. These principles guide the establishment and ongoing operation of the RDA network and individual committees. The Parties recognise that, given jurisdictional differences, these principles will be applied to this Memorandum as appropriate to the circumstances of the state of Victoria:

- 5.1.1 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;
- 5.1.2 A commitment to collaboration: where possible, the three levels of government collaborate at the regional level;
- 5.1.3 Common boundaries: review existing boundaries to align ACCs, RDO and local government boundaries wherever possible;
- 5.1.4 Acknowledging the differences: regional engagement and economic development structures vary across the Australian Government and States and Territories;
- 5.1.5 The intention for tripartite arrangements: local regional development structures to involve the three tiers of government, including joint membership of committees and the RDANAC;
- 5.1.6 Sharing of information: improve information sharing on regional development activities and outcomes;
- 5.1.7 Purpose and role of ACCs and RDOs: work towards a shared purpose;
- 5.1.8 Cross membership: as opportunities arise, work towards a degree of cross membership of committees;
- 5.1.9 Joint funding: where possible collaborate through joint funding of regional development bodies to enable an increase in the scope of their activities; and
- 5.1.10 Co-location: where possible co-locate regional development offices to facilitate better communication and minimise duplication of facilities.

6. KEY OUTCOMES

- 6.1 The establishment of RDA Victoria committees is intended to:
- 6.1.1 create a Victorian network to provide strategic advice to the Australian and Victorian Governments;
 - 6.1.2 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;
 - 6.1.3 reduce service duplication;
 - 6.1.4 develop a cooperative culture with improved information sharing;

- 6.1.5 maximise the impact of funding provided through resource sharing;
 - 6.1.6 implement a nationally co-ordinated approach to developing Australia's regions; and
 - 6.1.7 provide a more coordinated service to the community.
- 6.2 It is intended that the RDA Victoria committees will assist greater collaboration at a regional level between the Commonwealth, Victorian and local Governments on regional development priorities and issues through:
- 6.2.1 identifying regional issues and priorities and developing appropriate responses;
 - 6.2.2 responding at a local and regional level to impacts of economic conditions and other significant issues as they exist and emerge;
 - 6.2.3 working together to build upon regional comparative advantages, challenges and opportunities as identified in regional strategic plans and through community engagement activities; and
 - 6.2.4 identifying Australian Government and Victorian Government programs, initiatives and other resources relevant to local and regional priorities.
- 6.3 The proposed roles and functions of RDA in Victoria:
- 6.3.1 DITRD&LG, DIIRD and RDANAC service delivery:
 - a) Deliver activities detailed in any funding agreement established between the Australian and Victorian Governments for the delivery of RDA;
 - b) Respond to requests initiated by DITRD&LG, DIIRD and the RDANAC to undertake activities; and
 - c) Work closely with Local Government and other regional organisations.
 - 6.3.2 Advice, consultation and community engagement:
 - a) Advise on community infrastructure;
 - b) Advise on regional issues and opportunities;
 - c) Advise on implementation of specific Australian and Victorian Government initiatives in the region, as requested;
 - d) Advise on the adequacy of service delivery in the region;
 - e) Advise on social inclusion issues;
 - f) Advise on ways to improve the efficiency, effectiveness and coordination of government regional initiatives;
 - g) Identify and advise on any unique local attributes that would favour the development of new and innovative industries;
 - h) Provide strategic input into Commonwealth and Victorian Government programs impacting on regions;
 - i) Provide information to regional communities and local government on Commonwealth and Victorian government initiatives;
 - j) Undertake ad-hoc consultations on behalf of Commonwealth and Victorian agencies when a regional network is required;

- k) Build networks and relationships with all levels of government and key stakeholders in the region;
- l) Promote initiatives to retain and expand skills and local businesses and industries;
- m) Provide a two way conduit for information and advice between communities and government; and
- n) Engage with all levels of government, regional stakeholders and communities in developing solutions to regional needs and priorities to facilitate economic development planning and investment attraction.

6.3.3 Whole of government activities:

- a) Provide a first point of contact for agency consultations;
- b) Provide a first-stop-shop for Australian and Victorian Government services/programs;
- c) Contribute to other national agendas from a regional perspective (e.g. social inclusion, climate change); and;
- d) Administer third party contracts for other agencies as appropriate.

6.3.4 Promotion of Government programs and initiatives:

- a) Provide information to regional stakeholders about government programs, particularly regional;
- b) Promote initiatives to retain and expand skills and local businesses and industries, to assist regions to smoothly transition to sustainable, productive and liveable regions;
- c) Identify and assist in the development of regional projects;
- d) Provide advice/assistance with leveraging additional funding towards regional projects through the identification of opportunities to better co-ordinate public investment strategies; and
- e) Provide relevant advice on applications/applicants to assessors in DITRD&LG and DIIRD (as required) and, where appropriate, to other government agencies.

6.3.5 Regional and community development:

- a) Facilitate economic development planning and investment attraction;
- b) Provide regional advocacy;
- c) Provide support and training;
- d) Provide network building and leadership development;
- e) Act as solution brokers; and
- f) Act as partnership brokers.

6.3.6 Strategic Planning:

- a) In collaboration with the established regional strategic planning leadership groups in provincial Victoria, support the implementation and ongoing development of existing regional plans and planning processes through:

- i. Facilitating and encouraging broad stakeholder and community engagement within the planning process;
- ii. Assist with the development of a regional evidence base;
- iii. Participating in the identification and agreement of regional priorities;
- iv. Providing input into the ongoing development of regional plans;
- v. Advising State and Australian Government on alignment of funding and investment proposals with the regional plans;
- vi. Supporting the implementation of the regional plans including communication and associated marketing and the monitoring of outcomes;
- vii. Contributing to the periodic review of the regional plans; and
- viii. Capturing knowledge and share information to support iterative planning activity.

6.3.7 The proposed strategic planning role for metropolitan RDA committees will be to provide input to any revisions of the Melbourne 2030 Plan - a 30-year plan to manage growth and change across metropolitan Melbourne and contribute to any other major planning process impacting the future development of the region.

6.3.8 Reporting to DITRD&LG and DIIRD:

- a) Develop and agree an annual work plan; and
- b) Report annually against agreed milestones/performance indicators and expenditure as outlined in RDA Operational Funding Agreement between the Australian and Victorian governments.

7. MANAGEMENT

7.1 The Ministers

7.1.1 The Ministers will:

- a) develop policy for the delivery of RDA Victoria via the RDV;
- b) agree on joint projects and activities for the RDA network;
- c) inform each other of work programs, funding agreements, outcomes and audits from jointly funded activities.

7.2 Administration Agencies

7.2.1 DIIRD will be the administering agency for the RDA network in Victoria, which will be delivered through the portfolio arm of RDV.

7.2.2 DIIRD in consultation with DITRD&LG will be responsible for providing direction and oversight to the RDA network and will do so in accordance with the RDA Operational Funding Contract established between the Australian Government and DIIRD.

- 7.2.3 RDV undertakes to consider any request to enter into third party agreements with other Australian Government agencies to deliver services when such a request is received from the RDNAC or DITRD&LG.
- 7.2.4 DITRD&LG will have direct communication with and access to RDA Victoria committees through the appointed Executive Officer.
- 7.2.5 Administrative agencies will be jointly responsible for providing direction and oversight to the RDA Victoria committees for joint funded projects and activities.
- 7.2.6 The Administrative Agencies will co-operate in supporting each committee to develop a strategic work plan.

8. IMPLEMENTATION

- 8.1 Closure of the current 12 ACCs in Victoria and creation of 9 new RDA Victoria committees based on the Victorian administrative boundaries as follows:
 - 8.1.1 four RDA committees in metropolitan Melbourne, with two each aligned to the administrative boundaries of Eastern Metropolitan and Southern Metropolitan Region respectively, and two within the Northern and Western Metropolitan region as per Schedule One;
 - 8.1.2 five RDA committees in Provincial Victoria aligned to the Victorian Government administrative boundaries as per Schedule Two;
 - 8.1.3 where possible, co-locate RDA committees with RDV offices in Provincial Victoria and with Victorian Business Centres in metropolitan Melbourne; and
 - 8.1.4 maintain where possible the number of shop fronts as currently exists for RDV and additionally in locations where an ACC previously existed but no RDV currently exists.
- 8.2 The Parties will formulate a plan for the delivery of RDA by RDV and DIIRD. The plan is to be implemented by 30 June 2009 or as soon as possible thereafter.
- 8.3 Implementation plans will include but not be limited to:
 - 8.3.1 Timing of bi-annual consultation meetings between the Parties;
 - 8.3.2 Location of RDA committees' premises;
 - 8.3.3 A transition timeline with full integration finalised by 31 August 2009;
 - 8.3.4 A risk mitigation strategy outlining options, should any of the above tasks not be achievable by or before 31 August 2009;
 - 8.3.5 Guidelines for the operation of RDAs including reporting, key performance indicators and due diligence requirements including code of conduct; and
 - 8.3.6 RDA Victoria boundaries as per Schedules One and Two.
- 8.4 The Parties will keep each other informed of progress in implementing the agreed plan.

9. FUNDING

- 9.1 The Parties will establish an administrative framework under which a reasonable level of resourcing for the network will be maintained for the new RDA committees in Victoria;
- 9.2 The Australian Government will provide funding to DIIRD for the implementation and ongoing operation of the new RDA committees by way of an operational funding agreement; and
- 9.3 The Victorian Government will provide operating funds of \$5.6 million per annum across metropolitan and regional RDV offices.

10. RDA COMMITTEE APPOINTMENTS

- 10.1 Expressions of Interest for the appointment of RDA committee members will be publicly advertised.
- 10.2 Committee Members will be appointed by the Ministers.
- 10.3 It is intended that ten members will be appointed to each Victorian RDA committee, with at least three representing local government.
- 10.4 Committee appointments will be for up to three years.
- 10.5 Ministers will make their best endeavours to reach agreement in selecting committee members.
- 10.6 Where Ministers cannot reach agreement in the appointment of RDA committee Chairs or Deputies, the Ministers will alternately make selections. The Parliamentary Secretary for Infrastructure, Transport, Regional Development and Local Government will make the selection in the first such instance.
- 10.7 Where Ministers cannot reach agreement in selecting an RDA's committee members, other than RDA committee Chairs and Deputies, each Minister will appoint four committee members.
- 10.8 In making appointments the Ministers may consider:
 - 10.8.1 gender;
 - 10.8.1 skills;
 - 10.8.2 demonstrated community leadership;
 - 10.8.3 cross sectoral diversity; and
 - 10.8.4 private-sector and community representation.
- 10.9 Chairs and Deputy Chairs are to be leading members of the community. They and their committee members are to be drawn from the community, business and government to reflect the economic, social and cultural diversity of the region. These members will collectively have a strong understanding of the

economic social and environmental opportunities and challenges facing regional communities.

- 10.10 The Victorian Government will support the nomination of a member from the Victorian Regional Development Advisory Committee for each Provincial Victoria region.
- 10.11 The positions will be voluntary and out of pocket expenses will be reimbursed.
- 10.12 The Committee will invite special attendees to join the committee from time to time where specific issues demand additional expertise or perspectives not available through regular membership.

11. RDA COMMITTEE MEETINGS

- 11.1 RDA Committees will have the capacity to conduct committee meetings as and when necessary.
- 11.2 RDA Committees will have the capacity to conduct meetings relating to their role in community and economic development and in relation to tasks assigned by the RDANAC, DITRD&LG and DIIRD. Funding and secretariat support will be provided by RDV.

12. IDENTIFYING AND PROMOTING RDA

- 12.1 The Parties agree:
 - 12.1.1 DITRD&LG will take the lead in developing RDA national branding and the logo to be used by RDA committees;
 - 12.1.2 to work toward, where possible, co-badging of RDA Victoria premises to allow the display of both RDA and RDV signage;
 - 12.1.3 RDV offices in Victoria 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;
 - 12.1.4 they will nominate RDA to parties external to this Memorandum, as a key advisor to the Australian and Victorian Governments and the key community-based organisations in progressing regional development initiatives in Victoria;
 - 12.1.5 they will acknowledge in any printed or electronic correspondence or promotional material, the contributions made by the Australian and Victorian Government toward the establishment and ongoing operation of RDA and any services that RDA may deliver; and
 - 12.1.6 DITRD&LG will trademark the name and associated logo of RDA and maintain continuing ownership of that name and logo.

13. COOPERATIVE RESOURCE AND WORKLOAD MANAGEMENT

- 13.1 The Parties will consult where appropriate and keep each other informed of their intent to engage RDA committees in activities and the likely resource and

workload impacts that the engagement will have on the operations of involved RDA committees.

14. JOINT PROJECTS

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

15. LIAISON WITH AUSTRALIAN AND VICTORIAN GOVERNMENTS

- 15.1 The Victorian Government will meet at least three times per year with the Chairs of the RDA Victoria committees; and
- 15.2 It is intended that DTRD&LG will organise an annual national RDA Conference.

16. GENERAL TERMS AND CONDITIONS

- 16.1 Negation of Employment, Partnership and Agency
 - 16.1.1 No Parties nor their partners, employees or agents will, by virtue of this Memorandum, be or for any purpose be deemed to be a partner, employee or agent of the other Party.
- 16.2 Dispute Resolution
 - 16.2.1 In the event of a dispute under this Memorandum, the Contact Officers listed in this Memorandum will each use their best endeavours to resolve the dispute between them at an operational level;
 - 16.2.2 If the matter is not resolved through further negotiations, the dispute will be referred by the senior officers nominated in this Memorandum to the Secretary of DTRD&LG and to the Secretary of DIIRD.
- 16.3 Variation or Termination of Memorandum
 - 16.3.1 This Memorandum will remain in force until it is terminated by any Party to this Memorandum upon giving three months written notice to the other Parties.
 - 16.3.2 Any 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.

16.4 Contact Officers

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

Marcus James
General Manager
Regional Policy & Engagement Branch
Local Government and Regional Development Division
GPO Box 594
Canberra ACT 2601
Telephone: 02 6274 7234
Fax: 02 6274 7780
Mobile: 0434 566 374
Email: marcus.james@infrastructure.gov.au

16.4.2 Victorian Department of Innovation, Industry and Regional Development:

Justin Hanney
Chief Executive
Regional Development Victoria
Department of Innovation, Industry and Regional Development
GPO Box
Melbourne 3001
Telephone: 03 9651 9327
Fax: 03 9651 9517
Mobile: 0427 382 141
Email: justin.hanney@rdv.vic.gov.au

**IN WITNESS WHEREOF the parties have executed this Memorandum on the
dates below:**

SIGNED for and on behalf of
THE AUSTRALIAN GOVERNMENT

by
the

) The Hon Maxine McKew MP
) Parliamentary Secretary for
Infrastructure, Transport,
Regional Development and
Local Government
) Australian Government

of the

.....
Signed

.....
Date

In the Presence of:

..... [WITNESS' SIGNATURE]

..... [PRINTED NAME OF
WITNESS]

SIGNED for and on behalf of
THE VICTORIAN GOVERNMENT

by
the

) The Hon Jacinta Allan MP
) Minister for Regional
and Rural Development
) Victorian Government

of the

.....
Signed

.....
Date

In the Presence of:

..... [WITNESS' SIGNATURE]

..... [PRINTED NAME OF
WITNESS]

SCHEDULE ONE

Eastern Metropolitan

- City of Boorondara
- Knox City Council
- Manningham City Council
- Maroondah City Council
- Monash City Council
- City of Whitehorse
- Yarra Ranges Shire Council

Southern Metropolitan

- Bayside City Council
- Cardinia Shire Council
- City of Casey
- Glen Eira City Council
- Frankston City Council
- City of Greater Dandenong
- City of Kingston
- Mornington Peninsula Shire
- City of Port Phillip
- City of Stonnington

Northern and Western Metropolitan:

Northern

- Banyule City Council
- City of Darebin
- Hume City Council
- Moreland City Council
- Nillumbik Shire Council
- City of Whittlesea
- City of Yarra

Western

- Brimbank City Council
- Hobsons Bay City Council
- Maribyrnong City Council
- City of Melbourne
- Melton Shire Council
- Moonee Valley City Council
- Wyndham City Council

SCHEDULE TWO

Barwon South West

Local Councils

- Colac-Otway Shire Council
- Corangamite Shire Council
- Glenelg Shire Council
- Greater Geelong City Council
- Moyne Shire Council
- Borough of Queenscliffe
- Southern Grampians Shire Council
- Surf Coast Shire Council
- Warrnambool City Council

Gippsland

Local Councils

- Bass Coast Shire Council
- Baw Baw Shire Council
- East Gippsland Shire Council
- LaTrobe City Council
- South Gippsland Shire Council
- Wellington Shire Council

Alpine Resorts within the meaning of the Alpine Resorts Act 1983

- Mount Baw Baw Alpine Resort

Grampians

Local Councils

- Ararat Rural City Council
- Ballarat City Council
- Golden Plains Shire Council
- Hepburn Shire Council
- Hindmarsh Shire Council
- Horsham Rural City Council
- Moorabool Shire Council
- Northern Grampians Shire Council
- Pyrenees Shire Council
- West Wimmera Shire Council
- Yarriambiack Shire Council

Hume

Local Councils

- Alpine Shire Council
- Benalla Rural City Council
- Greater Shepparton City Council
- Indigo Shire Council
- Mansfield Shire Council
- Mitchell Shire Council
- Moira Shire Council

- Murrindindi Shire Council
- Strathbogie Shire Council
- Towong Shire Council
- Wangaratta Rural City Council
- Wodonga City Council

Alpine Resorts within the meaning of the *Alpine Resorts Act 1983*

- Falls Creek Alpine Resort
- Lake Mountain Alpine Resort
- Mount Buller Alpine Resort
- Mount Hotham Alpine Resort
- Mount Stirling Alpine Resort

Loddon Mallee

Local Councils

- Buloke Shire Council
- Campaspe Shire Council
- Central Goldfields Shire Council
- Gannawarra Shire Council
- Greater Bendigo City Council
- Loddon Shire Council
- Macedon Ranges Shire Council
- Mildura Rural City Council
- Mount Alexander Shire Council
- Swan Hill Rural City Council