

Southern Downs Regional Council



Southern Downs
REGIONAL COUNCIL

and

Tenterfield Shire Council



Memorandum of Understanding

Cross Border Collaborative Working Arrangement

December 2023

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1. Introduction

This MoU document seeks to formalise the shared vision of a commitment to working together for the betterment of the border region local government areas of Southern Downs Regional Council and Tenterfield Shire Council.

This document also seeks to support the objectives and outcomes contained in the 2016 - 19 Statement of Principles and Priorities for Cross-border Collaboration between the Queensland and New South Wales governments¹.

This MoU has been developed to advance the following objectives:

- i. A commitment to working collaboratively to achieve outcomes for the betterment of both Councils and their respective local government areas;
- ii. Seek to promote efficient and effective service delivery of 'Border communities';
- iii. Develop a shared advocacy on the BROC 'Strategic Priority Areas' (SPA).

The BROC Strategic Priority Areas (SPA):

- 1 ECONOMIC DEVELOPMENT & TOURISM
 - Industry
 - Digital Connectivity
 - Tourism
- 2 LIVEABILITY
 - Health
 - Housing
 - Education
 - Policing/Crime Prevention
- 3 INFRASTRUCTURE
 - Road Network
 - Transport
 - Water Security, Urban & Waste Water
- 4 DISASTER MANAGEMENT
 - Agency Coordination
 - Biosecurity

¹ <https://www.premiers.qld.gov.au/about-us/what-we-do/assets/qld-nsw-mou-2016-2019.pdf>

2. Background

Both QLD and NSW Councils have a limited history of working collaboratively on various joint projects across their Shire footprints. This is particularly relevant to Southern Downs Regional Council (SDRC) and Tenterfield Shire Council (TSC). SDRC and TSC entered into a Strategic Alliance in 2013 and it is recognised that this alliance needs to be reviewed and updated to reflect contemporary issues if mutual interest and collaboration.

This MoU signals a heightened commitment from the parties to strengthen the linkages that exist between border communities.

3. Purpose

3.1 This MoU establishes the collaborative working arrangements approach between Southern Downs Regional Council and Tenterfield Shire Council. It builds on the Parties existing commitment to working collaboratively for the betterment of both Councils and recognises the history of shared responsibility and the importance of a continued strong partnership.

3.2 This MoU sets out the framework for both Parties.

3.3 Both Parties seek from this MoU:

- i. **Collaboration:** a collaborative approach to delivering agreed projects and services.
- ii. **Cooperative partnership:** an understanding of the roles, responsibilities and obligations of the Parties.
- iii. **Service delivery:** sharing services to strengthen community capability.
- iv. **Value for money:** the cost-effective use of resources devoted to the management and support of projects and activities.
- v. **Accountability:** integrated decision-making with clearly defined roles and responsibilities
- vi. **Efficiency:** avoid duplication and conflict between the provision of services.
- vii. **Transparency:** information sharing in relation to agreed projects and activities.

3.4 Any prior obligation, whether financial or otherwise, of either Party, shall continue in the same manner as was the case prior to this MoU. This MoU does not create any additional financial commitment on the parties. Furthermore, it is acknowledged that each party shall continue to prioritise their own communities.

3.5 This MoU does not constitute or create any legally binding or enforceable obligations on the part of either Party.

3.6 The Parties are expected to always act in good faith during the term of this MoU.

4. Commencement and Duration

The MoU will commence the date both Parties have signed and remain valid for a period of four (4) years, with a review after two (2) years or until either party has significant changes to the Agreement.

5. Collaborative Working Arrangement – Strategic Priority Areas (SAP) - Activities

Southern Downs Regional Council and Tenterfield Shire Council agree to the following activities forming the basis of this MoU:

5.1 ECONOMIC DEVELOPMENT & TOURISM

- Industry
- Digital Connectivity
- Tourism

Both Southern Downs Regional Council and Tenterfield Shire Council agree to:

- i. Work together to examine economic development & tourism needs of residents and determine if there are any service gaps in the border communities;
- ii. Develop a joint advocacy position on strategies to address these identified services gaps;
- iii. Consider and if appropriate support industry proposals that seek to enhance the economic outcomes of the border region;
- iv. Jointly apply for or support each other parties' applications for grants to deliver economic outcomes for the border region's communities.

5.2 LIVEABILITY

- Health
- Housing
- Education
- Policing/Crime Prevention

Both Southern Downs Regional Council and Tenterfield Shire Council agree to:

- i. Work together to examine the liveability needs of residents and determine if there are any service gaps in the border communities;
- ii. Develop a joint advocacy position on improved delivery of services in the border communities.

5.3 INFRASTRUCTURE

- Road Network
- Transport
- Water Security, Urban & Waste Water

Both Southern Downs Regional Council and Tenterfield Shire Council agree to:

- i. Examine opportunities to utilise shared contract arrangements for the efficient and effective delivery of services to the border communities;
- ii. Review service delivery including general maintenance and procurement to gain efficiencies and cost savings in the border regions; and
- iii. Advocate together on behalf of the region with respect to the proposed long-term program of infrastructure upgrade works.

5.4 DISASTER MANAGEMENT

- Agency Coordination
- Biosecurity

Both Southern Downs Regional Council and Tenterfield Shire Council agree to:

- i. Work together to respond and recover from disaster events;
- ii. Proactively work together to inform the travelling public of road closures due to disaster events;
- iii. Share and disseminate emergency information during response and recovery phases;
- iv. Participate in respective Local Disaster Management Group meetings;
- v. Advocate for a Cross Border Disaster Management Framework; and
- vi. Develop a joint advocacy position on any identified services gaps.

6. Intellectual Property

6.1 Unless expressly provided, nothing in this MoU has the effect of transferring any intellectual property owned or created by either Party, to the other Party.

7. Confidential Information

7.1 The Parties agree unless expressly authorised in writing by the other Party or required by law, confidential information will not be disclosed to any third party.

7.2 The Parties understand they are bound by privacy laws applicable to them in their respective jurisdictions.

8. Costs

8.1 The Parties agree expenses associated with the implementation of this MoU and compliance with any legislative requirements remains the responsibility of each Party.

8.2 Should costs be incurred that are otherwise not considered by this MoU or the legislative provisions the responsibility for these costs will be subject to negotiation between the Parties.

9. Review and Variation

9.1 The MoU may be varied by agreement between the Parties in writing.

9.2 It will be sufficient evidence of any agreement to vary a schedule to the MoU if the Parties execute and date a document purporting to be a substitute schedule.

9.3 The Parties agree to review the content of the MoU 12 months from the commencement date, and thereafter annually on the anniversary of the initial review, or at such other time as may be agreed by the Parties.

10. Termination

10.1 Either party may, at any time, withdraw from this MoU without legal consequence by providing 30 days written notice to the other party.



11. Definitions

Word or phrase	Definition
MoU	Memorandum of Understanding
SPA	Strategic Priority Areas



12. Signatures

Signed by the Parties on the dates set out below:

SIGNED for Southern Downs Regional Council by its duly authorised representative, in the presence of:

	
Signature of representative	Signature of witness
Mayor Vic Pennisi	Dave Burges
Name of representative (BLOCK LETTERS)	Name of witness (BLOCK LETTERS)
12 March 2024	
Date signed	

SIGNED for Tenterfield Shire Council by its duly authorised representative, in the presence of:

	
Signature of representative	Signature of witness
BRONNTIN PETRIE (MAYOR)	KERRY HADDOCK
Name of representative (BLOCK LETTERS)	Name of witness (BLOCK LETTERS)
19 MARCH 2024	
Date signed	