

# Australian Capital Territory and New South Wales Memorandum of Understanding for Regional Collaboration



Australian Capital Territory Government

New South Wales Government

December 2011

## Introduction

On 27 September 2011, the ACT Chief Minister, Katy Gallagher MLA and the NSW Premier, The Hon. Barry O'Farrell MP **agreed** to strengthen collaboration between the two jurisdictions to optimise regional outcomes and service delivery to the people of the ACT and surrounding South East NSW region. Closer collaboration would allow for a regional approach in the areas of health, education, transport, emergency services, justice, tourism, planning and economic development.

This agreement builds on the long history of collaboration between the two jurisdictions and replaces the ACT-NSW Regional Management Framework 2006. It applies to the Australian Capital Territory and the Local Government Areas (LGA's) in South East NSW (hereafter referred to as ACT-South East NSW region).

The First Ministers **agreed** that the arrangements formalised through this Memorandum of Understanding (MoU), would:

- encompass the ACT and NSW Government services that impact on the ACT-South East NSW region; and
- be used to resolve cross border matters in the region and plan for better ways to provide government services.

## Rationale

The ACT and NSW enjoy a close relationship as a result of unique cross border circumstances. Canberra's location in the centre of the South East Region renders it the principal service centre for the surrounding LGAs in NSW. The ACT Government acknowledges the importance of the South East Region and is keen to optimise the potential of this area by working closely and collaboratively with the NSW Government.

Enhanced cross border collaboration across a range of issues has long been a focus of the two jurisdictions. The Regional Management Framework (RMF) agreed in 2006 and the staging of the Regional Leaders' Forum (RLF) from 1995 reflect this focus. More recently the establishment of the South East Regional Organisation of Councils (SEROCC), and the network of Regional Development Australia (RDA) Boards have added a further dimension to regional engagement and opportunities for collaboration.

Sustained population growth, continued economic interdependencies and the complex issues of service delivery have given rise to a new set of relationship drivers within the broader South East Region. Promoting targeted service delivery, sustainable regional growth and future economic prospects offered by infrastructure investments are important priorities for both jurisdictions. These priorities will be supported by an agreed Strategic Regional Direction Statement for the ACT-South East NSW region.

The NSW and ACT Governments consider that enhanced engagement will have a range of benefits including:

- enabling cooperative leadership and management of strategic growth issues in key population centres throughout the ACT-South East NSW Region;
- encouraging productive, effective and collaborative approaches to addressing cross-border and regional issues; and
- recognising the mutual interdependencies in service delivery, economic development and resource management.

## **Terms of Reference**

The ACT-NSW MoU for Regional Collaboration will facilitate:

- identification of key regional issues that impede efficient and consistent service delivery to communities, where attempts to resolve such issues at a local level have been unsuccessful, or where a strategic government-to-government approach is required;
- examination and prioritisation of regional issues for consideration;
- consultation with communities, business and industry groups within the Region as well as key NSW and ACT Ministers, local government, government agencies at all levels and recognised regional organisations (such as Regional Development Australia Boards and Regional Organisations of Councils); and
- the development and implementation of proposals for policy change, planning and service delivery initiatives.

## **Objectives**

The MoU is based on the following objectives for the ACT and NSW Governments:

- fostering a closer working environment between the two governments;
- advancing issues within the broader South East Region and improving policy development and service delivery in both jurisdictions;
- establishing adequate consultation and notification mechanisms between the State, Territory and local governments within the Region;
- developing a process for identifying and dealing with impediments to coordination;
- establishing mechanisms to identify and address potential issues before they escalate; and
- developing a methodology for a new long term model of strategic regional management and cooperation.

## Priority Actions

The ACT and NSW Governments agree that the **priority actions** under this MoU in the first instance include:

### *Strategic Regional Direction and Priorities*

- develop a Strategic Regional Direction Statement that articulates the opportunities and priorities for maximising economic development;
- consider the establishment of an alliance with key regional development stakeholders, including the Regional Development Australia Boards and Regional Organisation of Councils operating within the broader South East Region, along with the Canberra Urban and Regional Futures; and
- identify a mechanism to engage such an alliance in the preparation of a joint regional economic development plan.

### *Landuse Planning and Infrastructure*

- identify a mechanism to deliver collaborative strategic land use and growth related infrastructure planning across the broader South East Region; and
- once agreed by the First Ministers, develop a new strategic plan for land use and infrastructure requirements reflecting the unique characteristics of the region and taking into account the Draft ACT Planning Strategy and the review of Sydney-Canberra Corridor Regional Strategy.

### *Integrated Service Planning, initially focussing on the health and education sectors:*

- establish a common information base on the trends in demographics and population for the South East region of NSW and the ACT;
- map current and anticipated future service demand;
- support discussions about where future services should be located;
- identify appropriate sequencing of strategic infrastructure; and
- examine cost sharing arrangements.

The preparation of indicative work plans will guide the activities for the priority areas.

## The MoU in Operation: Roles and Responsibilities

Recognising the need to identify the roles and responsibilities of the ACT and NSW Governments under this MoU, it is agreed that:

- First Ministers' agencies will serve as the key contacts and respective secretariats with regard to this MoU and any matters contained within;
- Taskforces will be convened as necessary to consider specific issues and make recommendations to the First Ministers;
- State and Territory Ministers and their agencies remain responsible for the delivery and planning of State and Territory services; and
- Government ministers and their agencies may refer matters to their respective First Ministers' agencies where appropriate.

## Status of the Memorandum of Understanding

The ACT and NSW Governments acknowledge the MoU provisions are not legally enforceable but rely on the spirit of cooperation between the two jurisdictions.

This agreement is not intended to remove power to make policy decisions from either government.

Final policy decisions remain with each jurisdiction.

## Review of this Memorandum of Understanding

The MoU will be reviewed three years from its commencement, and every three years thereafter. The MoU may be amended at any time by agreement in writing of the Parties.

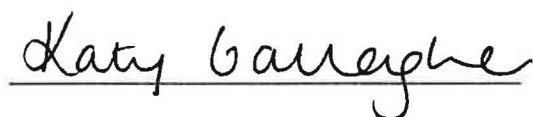
## Dispute Resolution

Where any dispute arises under this MoU, the ACT and NSW Governments will take all necessary steps to resolve the dispute expeditiously by mutual agreement, using the following procedures:

- initial discussions between relevant officials;
- if not resolved, then discussions between heads of relevant agencies;
- if not resolved, then discussions between relevant ministers; and
- if not resolved, then discussions between First Ministers.

## Commencement

This MoU commences on the date of execution.



Katy Gallagher MLA

ACT Chief Minister

Date: 2.12.2011



Witness: Margaret Gillaspie

Name:

Date: 2.12.2011



The Hon. Barry O'Farrell MP

NSW Premier

Date: 2.12.2011



Witness: CAMERON HAMILTON

Name:

Date: 2.12.2011