



**Memorandum of Understanding
Between**

Wollongong City Council
41 Burelli Street Wollongong, NSW

AND

Regional Development Australia, Illawarra Inc.
87-89 Market Street, Wollongong, NSW

Purpose

The purpose of this Memorandum of Understanding (MOU) is to facilitate cooperation between Wollongong City Council (Council) and the Regional Development Australia Illawarra Board (RDA Illawarra) to assist and promote business attraction and economic development in the Wollongong Local Government Area (LGA).

The MOU recognises the role of RDA Illawarra as the peak regional economic development organisation. Council is committed to collaborating with RDA Illawarra and supporting its processes and projects.

Parties

The parties to this MOU are:

1. RDA Illawarra established as a joint initiative of the Australian and NSW Governments to undertake a range of key facilitation roles for the development of the Illawarra regional economy; and
2. Wollongong City Council.

1. Objectives

- 3.1 To acknowledge the economic development role of RDA Illawarra in the regional economy and to utilise the services of the organisation for effective consultation and decision making on projects of significance to the Wollongong economy.
- 3.2 To identify and recommend projects that will contribute to the sustainable development of the Wollongong economy.
- 3.3 To provide a streamlined and effective decision-making forum for recommendations to Council in respect to Council's participation in prioritised economic development based projects.

- 3.4 To provide ongoing guidance to Council about the role played by Advantage Wollongong in regional strategy.
- 3.5 To provide effective community, business and government consultative arrangements.

2. Key Principles

The following principles underpin this MOU:

- Both parties will continue to operate autonomously, but will work cooperatively to promote the economic development of the Wollongong LGA.
- The Board of RDA Illawarra will promote and recommend appropriate projects to Council for funding.
- Both parties will use the Advantage Wollongong brand as a medium to promote business attraction and development.
- A quality improvement approach will be adopted by both parties to improve the collaboration and to learn from difficulties or challenges and successes.
- Appropriate and realistic expectations will be developed by Council and RDA Illawarra for collaborative activities and these will be resourced sufficiently in both funds and time to ensure success. These expectations will be reviewed regularly to ensure appropriateness.

3. The Agreement

- This MOU will operate for twelve months from the date of signing. It may be renewed after that date if both parties agree that it is operating satisfactorily.
- The parties agree to use their best endeavours to give effect to the agreed position set out in this MOU.
- The parties agree to liaise with each other to ensure the effective implementation of this MOU.
- The parties agree to work together and use their best endeavours to resolve any division of views should they arise during the term of this agreement.
- The parties acknowledge that this MOU is not legally binding and is an expression of intent only.
- The MOU does not transfer any interest in intellectual property. The parties intend that they will each retain ownership of any copy right and intellectual property they contribute to a project.

4. Governance Mechanism

4.1 Authority

The General Manager of Council and the Chairman of RDA Illawarra will hold overall responsibility and authority in relation to this MOU and all cooperative activities undertaken as a result of its implementation. Sign-off for all cooperative activities is required by these officers.

4.2 Sub Committee

Council's General Manager and the Chairman of RDA Illawarra may delegate responsibility to representatives of their organisations to act as a Sub-Committee for management of the Memorandum of Understanding. Administrative aspects of the MOU will be managed on an ongoing basis through the Sub-Committee.

The Sub-Committee will be chaired by a member of the RDA Illawarra Board. Other membership will comprise, as a minimum, a representative from Council. Membership of the Sub-Committee will be in accordance with RDA Illawarra's Internal Sub-Committee Policy.

The Sub-Committee will consider the progress of all cooperative activities to check that timelines and deliverables are achieved. Additionally, the Sub-Committee will be responsible for ensuring the Memorandum of Understanding is being implemented appropriately and that regular reviews are undertaken.

- Council will make final decisions about the expenditure of funds, according to the requirements of the Local Government Act.
- RDA Illawarra will advise Council of the outcome of all evaluations in its activity reports.
- The RDA Illawarra Board will recommend for approval to Council only those projects which it evaluates as meeting the priorities in its Regional Plan.
- The ongoing management of approved projects will be undertaken by Council or RDA Illawarra and will be determined within the scope of each project.
- Projects to be considered will meet at least one of the priorities of RDA Illawarra as set out in its Regional Plan.

5. Roles and Responsibilities

Council responsibilities:

- Ensure that the recommendations of the Board of RDA Illawarra in relation to Advantage Wollongong are given full and due consideration;
- Assist to identify potential projects and forward these to the Board of RDA Illawarra for evaluation;
- Ensure that Council decisions in relation to recommendations of the Board of RDA Illawarra are made in a timely manner;
- Make timely project payments (initial, progress, final) to ensure the best possible project outcome;
- Assisting to promote Advantage Wollongong;
- Share the Secretariat functions of the Sub-Committee with RDA Illawarra;
- To continue to manage the Wollongong City Council Economic Development Advisory Group as a reference group of Council; and
- Fully acknowledge the role of RDA Illawarra in all public communication relating to Advantage Wollongong.

RDA Illawarra responsibilities:

- Ensure that all projects referred for consideration are evaluated by the Board of RDA Illawarra in a timely manner;
- Assist to identify potential projects and inform Council, as required, of projects referred direct to RDA Illawarra;
- Ensure that relevant stakeholders outside the RDA Illawarra Board are engaged on specific project proposals;
- Provide an annual report to Council on the operation and performance of the MOU;
- Assisting to promote Advantage Wollongong;
- Share the Secretariat functions of the Sub-Committee with Council;
- Actively participate at the Wollongong City Council Economic Development Advisory Group meetings; and
- Fully acknowledge the role of Council in all public communication relating to Advantage Wollongong.

6. Performance Measurement and Evaluation

Evaluation of the Memorandum of Understanding and its implementation will be undertaken through the following:

- Activity reports will be provided by the Sub-Committee to the Board of RDA Illawarra at its Board meetings.
- The Sub-Committee will consider the progress of all partnership activities to check that timelines and deliverables are achieved.
- The Board of RDA Illawarra will recommend to Council after each Board meeting or as required on potential projects.
- The Board of RDA Illawarra and Council will deliver a detailed report on an annual basis on the operation, performance and success of the MOU.
- The Sub-Committee will be responsible for ensuring the MOU is implemented appropriately, that the process of evaluating project proposals is transparent and fair, and meets the objectives of RDA Illawarra and Council.

7. Term of the Agreement

This Partnership Agreement will be effective when it is signed and dated by both parties and will operate for 12 months. It may be renewed after that date if both parties agree it is operating satisfactorily.

The agreement can be terminated by either party giving the other party three months notice in writing.


Contact Details

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**SIGNED FOR AND ON BEHALF OF
WOLLONGONG CITY COUNCIL**



Signature of General Manager



Signature of Witness

David Farmer

Name of General Manager

Roger Summerill

Name of Witness

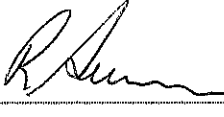
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Date: 1/10/2010

**SIGNED FOR AND ON BEHALF OF REGIONAL
DEVELOPMENT AUSTRALIA, ILLAWARRA**



Signature of Chairman



Signature of Witness

Eddy De Gabriele

Name of Chairman

Roger Summerill

Name of Witness

Date: 1/10/2010

Date: 1/10/2010
