

Memorandum of Understanding (MOU)
Toowoomba Regional Council and Friends of the Escarpment Parks
(Toowoomba) Inc.

Parties to the Agreement

This MOU is between Toowoomba Regional Council [TRC] and the Friends of the Escarpment Parks (Toowoomba) Inc. [FEP].

Purpose of the Agreement

Friends of the Escarpment Parks (Toowoomba) Inc. ('FEP') is a non-profit community group interested in the management, maintenance, development and public use of Toowoomba's bushland escarpment parks. FEP works closely with the Parks and Recreation Branch of the Toowoomba Regional Council, assisting with many on ground aspects of managing these areas as well as promoting public awareness and the sustainable use of these unique assets by the community.

Council acknowledges the invaluable assistance given by FEP volunteers to help maintain the unique assets within these escarpment parks.

FEP acknowledge that as the recognised landowner/trustee of these bushland parks Council will at times have certain legal or other community obligations to perform works within parks and these works may not always be accepted as ideal outcomes by FEP or other stakeholders eg. Firebreaks, tree removal and conflicting recreation opportunities.

Should any Council initiated bushland park maintenance program or project have potential to be seen as being environmentally controversial, prior consultation with FEP would be highly desirable.

In order to maintain strong working relationships both parties enter into this MOU in good faith and provide a commitment to practicing good communication, effective conflict resolution and collaboration of effort.

This agreement outlines the roles and responsibilities of both parties.

Commitments of each Party

Toowoomba Regional Council agrees to:

- Provide relevant training opportunities to FEP volunteers as needed including Agricultural Chemical Distribution Certificate (ACDC) training, weed treatment methods, first aid courses;

- Commit time to meeting with Park Care coordinators on an as needed basis to discuss operational works with a minimum regime of once per quarter;
- Provide funding for equipment such as weeding tools, gloves, safety glasses, herbicide, application equipment, first aid kits, subject to approved annual work plans;
- Demonstrate an ongoing commitment to FEP to consult on bushland park management practices.

Friends of the Escarpment Parks (Toowoomba) Inc. agrees to:

- Register all new volunteers;
- Carry out site inductions for all volunteers working in the parks;
- Keep records of volunteers working in the parks;
- Keep records of all herbicides used including quantity and application methods and provide copies of these to Council at regular intervals.
- Document and report promptly to TRC any health and safety incidents involving FEP volunteers working in the parks.
- Provide Council with an up to date list of Park Care coordinators and scheduled working arrangements within each park.

Communication Protocol

Both parties commit to maintaining an open dialogue to encourage mutual trust that will strengthen working relationship and provide a platform for conflict resolution.

It is expected that both parties will support, encourage and participate in open and transparent decision making.

Regular minuted operational meetings will be held between Council and Park Care coordinators to discuss operational issues (minimum quarterly). A rolling action list will be reviewed at these meetings and both parties are encouraged to complete actions promptly.

In order to foster a collaborative work environment Council will contact Park Care coordinators to discuss any proposed works (other than routine maintenance works) within parts of bushland parks where FEP volunteers are active.

All operations undertaken by volunteers within bushland parks will be in accordance with approved Annual Work Plans (see below).

Park Care coordinators will provide volunteer activity sheets and spray records to Council on a quarterly basis (or more frequently if desired).

See Appendix A for a complete list of nominated points of contact for FEP and TRC

Communication Commitment

Both parties commit to responding to communication or other requests within a reasonable period of time.

For urgent matters a response time of 24 hours (or one full business day) will apply.

For non-urgent matters a response time of 5 working days will apply for all communication (this is an initial verbal or written acknowledgment of the request realising that the actioning of the request on the ground may take a longer period of time to complete).

Parties to this MOU will ensure that they provide each other with an overview of the level of urgency when leaving messages or communicating in written form.

Annual Work Plans

Both parties commit to the preparation, submission and assessment of annual work plans for each individual park where an FEP volunteer group is active.

These plans will take the form of a suggested template shown in Appendix B.

Plans should be developed, jointly discussed and considered for approval by Toowoomba Regional Council prior to the commencement of each financial year and in accordance with budget cycles. If and when approved the works plan will form the basis of all agreed works in that park for the next financial year (including a required consumables budget).

All works outside of the FEP approved work plan will require specific approval by the Coordinator Bushland Parks prior to commencing any emerging 'new' works throughout the course of the year.

Dispute Resolution Process

Both parties commit to the following dispute resolution process. Each step in this process should be exhausted before escalation to the next stage. Documentation of what communication has occurred and when that occurred should be kept for each stage to assist in the resolution process.

Stage One Informal Resolution: Where a dispute, disagreement or other grievance is identified the two parties will contact each other verbally and preferably in person to discuss the matter at hand. The matter should be mutually resolved to the satisfaction of both parties within 3 working days of the matter being raised. Both parties will maintain confidentiality during this resolution process and display a commitment to achieving

positive outcomes. Where there is a risk of disputed works damaging environmental values (in the opinion of either party) the works will be ceased until the matter is resolved.

Stage Two Escalated Informal Resolution: Where a matter cannot be resolved by the two persons from each of the parties to this MOU the matter will be escalated to the next immediate level in each of the organisations hierarchy as follows:

FEP volunteer – Park Care Coordinator – FEP president

Bushland Park Coordinator – Principal Officer Conservation and Pest Management – Manager Parks and Recreation

Eg. If an issue was identified between the Bushland Park Coordinator and a Park Care Coordinator the matter would then be referred to the FEP President and the Principal Officer Conservation and Pest Management to review and resolve.

Both parties will maintain confidentiality during this resolution process and display a commitment to achieving positive outcomes.

Once escalated to this level (stage 2) in each organisation's hierarchy the matter should be resolved to the satisfaction of each organisation within 5 working days.

Stage Three Formal Resolution:

Once the matter has been referred to FEP president level and/or Principal Officer level and it appears the matter can't be resolved informally a written grievance should be prepared for the attention of both parties. This correspondence should clearly outline the issue at hand, what steps have been taken to resolve it and a desired solution to the problem. For a dispute identified by FEP this grievance should be made in writing to the Manager of Parks and Recreation, and for an issue identified by Council this should be made in writing to the President of FEP.

During this stage the Manager of Parks and Recreation and the President of FEP will ask applicable representatives from both parties to discuss the issue formally at a location and at a time that suits both parties. Communication during this stage will be professional and courteous.

The Manager of Parks and Recreation and FEP President will assess the situation and determine whether a mutual outcome is possible and if so will issue directions to their respective staff/volunteers.

This process should be completed within 15 working days of receiving written documentation in relation to the grievance by either party.

Stage Four – Appeals and Escalations

If resolution of the issue cannot be reached during the formal resolution process further escalations can be made to both the General Manager – Community & Environmental Services and Council’s Chief Executive Officer as per the provisions of the Local Government Act 2009 Section 268 and in accordance with Council’s Complaints Policy and Management Framework.

Media Involvement – Dispute Resolution

Both parties to this MOU commit to following the stated dispute resolution procedure prior to involving media and/or airing concerns in public forums. Negative portrayal of either party within the media or in a public forum is not in the interests of fostering strong working relationships and therefore media coverage of any dispute should be avoided during the dispute resolution process. Both parties will bring a positive outlook to the dispute resolution process and as a result address any processes that need improving for future reference.

Both parties provide a commitment that any grievance process will remain confidential during stages 1-3 of the dispute resolution phase.

Term of Agreement

This agreement shall come into force until the parties agree to its termination or either party considers that the working relationship is unworkable. The agreement will be jointly reviewed at the commencement of each new financial year and may be modified at any time through mutual agreement to the change by both parties.

Signed by Mr. Hugh Krenske (Chairman FEP) _____,
on behalf of Friends of the Escarpment Parks (Toowoomba) Inc. this _____ day
of _____ 2018.

Signed by Mr. Micheal Condren (Manager Parks and Recreation) _____,
on behalf of Toowoomba Regional Council this _____ day of
_____ 2018.

Appendix A – Nominated Points of Contact for FEP and TRC

Friends of the Escarpment Parks Nominated Points of Contact:

President Mr Hugh Krenske (0418 748 282)

Park care Coordinators:

- Redwood Park: Hugh Krenske (0418 748 282)
- Duggan Park: Max Henderson (0427 866 091)
- Hancock Street Park: Max Henderson (0427 866 091)
- Nielsen Park: Rob Brodribb (0407 124 863)
- Echo Valley South Park: Greg Lukes (0428 288 077)
- Rogers Reserve, Highfields: Judi Gray (0458 155 177)
- Panorama Crescent Park: David Heckscher (0419 642 940)
- Charmaine Court, Kleinton: Greg Kidd (0429 965 518)
- Jubilee Park: Geoff Sharp (geoffsharp@gmail.com)

Toowoomba Regional Council Nominated Points of Contact:

Operational Issues All Parks: Coordinator Bushland Parks: Dean Menzies (0407 633 435) or dean.menzies@tr.qld.gov.au

Workplace Health and Safety: Safety Advisor (central) Pat Fitzgerald (131 872)

Group Support (PPE, training, group development/strategy): Parks Volunteer Support Officer: Taryn D'Arcy (131872) or taryn.d'arcy@tr.qld.gov.au

Strategic Advice/Support Principal Officer Conservation and Pest Management: Mark Ready (0408 885 497) or mark.ready@tr.qld.gov.au

Appendix B – Annual Works Program Suggested Template

Financial Year _____/_____

Park Name _____

Coordinator Name _____

Location of works

Whole of Park? Yes No

Sections of Park Only? Yes - Please supply map of area/areas proposed – Council can assist.

What do the works involve?

Are herbicides or diesel being applied for weed control? Yes No

If Yes please fill out page 3 of this proposal

Weeds of priority from highest priority to lowest priority (1-10):

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Other lower priority weeds

Consumables (What additional consumables will your group need to undertake this work this financial year)?

PPE: _____

–

Safety/Other: _____

Herbicide and Associated Equipment (chemical, knapsacks, water containers, wetter, diesel) What your group require for this financial year?

How and where will this be stored during the year?

Training Requirements for staff?

Will Chainsaws or any other mechanical equipment be used on this site? Yes No

Details: _____

If YES are staff trained in the use of this equipment? Yes No

Is vehicle access required into the park in order to undertake this work? Yes No

Details of vehicle access requirements: _____

If YES, does your group have access to an appropriate 4x4 vehicle (High and Low Range Transmission) and a driver that has been trained in 4x4 operations? Yes No N/A

What support will you need from Council during the course of this year?

Estimated budget breakdown

TOTAL ESTIMATED EXPENDITURE: \$ _____

Weed Control Methodology

Weed Name	Herbicide Mix (include what you are mixing herbicide with i.e. water and/or wetter, diesel)	Mix Rate	Registered for this purpose in QLD? Yes/No	Application Method (Basal Bark – BB, Cut Stump –CS, Foliar Spray – FS, Stem Inject – SI, Mechanical Removal Only – MR or other please specify)	Application Equipment (Knapsack, QuikSpray, Paint Brush, Spray Bottle, Applicator, Hand Removal)

Other:

Project Approval Chain

Project submitted by _____ (name)
_____ (day) _____ (month) _____ (year)

on behalf of the Friends of the Escarpment (Toowoomba) Inc.

Signed _____

Project endorsed by _____ (name)

Chairman of the Friends of the Escarpment Parks (Toowoomba) Inc.

_____ (day) _____ (month) _____ (year)

Signed _____

OFFICE USE ONLY

Project approved not approved

Toowoomba Regional Council representative _____ (name)

_____ (day) _____ (month) _____ (year).

Signed _____

Additional Approval Conditions/Comments
