



**MEMORANDUM OF COOPERATION  
Between  
Four Wheel Drive Victoria,  
Parks Victoria and  
The Department of Sustainability and Environment  
December 2005**

*Healthy Parks  
Healthy People*



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## **1. PREAMBLE**

Victoria is uniquely placed as Australia's leading area for Four Wheel Drive recreation. It has immense value for economic, environmental and social interaction and benefits unrivalled in this Country.

There is a diversity of roads and four wheel drive tracks that provide rural and regional recreation and tourism opportunities, fire and other park/forest management access and public safety.

## **2. OBJECTIVES**

This document establishes a framework to develop and maintain protocols for a positive and constructive working relationship between Four Wheel Drive Victoria, Parks Victoria and the Department of Sustainability and Environment (DSE) that will preserve and enhance recreational Four Wheel Driving in Victoria in an environmentally sustainable and economically responsible manner. We will in part achieve this through promoting the enhancement, conservation and management of a comprehensive network of 4WD tracks across public land in Victoria, consistent with the above environmental and economic criteria. Similarly we will input into the development of a married set of policies covering track classification and dispersed vehicle-based camping.

## **3. ROLES AND RESPONSIBILITIES**

### **3(a) Four Wheel Drive Victoria**

Four Wheel Drive Victoria is a peak body which provides a voice for and otherwise represents individual four wheel drive clubs and their members throughout Victoria.

The responsibilities of Four Wheel Drive Victoria as party to this agreement are to:

- Promote responsible four wheel drive touring and dispersed vehicle based camping;
- Educate and inform their members and the public at large on the issues of driver training, driving in an urban environment, conservation and environmental protection;
- Promote the responsible management of the extensive track network to continue to provide the full range of four wheel driving experience;
- Participate as a full and active participant in the review process of current and new management plans and strategic planning process;
- Participate as a full and active member of the 4WD Advisory Committee;
- Participate as a full and active partner in the implementation of protocols outlined in Section 4 (Operation Framework);
- Represent the interests of, and provide a link to constituent clubs.
- Actively promote no net reduction in Track availability
- To promote Association policies within the 4WD Advisory Committee framework and in accordance with the spirit of this agreement

### 3(b) Parks Victoria

Parks Victoria is a statutory authority charged under the Parks Victoria Act 1998 to provide services to the State of Victoria for the management of Victoria's outstanding parks system. This includes over 4 million hectares of parks and reserves (approximately 16% of the total land area of Victoria) which receive over 60 million visits per annum.

The responsibilities of Parks Victoria as party to this agreement are to:

- Provide appropriate and equitable access to parks and reserves for a diverse range of recreation and tourism opportunities;
- Plan and manage four wheel drive use of parks and reserves to conserve, protect and enhance environmental and cultural values;
- Responsibly meet the needs of four wheel drivers for quality information, services, and experiences;
- Encourage responsible four wheel drive touring and dispersed vehicle-based camping;
- Develop operational policies and systems to implement the above;
- Participate as a full and active member of the 4WD Advisory Committee;
- Participate as a full and active partner in the implementation of protocols outlined in Section 4 (Operation Framework);

### 3(c) Department of Sustainability and Environment

The Department of Sustainability and Environment (DSE) has responsibility for the sustainable management of Victoria's natural and built environments. This involves developing policy and providing strategic advice, analysis and support to government and service delivery partners such as Parks Victoria. It also includes specific responsibilities in relation to conservation, recreation and public land stewardship, forests and fire management, parks and Crown Land, biodiversity, heritage, catchment management, water sector development, greenhouse and sustainability, sustainable cities and regions and land information. DSE directly manages Victoria's State forest, comprising over 3.4 million hectares (approximately 15% of the total land area of Victoria).

The responsibilities of DSE as party to this agreement are to:

- Provide policy advice and direction on four wheel drive use and management across the public lands spectrum including parks, forests, coastal areas, and other Crown land;
- Ensure there is effective research, monitoring and reporting to meet the objectives of this agreement;
- Plan and manage sustainable four wheel drive use of State forests to protect environmental, cultural and recreational values and to provide for multiple use;
- Responsibly meet the needs of four wheel drivers for quality information, services, and experiences;
- Encourage responsible four wheel drive touring and dispersed vehicle-based camping;
- Develop operational policies and systems to implement the above;
- Participate as a full and active member of the 4WD Advisory Committee;

- Participate as a full and active partner in the implementation of protocols outlined in Section 4 (Operation Framework);

#### **4. OPERATING FRAMEWORK**

##### **4(a) Four Wheel Drive Advisory Committee**

The Four Wheel Drive Advisory Committee is to be maintained as the key forum for facilitating a positive and constructive working relationship between Four Wheel Drive Victoria, Parks Victoria and the Department of Sustainability and Environment.

It is not a decision-making or policy development body, but is intended to make recommendations, assist communication, information flow and input into decision making. The terms of reference of the Committee are included in the Appendix of this Memorandum.

The committee is to be made up of three members each from Four Wheel Drive Victoria and Parks Victoria, and two representatives from the Department of Sustainability and Environment.

The Advisory Committee shall set its own agenda, keep proper minutes and records of matters agreed upon.

##### **4(b) Communication**

The Advisory Committee shall meet at least four times per year and at such other times that the Committee agrees.

The Advisory Committee will hold a workshop once per annum (or as considered necessary) with the objective of discussing the broader issues that have occurred during the ensuing year and to develop initiatives and strategies for future investigation.

The parties will work towards the sharing of newsletters and information of common interest to promote the objective of this memorandum and issues of mutual concern.

Each of the parties to this agreement will provide and keep updated a corporate contact list, which is attached as an appendix.

There shall be established a wider group of local representatives at Club, Forest Manager, 'Ranger in Charge' and other relevant levels as needs require, for ongoing consultation, information sharing and discussion of local issues. Each of the parties shall provide a list of regional representatives to be reviewed and updated periodically.

The first chair shall be a representative of Parks Victoria for a period of two years and thereafter the chair shall rotate between Four Wheel Drive Victoria,

DSE and Parks Victoria. The Chair agency will be responsible for the organisation of meetings and the secretarial service required to record minutes, organise meetings and liaise as required.

4(c) Cooperative ventures

It is acknowledged that the parties will develop a number of cooperative ventures for example:

- Track identification
- Track signage
- Track maintenance and works programs
- Joint programs for reparation and environmental management
- Liaison and involvement with other groups (including Indigenous and industry groups) in relation to these issues
- Information, interpretation and education programs
- Seasonal winter track closures for environmental protection.

4(d) Research

The parties will cooperate in promoting, supporting, reviewing and communicating research to facilitate better understanding and sustainable management of Four Wheel Drive and Four Wheel Driver usage impacts. This may also involve contributing to, and commenting on, management strategies to implement research findings.

4(e) Policy

DSE and Parks Victoria will consult with Four Wheel Drive Victoria in relation to policies, which may have an impact on the activities, interests or obligations of the latter.

Existing policies, when reviewed, will where possible be adjusted to meet with the objectives of this agreement. Existing policies will be noted and dated and attached to the schedule.

The process for input recognises that public land management services are delivered within state legislation, policy, contractual agreements and the specific responsibilities and powers of the Minister for Environment and the Secretary to the Department of Sustainability and Environment. DSE and Parks Victoria are responsible for the development of operational policies and guidelines relating to the management of State forest, parks and reserves and other Crown land under their control. Such operational policies must be consistent with legislation and government policy and reflect the range of stakeholder interests.

This agreement does not imply any right of veto in relation to policy development.

4(f) Management Plans

This memorandum supports the establishment of a structured consultation process for forest and park management plans, where Four Wheel Drive Victoria provides input during the development of draft management plans. The sharing of information and discussion at this stage will enable Four Wheel Drive Victoria to provide valuable comment on track management, tourism and recreation proposals in a timely manner, and reduce the potential for dispute and misunderstandings on release of draft plans.

It is agreed that consultation will continue through to the approval of the final plan. It is also acknowledged that contribution by Four Wheel Drive Victoria will be considered along with submissions made by all interested parties.

4(g) Track use and closures

The Advisory Committee will propose and review strategies and procedures for track management, giving consideration to particular issues such as:

- Track classification
- Seasonal closure
- Track Closure (emergency, temporary or permanent)
- Maintenance
- Track re-openings and new track networks
- Changing of track standards
- Water quality and soil conservation issues
- Code of conduct

In most circumstances track management, use and closures will be considered through the development of draft management plans, the consultation process of which is dealt with in section 4(f) above. In these and other cases, it is agreed that proposals for permanent vehicle track closures by DSE and Parks Victoria will include timely and appropriate consultation with Four Wheel Drive Victoria.

4(h) Publicity

The Advisory Committee will develop appropriate relationships with media to encourage responsible promotion of 4WD activities.

The parties will mutually develop and promote their objectives through exhibitions and shows. Participation in such events will be at the discretion of the individual parties.

The parties will, where appropriate, collaboratively develop brochures, publications and flyers to promote matters contained within this agreement.

4(i) Education

Parties will work together on projects including but not limited to

- Driver education

- Environment education
- Public education in relation to driving both within the urban environment and the bush environment
- Adoption and promotion of Adventure Activity Standards
- Tread Lightly Victoria

4(j) Resourcing

The parties will facilitate opportunities for funding of joint research, conservation and training programs.

4(k) Resolving issues

The purpose of this agreement is to develop a mutual understanding of each of the parties' interests and outcomes.

Matters will be resolved unanimously and where resolution cannot be achieved the matter will remain open for discussion to enable the parties to find an acceptable outcome.

It is recognised that not all matters may be agreed and the parties may resolve not to agree and move on to deal with other issues.

With respect to local issues this agreement recognises that many local issues can and should be resolved with the regional representatives and in the event of a dispute the matter is to be referred to the Advisory Committee to facilitate resolution.

Parties to this agreement agree to seek to address issues with the other parties to this agreement before promoting their cause through the media or elsewhere. Parks Victoria and DSE acknowledge that this does not bind the affiliated clubs and their members of 4WD Victoria but that 4WD Victoria will use reasonable efforts to influence such situations to the benefit of all parties to this agreement.

## **5. WORKING TOGETHER**

The parties will work together in a timely and professional manner and ensure that their interactions are open and transparent.

The parties will keep each other informed about initiatives, issues and develop a relationship based on mutual cooperation and respect.

Agendas, correspondence and publications will be dealt with through the liaison officers noted in the schedule in a timely and responsible manner.

## **6. CONDITIONS OF THIS MEMORANDUM OF COOPERATION**

### **6(a) Participation in Similar Activities**

This memorandum in no way restricts the parties from participating with other public or private agencies, organisations, and individuals on similar agreements. The parties recognise the importance of cooperation and partnership with other organisations and institutions regarding their mutual interests.

### **6(b) Non-Fund Obligating Document**

This memorandum is neither a fiscal nor a funds obligation document. Nothing in this agreement shall obligate any of the parties to expend funds or to enter into any future contract, supplemental agreement, or obligation with the other. Any endeavour involving reimbursement or contribution of funds between the parties to this memorandum will be outlined in separate agreements that shall be made in writing by representatives of the parties and shall be independently authorised by appropriate statutory authority. This agreement does not provide such authority.

### **6(c) Force and Effect**

DSE, Parks Victoria and Four Wheel Drive Victoria intend to conduct the aforementioned activities in this agreement in accordance with existing State and Commonwealth laws. If any provisions of this memorandum are determined to be inconsistent with existing laws, regulations, or directives governing the parties, then only those provisions of this agreement not affected by a finding of inconsistency shall remain in full force and effect.

## **7. TERM OF AGREEMENT AND REVIEW**

The term of this agreement should be for ten years and it is agreed that the objectives and methods of operation will be reviewed at the end of each two year period.

The parties will have the opportunity to agree on management issues, protocols and policies throughout the term of the agreement as it is intended between the parties that the agreement is floating and flexible and dependent upon the co-operation of the parties working together.

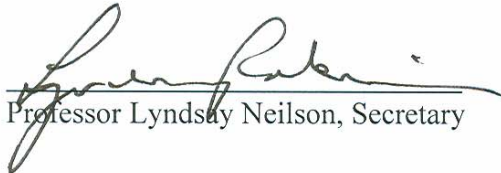
8. **SIGNING**

**SIGNED** for and on behalf of **PARKS VICTORIA** by its authorised officer:

  
\_\_\_\_\_  
Mark Stone, Chief Executive

Date: 10/1/06

**SIGNED** for and on behalf of **The Department of Sustainability and Environment** by its authorised officer:

  
\_\_\_\_\_  
Professor Lyndsay Neilson, Secretary

Date: 16/2/06

**SIGNED** for and on behalf of **FOUR WHEEL DRIVE VICTORIA** by its authorised officer:

  
\_\_\_\_\_  
Michael Coldham, President

Date: 8/12/05

## **APPENDIX AND SCHEDULE**

- Terms of Reference of the 4WD Advisory Committee
- Existing Policies  
(To be progressively attached as developed and adopted)

## **TERMS OF REFERENCE OF THE 4WD ADVISORY COMMITTEE**

The committee is to be made up of three members each from Four Wheel Drive Victoria and Parks Victoria, and two representatives from the Department of Sustainability and Environment.

The role of the Advisory Committee is to provide a forum for facilitating a positive and constructive working relationship between Four Wheel Drive Victoria, Parks Victoria and the Department of Sustainability and Environment. It is not a decision-making or policy development forum, but is intended to facilitate communication, information flow and input into decision making.

This is a living document that can be reviewed from time to time by the 4WD Advisory Committee.

Specific terms of reference are:

1. To provide a forum for consultation and support on issues relating to 4WD use of public land.
2. To identify broad issues related to four wheel driving on public land and to develop initiatives and strategies for future investigation by the parties
3. To identify research priorities related to four wheel drive use and impact.
4. To assist in the development of a 4WD track management strategy including the identification of key 4WD routes and tracks, track classification standards and risk management policies aligned to the track classification standards
5. To propose and review timing, standards, procedures and expenditure priorities for track management operations including:
  - Seasonal closure
  - Track Closure (emergency, temporary or permanent - other than those recommended for closure in an approved Management Plan, or logging roads and tracks required to be closed under the Code of Forest Practice)
  - Maintenance
  - Track re-openings and new track networks
  - Track classifications and standards
  - Dealing with water quality and soil conservation issues
  - User standards and codes of conduct
6. To advise on potential cooperative ventures related to:
  - Track identification activities and surveys
  - Track signage
  - Track maintenance and works programs
  - Track reparation and environmental management
  - Information, interpretation and education programs.
7. To develop appropriate relationships with media to encourage responsible advertising by 4WD manufacturers and the sustainable use of 4WD tracks on public land.