



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

## Freedom of Information Publication Coversheet

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

FOI Reference: CMTEDDFOI 2022-312

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	Published
4. Additional information identified	No
5. Fees	Waived
6. Processing time (in working days)	55
7. Decision made by Ombudsman	N/A
8. Additional information identified by Ombudsman	N/A
9. Decision made by ACAT	N/A
10. Additional information identified by ACAT	N/A

**From:** [REDACTED]  
**To:** [CMTEDD FOI](#)  
**Cc:** [REDACTED]  
**Subject:** FOI Request | Land Service Agreements  
**Date:** Friday, 7 October 2022 3:20:17 PM

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Good Afternoon,

**RE: FOI REQUEST – LAND SERVICE AGREEMENTS**

I write to request under the *Freedom of Information Act 2016* a copy of any documentation, correspondence or briefs sent between the ACT Government or Ministers and Yass Valley Council, in which land service agreements, land sale, or management and servicing by the ACT Government is discussed from January 2021 until present.

I ask that my request is forwarded to the relevant directorates, should they hold the relevant documents.

Should you require any further information or clarification about my request, please contact my office on [REDACTED]

Best,

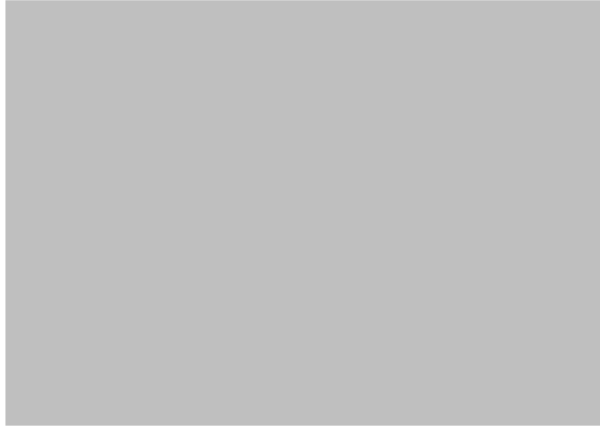




**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

Our ref: CMTEDD2022-312



## **FREEDOM OF INFORMATION REQUEST**

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 7 October, in which you sought access to *'a copy of any documentation, correspondence or briefs sent between the ACT Government or Ministers and Yass Valley Council, in which land service agreements, land sale, or management and servicing by the ACT Government is discussed from January 2021 until present'*.

Please note, this access application was also partially transferred to Environment, Planning and Sustainable Development Directorate.

### **Authority**

I am an Information Officer appointed by the Director-General under section 18 of the Act to deal with access applications made under Part 5 of the Act.

### **Timeframes**

In accordance with section 40 of the Act, CMTEDD was required to provide a decision on your access application by 4 November 2022. Following third-party consultation in accordance with section 38 of the Act and two extensions of time as agreed by you under section 41, the due date is now 23 December 2022.

### **Decision on access**

Searches were completed for relevant information and 17 documents were identified that fall within the scope of your request.

I have included as **Attachment A** to this decision the schedule of relevant documents. This provides a description of each document that falls within the scope of your request and the access decision for each of those documents.

I have decided to grant access in full to ten documents relevant to your request. I have decided to grant partial access to seven documents as I consider them to contain information that is:

- contrary to the public interest information under schedule 1; or
- information that would, on balance, be contrary to the public interest to disclose under the test set out in section 17 of the Act.

My access decisions are detailed further in the following statement of reasons, in accordance with section 54(2) of the Act, and the documents released to you are provided as **Attachment B** to this letter.

### **Statement of Reasons**

In reaching my access decisions, I have taken the following into account:

- the Act
- the content of the documents that fall within the scope of your request
- the views of third parties consulted under section 38 of the Act
- the *Information Privacy Act 2014*.

### **Exemption claimed**

My reasons for deciding not to grant access to a component of document 17 (refer **Attachment A**) are as follows:

#### Contrary to the public interest information under schedule 1 of the Act

Document 17 of the identified documents contains information that is considered to be contrary to the public interest under schedule 1 of the Act.

This document includes information that is subject to legal professional privilege and as such is not considered to be in the public interest to release under Schedule 1 -

#### *1.2 Information subject to legal professional privilege*

*Information that would be privileged from production or admission into evidence in a legal proceeding on the ground of legal professional privilege.*

Having reviewed the information, I consider the redaction of this small component would ensure that legal professional privilege is maintained while still meeting the pro-disclosure bias of the Act.

#### Information that would, on balance, be contrary to the public interest to disclose under the test set out in section 17 of the Act

#### Public Interest

The Act has a presumption in favour of disclosure. As a decision maker I am required to decide where, on balance, public interest lies. As part of this process, I must consider factors favouring disclosure and nondisclosure.

In *Hogan v Hinch* (2011) 243 CLR 506, [31] French CJ stated that when 'used in a statute, the term [public interest] derives its content from "the subject matter and the scope and purpose" of the enactment in which [public interest] appears'. Section 17(1) of the Act



sets out the test, to be applied to determine whether disclosure of information would be contrary to the public interest. These factors are found in subsection 17(2) and Schedule 2 of the Act.

Taking into consideration the information contained in the documents found to be within the scope of your request, I have identified that the following public interest factors are relevant to determine if release of the information contained within these documents is within the 'public interest'.

Factors favouring disclosure in the public interest under Schedule 2.1:

*(a) disclosure of the information could reasonably be expected to do any of the following:*

- (i) promote open discussion of public affairs and enhance the government's accountability.*
- (ii) contribute to positive and informed debate on important issues or matters of public interest.*
- (viii) reveal the reason for a government decision and any background or contextual information that informed the decision*

Having reviewed the information relevant to your access application, I consider release of this information could, or would reasonably promote open discussion of urban development and initiatives regarding local infrastructure and services for cross-border developments such as Parkwood/Ginninderry. Further, release of this information assists in revealing reasons for government decisions and providing contextual information for those decisions. Accordingly, I weight these factors for disclosure highly.

I note the Act has an express pro-disclosure bias which reflects the importance of public access to government information for the proper working of a representative democracy. This concept is promoted through the objects of the Act. I have considered this overarching concept in making my decision in relation to access.

Factors favouring nondisclosure in the public interest under Schedule 2.2:

*(a) disclosure of the information could reasonably be expected to do any of the following:*

- (ii) prejudice the protection of an individual's right to privacy or any other right under the Human Rights Act 2004.*

I consider that the protection of an individual's right to privacy, especially during business with the ACT Government is a significant factor as the parties involved have provided their contact information for the purposes of working with the ACT Government. This includes those ACT Government employees who may use their personal mobile phone contact details. I have considered this information and in my opinion the protection of these individuals' personal details (such as mobile contact numbers and personal details which may not be publicly available) outweighs the benefit which may be derived from releasing them. I consider that these individuals are entitled to expect that the personal information they have supplied to the ACT Government will be dealt with in a manner that protects their privacy.

Having applied the test outlined in section 17 of the Act and deciding that release of personal information contained in the documents is not in the public interest to release, I have chosen to redact this specific information in accordance with section 50(2). Noting the pro-disclosure intent of the Act, I am satisfied that redacting only the information that I believe is not in the public interest to release will ensure that the intent of the Act is met and will provide you with access to the majority of the information held by CMTEDD within the scope of your request.

### **Charges**

I have waived fees associated with your access application in accordance with section 107 (1)(e) of the Act.

### **Online publishing – Disclosure Log**

Under section 28 of the Act, CMTEDD maintains an online record of access applications called a disclosure log. Your original access application, my decision and documents released to you in response to your access application will be published in the CMTEDD disclosure log. Your personal contact details will not be published.

You may view CMTEDD disclosure log at <https://www.cmtedd.act.gov.au/functions/foi>.

### **Ombudsman Review**

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in CMTEDD disclosure log, or a longer period allowed by the Ombudsman.

We recommend using this form [Applying for an Ombudsman Review](#) to ensure you provide all of the required information. Alternatively, you may write to the Ombudsman:

The ACT Ombudsman  
GPO Box 442  
CANBERRA ACT 2601

Via email: [actfoi@ombudsman.gov.au](mailto:actfoi@ombudsman.gov.au)

### **ACT Civil and Administrative Tribunal (ACAT) Review**

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal  
Level 4, 1 Moore St  
GPO Box 370  
Canberra City ACT 2601  
Telephone: (02) 6207 1740  
<http://www.acat.act.gov.au/>

Should you have any queries in relation to your request please contact me by telephone on 6207 7754 or email [CMTEDDFOI@act.gov.au](mailto:CMTEDDFOI@act.gov.au).

Yours sincerely,

A handwritten signature in black ink, appearing to read 'K Stuart', written in a cursive style.

Katharine Stuart  
Information Officer  
Chief Minister, Treasury and Economic Development Directorate  
23 December 2022



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

## FREEDOM OF INFORMATION REQUEST SCHEDULE

WHAT ARE THE PARAMETERS OF THE REQUEST	Reference NO.
A copy of any documentation, correspondence or briefs sent between the ACT Government or Ministers and Yass Valley Council, in which land service agreements, land sale, or management and servicing by the ACT Government is discussed from January 2021 until present.	CMTEDDFOI 2022/312

Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
1	1-8	FW: Parkwood governance group	07/01/2021	Partial	Sch 2.2 (a)(ii)	Yes
2	9-11	FW: Parkwood governance group	19/01/2021	Full	n/a	Yes
3	12-18	Inaugural meeting of the Parkwood Governance Steering Committee	05/03/2021	Partial	Sch 2.2 (a)(ii)	Yes
4	19-26	Agenda and Papers - Parkwood Governance Steering Committee - Friday 19 March 2021 - 2:00PM - 3:00PM via MS Teams	17/03/2021	Full	n/a	Yes
5	27	RE: Ginninderry Border Discussions	25/03/2021	Full	n/a	Yes
6	28-34	RE: Ginninderry Border Discussions Attachment	25/03/2021	Full	n/a	Yes
7	35-38	RE: Amendments to the City Renewal Authority and Suburban Land Agency Act 2017	06/10/2021	Partial	Sch 2.2 (a)(ii)	Yes
8	39-45	RE: Parkwood Governance Steering Committee - Auditor Office audit scoping	14/10/2021	Partial	Sch 2.2 (a)(ii)	Yes
9	46-70	Vass Valley Council Water Supply Strategy - Cross-border discussion - draft minutes	23/12/2021	Partial	Sch 2.2 (a)(ii)	Yes
10	71-73	RE: Vass Valley Council Water Supply Strategy - Cross-border discussion - draft minutes	14/01/2022	Partial	Sch 2.2 (a)(ii)	Yes
11	74	Performance Audit - Parkwood	01/04/2022	Full	n/a	Yes
12	75-76	RE: ACT Audit Office Report - Parkwood	11/05/2022	Full	n/a	Yes

13	77-78	Draft Agenda - Parkwood Steering Committee Meeting, Wed 13 July	08/07/2022	Full	n/a	Yes
14	79-86	Parkwood Steering Committee Meeting (Agenda and Papers attached)	19/07/2021	Full	n/a	Yes
15	87-93	FW: For review/comment: Due COB Monday 8 August - Draft minutes and Terms of Reference	01/08/2022	Full	n/a	Yes
16	94-133	UPDATED Agenda and Papers - Parkwood Steering Committee Meeting #4 - Tues 20 September 2022	09/09/2022	Full	n/a	Yes
17	134-143	FOR REVIEW/COMMENTS: Parkwood Steering Committee Minutes 20 September 2022 and Agreed TOR's	13/10/2022	Partial	Sch 1, 1.2	Yes
<b>Total</b>						
<b>No of</b>						
<b>Docs</b>						
17						

**From:** [redacted]  
**To:** [Clapham, David](#)  
**Subject:** FW: Parkwood governance group  
**Date:** Thursday, 7 January 2021 3:39:59 PM  
**Attachments:** [image001.jpg](#)  
[image002.png](#)  
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[image649496.PNG](#)  
[image17ce1f.PNG](#)  
[image71025e.PNG](#)  
[image738203.PNG](#)  
[Parkwood Urban Release Area Governance Framework \(004\).pdf](#)  
[Steering Committee for the Parkwood Urban Release Area Governance Framework - Draft Terms of Reference.DOCX](#)

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**CAUTION:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi David

Thank you for your email below. [redacted] had forwarded to me. Myself and the General Manager [redacted] will be the contacts for the governance group.

Thanks

Julie

[redacted] | Director Planning & Environment | **Yass Valley Council**

P [redacted]

E: [redacted]@yass.nsw.gov.au | W: [www.yassvalley.nsw.gov.au](http://www.yassvalley.nsw.gov.au)

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**From:** [redacted]@yass.nsw.gov.au>

**Sent:** Wednesday, 23 December 2020 3:43 PM

**To:** [redacted]@yass.nsw.gov.au>

**Subject:** FW: Parkwood governance group

Hi [redacted]

FYI & your advice on who best to participate from YVC. Yourself?

Thanks, [redacted]



[REDACTED] | Strategic Planning Manager

Ext: [REDACTED] |



**From:** Clapham, David <[David.Clapham@act.gov.au](mailto:David.Clapham@act.gov.au)>

**Sent:** Wednesday, 23 December 2020 3:39 PM

**To:** [REDACTED] <[\[REDACTED\]@dpc.nsw.gov.au](mailto:[REDACTED]@dpc.nsw.gov.au)>; [REDACTED] <[\[REDACTED\]@dpc.nsw.gov.au](mailto:[REDACTED]@dpc.nsw.gov.au)>; [REDACTED] <[\[REDACTED\]@yass.nsw.gov.au](mailto:[REDACTED]@yass.nsw.gov.au)>; [REDACTED] <[\[REDACTED\]@yass.nsw.gov.au](mailto:[REDACTED]@yass.nsw.gov.au)>; Webb, Chris <[Chris.Webb@act.gov.au](mailto:Chris.Webb@act.gov.au)>; [REDACTED] <[\[REDACTED\]@planning.nsw.gov.au](mailto:[REDACTED]@planning.nsw.gov.au)>; [REDACTED] <[\[REDACTED\]@dpc.nsw.gov.au](mailto:[REDACTED]@dpc.nsw.gov.au)>; Goth, Kathy <[Kathy.Goth@act.gov.au](mailto:Kathy.Goth@act.gov.au)>

**Cc:** Matthews, StaceyN <[Stacey.N.Matthews@act.gov.au](mailto:Stacey.N.Matthews@act.gov.au)>; Hankinson, Joel <[Joel.Hankinson@act.gov.au](mailto:Joel.Hankinson@act.gov.au)>

**Subject:** Parkwood governance group

**[EXTERNAL]** Please exercise caution when clicking on links or attachments from external sources.

OFFICIAL: Sensitive

Dear all

I am reaching out to you to commence discussions on implementation of the Parkwood Urban Release Area Governance Framework (attached).

The Framework is one of the priority focus areas under the ACT-NSW Memorandum of Understanding for Regional Collaboration (the MoU). It serves as a mechanism for Yass Valley Council and the NSW and ACT Governments to facilitate the delivery of government services and infrastructure to the Parkwood development.

The immediate priority under the Framework is to establish a Steering Committee to progress agreement on the preferred governance mechanism and service delivery models.

We propose commencing the Steering Committee in the new year. To facilitate this:

- I would appreciate a response to this email by **COB 22 January 2021** confirming that you are the appropriate contact for your organisation to sit on the Steering Committee or nominating another representative.
- We will arrange the first meeting of the Steering Committee, to be held by **early February 2021**.

The immediate priorities of the Steering Committee as set out in the MoU are to agree to its Terms of Reference and begin development of an annual work program.

- Please find attached for consideration a draft Terms of Reference to get the ball rolling. CMTEDD is happy to incorporate any comments to support consideration of the ToRs at its first meeting. Grateful for any comments you have by **COB 22 January 2021**.
- In our first meeting, it may be helpful to focus on identifying key decisions and services that need to be considered now (e.g. water) to narrow the immediate focus of the Steering Committee to key priority areas.

Please don't hesitate to call if you would like to discuss. Have a safe holiday break and we will reach out to you with a reminder in the new year.

Best

David

**David Clapham** | Executive Branch Manager, Economic and Regional Policy Branch | **Policy & Cabinet Division**

☎ 02 6205 7261 | **Chief Minister, Treasury & Economic Development Directorate** | ACT Government Level 5, Canberra Nara Centre | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)



Please note I jobshare with [megan.edwards@act.gov.au](mailto:megan.edwards@act.gov.au). My work days are Tuesday, Wednesday and Thursday.

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# Parkwood Urban Release Area Governance Framework

## Objective

The 2019 ACT-NSW Memorandum of Understanding (MoU) for Regional Collaboration provides the primary framework for cross-border collaboration between the ACT and NSW.

The Parkwood Urban Release Area Governance Framework (Framework) serves as a mechanism between Yass Valley Council, NSW and ACT Governments (the parties) for the ongoing cooperation and negotiation on the governance arrangements and service model (including the method and responsibility for service and infrastructure delivery) for the provision of government services and infrastructure, specifically in relation to the proposed urban release area on the NSW/ACT border known as Parkwood.

The parties will continue to engage productively on the development of Parkwood using the structures and processes created by this Framework under the auspices of the ACT-NSW MoU for Regional Collaboration.

## Parties

- Australian Capital Territory (ACT) Government.
- New South Wales (NSW) Government.
- Yass Valley Council.

## Principles

The parties agree that development of the governance arrangement and service delivery model is guided by the principles set out under the Parkwood Planning Proposal Services and Infrastructure Report:

### Look and feel

- Achieve the look and feel of a borderless community wherever possible.
- Provide a consumer centric service and complaints model of service delivery.
- Encourage both government and non-government service providers to be guided by these principles.

### Local service provision

- Establish the same or similar service levels for local services in the ACT and NSW parts of the development wherever possible.
- Implement the same or similar infrastructure standards in the ACT and NSW parts of the development wherever possible.
- Set local government rates and charges at an adequate level to cover the costs of local services and infrastructure maintenance and renewal in the long term.
- Recognise that if provided by ACT service providers, user charges for water, sewer, gas and electricity service provision in Parkwood will seek to recoup costs at levels comparable to ACT charges.
- Ensure service provision into Parkwood from the ACT has no detrimental impact on service delivery for ACT residents.
- Ensure existing Yass Valley ratepayers and NSW residents are not detrimentally impacted by service provision from Yass Valley.
- Use existing legislative opportunities to maximise options for delivery of local services into Parkwood by ACT.

### State and Territory service provision

- Utilise needs based planning to inform service provision. Establish the same or similar service levels for state services in the ACT and NSW parts of the development wherever possible.
- Implement the same or similar infrastructure standards in the ACT and NSW parts of the development wherever possible.
- Recognise existing Commonwealth, State and Territory service provision and financing agreements.
- Build on existing cross agency MOUs and operational arrangements which already deliver coordinated NSW and ACT Government services across the border for policing, emergency services and human services.
- Build on and where needed further formalise engagement and dispute resolution procedures between governments related to operational MOUs, guided by the governance approach in the overarching MOU.
- Use the framework of the overarching MOU between the ACT and NSW Governments to engage further, finalise arrangements and resolve potential and actual disputes to support service access and delivery.

### Establishment Terms of Reference

The Parkwood Urban Release Area Governance Framework provides the following as establishment Terms of Reference to allow the parties to:

- Develop and implement a servicing model for the provision of government services and infrastructure to Parkwood;
- Identify key issues that impede efficient and consistent service delivery to the community of Ginninderry and to determine an appropriate arrangement for the service; and
- Identify opportunities for alignment and integration of service delivery and infrastructure spending, including where appropriate, through innovative and digitally-enabled solutions.

A complete Terms of Reference will be developed as a priority following establishment of a Steering Committee and will be reviewed every three years, in accordance with the next three-year formal update of the MoU.

### Governance

Implementation and governance for the Parkwood Urban Release Area Governance Framework will be led by: Chief Minister, Treasury and Economic Development Directorate (ACT), Department of Planning, Industry and Environment (NSW) and the General Manager of Yass Valley Council.

### Steering Committee

To progress agreement on the preferred governance mechanism and service delivery models, the parties agree to establish a Steering Committee comprising a representative from each party. A Chair of the Steering Committee will be elected at the first meeting after the signing of the MoU and will serve for one year. The Steering Committee will conduct biannual meetings, after that time, the Chair will rotate amongst members by agreement. Meetings, and all substantive decisions relating to the Parkwood Urban Release Area Governance Framework should involve the participation of all parties.

The Steering Committee will serve to ensure the preferred governance mechanism and service delivery models remain responsive to State/Territory and Local Government policy and demographic changes whilst maintaining certainty around the serviceability of Parkwood.

Ongoing engagement, dispute resolution and governance processes are proposed under this Framework. Parties agree to a flexible approach to allow refinement over time to ensure alignment with all other relevant cross agency MoUs and all planning approval processes.


### Dispute Resolution

Signature of this Parkwood Urban Release Area Governance Framework is not intended to create legally binding obligations on the parties to the Framework. The intention is to minimise the requirement for dispute resolution by pursuing active engagement. Where a dispute does arise, it is proposed that Yass Valley Council and/or the ACT and NSW Governments will take all necessary steps to resolve the dispute expeditiously by mutual agreement, using the following procedures:

- Discussions will first take place at an officer level, with every attempt made to resolve the dispute at this level.
- If the issue cannot be resolved at an officer level, then discussions will be held between the heads of relevant agencies and/or departments or otherwise as provided in the ACT-NSW Memorandum of Understanding for Regional Collaboration.
- If the issue cannot be resolved by the heads of relevant agencies, then discussions will be held between relevant Ministers.
- If not resolved, the discussions will be held between the First Ministers. Should a matter require escalation as outlined above, it is proposed that within the spirit and framework of the MoU between the NSW and ACT governments, all relevant information is processed quickly and a timeframe mutually agreed to settle the matters.

### Agreed Actions

Parkwood Urban Release Area Governance Framework	
Establish a Steering Committee comprising a representative from each party to progress agreement on the preferred governance mechanism and service delivery models.	Enduring Terms of Reference to be created following establishment of a Steering Committee.  Following development of the Terms of Reference, the parties agree to prepare an annual work program as an outcome of the Steering Committee.

  
 \_\_\_\_\_ Date \_\_\_\_\_  
 Kathy Leigh  
 Head of Service and Director General, ACT Chief Minister, Treasury and Economic Development Directorate

Sch 2.2(a)(ii)  
 \_\_\_\_\_ Date 26/06/20  
 NSW Government Signatory,  
 Secretary, Department Regional NSW

Sch 2.2(a)(ii)  
 \_\_\_\_\_ Date 30/6/2020  
 General Manager, Yass Valley Council





## Steering Committee for the Parkwood Urban Release Area Governance Framework

Draft Terms of Reference

### Introduction

Under the *ACT-NSW Memorandum of Understanding for Regional Collaboration* (the MoU) and the Parkwood Urban Release Area Governance Framework, the ACT and NSW Governments have agreed to establish a Steering Committee to progress agreement on the preferred governance mechanism and service delivery models for the urban release area on the NSW/ACT border known as Parkwood.

### The Steering Committee

The Steering Committee will develop an annual work program to:

- Develop and implement a service delivery model for the provision of government services and infrastructure to Parkwood;
- Identify key issues that impede efficient and consistent service delivery to the community of Ginninderry and to determine an appropriate arrangement for those services; and
- Identify opportunities for alignment and integration of service delivery and infrastructure spending, including where appropriate, through innovative and digitally-enabled solutions.

The Steering Committee will serve to ensure the preferred governance mechanism and service delivery models remain responsive to State/Territory and Local Government policy and demographic changes, whilst maintaining certainty around the serviceability of Parkwood.

The development of the governance arrangement and service delivery model will be guided by the principles set out under the Parkwood Urban Release Area Governance Framework.

### Membership

Under the Parkwood Urban Release Area Governance Framework, the Parties to the Framework are the ACT and NSW Governments, and Yass Valley Council. The Steering Committee will consist of the following representatives from the parties:

- ACT Government
  - Executive Branch Manager, Policy and Cabinet, Chief Minister, Treasury and Economic Development Directorate
  - Executive Branch Manager, Economic and Financial Analysis, Chief Minister, Treasury and Economic Development Directorate
  - Territory Representative for the Ginninderry Joint Venture, Suburban Land Agency

Commented [CD1]: To be agreed.

Commented [CD2]: For discussion: to what extent do we wish to specify membership?

Commented [CD3]: Please advise correct role

- NSW Government,
  - Office of the Cross-Border Commissioner
  - Department of Planning, Industry and the Environment
  - Department of Regional NSW
- Yass Valley Council
  - General Manager, Yass Valley Council
  - Director, Planning & Environment

#### **Chair**

The Steering Committee will nominate a chair in its first meeting. The chair will serve for one year. The chair will then rotate amongst members by agreement.

#### **Working groups**

The Steering Committee may establish working groups as required. The Steering Committee will agree terms of reference for working groups as applicable.

#### **Stakeholder engagement**

From time to time, the members of the Steering Committee may with agreement invite others to attend meetings of the Steering Committee or to participate in working groups.

#### **Secretariat**

Secretariat support for the Steering Committee will be provided by [ACT Government, Chief Minister, Treasury and Economic Development Directorate].

#### **Meetings**

Meetings will occur on a biannual basis and should involve the participation of all parties.

**Commented [CD4]:** For discussion

#### **Decision-making**

All substantive decisions of the Steering Committee should involve the participation of all parties

**Commented [CD5]:** For discussion, need to be clear about the decision-making remit of this group, or is it rather about providing advice to Government(s)...

#### **Term**

These Terms of Reference will be reviewed every three years, in accordance with the next three-year formal update of the MoU.

**From:** [REDACTED]  
**To:** [Clapham, David](#)  
**Subject:** FW: Parkwood governance group  
**Date:** Tuesday, 19 January 2021 2:51:40 PM  
**Attachments:** [image001.jpg](#)  
[image002.png](#)  
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[imagea07573.PNG](#)  
[Parkwood Urban Release Area Governance Framework \(004\).pdf](#)  
[Steering Committee for the Parkwood Urban Release Area Governance Framework - Draft Terms of Reference.DOCX](#)

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Hi David

I am writing to confirm that myself and [REDACTED] have reviewed the draft terms of reference. We have no comments on the document and we note the comments that have already been made on the document for discussion.

Talk soon and thanks

[REDACTED]

[REDACTED] | Director Planning & Environment | **Yass Valley Council**

P: [REDACTED]

E: [REDACTED]@yass.nsw.gov.au | W: [www.yassvalley.nsw.gov.au](http://www.yassvalley.nsw.gov.au)

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---

**From:** [REDACTED]@yass.nsw.gov.au>  
**Sent:** Wednesday, 23 December 2020 3:43 PM  
**To:** [REDACTED]@yass.nsw.gov.au>  
**Subject:** FW: Parkwood governance group  
Hi [REDACTED]  
FYI & your advice on who best to participate from YVC. Yourself?



Thanks, [REDACTED]

[REDACTED] | Strategic Planning Manager

Ext: [REDACTED] |



**From:** Clapham, David <[David.Clapham@act.gov.au](mailto:David.Clapham@act.gov.au)>

**Sent:** Wednesday, 23 December 2020 3:39 PM

**To:** [REDACTED]@dpc.nsw.gov.au; [REDACTED]@dpc.nsw.gov.au; [REDACTED]@yass.nsw.gov.au; [REDACTED]@yass.nsw.gov.au; Webb, Chris <[Chris.Webb@act.gov.au](mailto:Chris.Webb@act.gov.au)>; [REDACTED]@planning.nsw.gov.au; [REDACTED]@dpc.nsw.gov.au; Goth, Kathy <[Kathy.Goth@act.gov.au](mailto:Kathy.Goth@act.gov.au)>

**Cc:** Matthews, StaceyN <[Stacey.N.Matthews@act.gov.au](mailto:Stacey.N.Matthews@act.gov.au)>; Hankinson, Joel <[Joel.Hankinson@act.gov.au](mailto:Joel.Hankinson@act.gov.au)>

**Subject:** Parkwood governance group

**[EXTERNAL]** Please exercise caution when clicking on links or attachments from external sources.

**OFFICIAL: Sensitive**

Dear all

I am reaching out to you to commence discussions on implementation of the Parkwood Urban Release Area Governance Framework (attached).

The Framework is one of the priority focus areas under the ACT-NSW Memorandum of Understanding for Regional Collaboration (the MoU). It serves as a mechanism for Yass Valley Council and the NSW and ACT Governments to facilitate the delivery of government services and infrastructure to the Parkwood development.

The immediate priority under the Framework is to establish a Steering Committee to progress agreement on the preferred governance mechanism and service delivery models.

We propose commencing the Steering Committee in the new year. To facilitate this:

- I would appreciate a response to this email by **COB 22 January 2021** confirming that you are the appropriate contact for your organisation to sit on the Steering Committee or nominating another representative.
- We will arrange the first meeting of the Steering Committee, to be held by **early February 2021**.

The immediate priorities of the Steering Committee as set out in the MoU are to agree to its Terms of Reference and begin development of an annual work program.

- Please find attached for consideration a draft Terms of Reference to get the ball rolling. CMTEDD is happy to incorporate any comments to support consideration of the ToRs at its first meeting. Grateful for any comments you have by **COB 22 January 2021**.
- In our first meeting, it may be helpful to focus on identifying key decisions and services that need to be considered now (e.g. water) to narrow the immediate focus of the Steering Committee to key priority areas.

Please don't hesitate to call if you would like to discuss. Have a safe holiday break and we will reach out to you with a reminder in the new year.

Best

David

**David Clapham** | Executive Branch Manager, Economic and Regional Policy Branch | **Policy & Cabinet Division**

☎ 02 6205 7261 | **Chief Minister, Treasury & Economic Development Directorate** | ACT Government  
Level 5, Canberra Nara Centre | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)



Please note I jobshare with [megan.edwards@act.gov.au](mailto:megan.edwards@act.gov.au). My work days are Tuesday, Wednesday and Thursday.

-----  
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<http://www.mailguard.com.au/mg>



**From:** "Matthews, StaceyN" <Stacey.N.Matthews@act.gov.au>  
**Sent:** 05/03/2021 8:06 AM  
**To:** [redacted];@yass.nsw.gov.au"; [redacted]@yass.nsw.gov.au>; [redacted]  
[redacted]@yass.nsw.gov.au>; [redacted];@regional.nsw.gov.au"  
[redacted];@regional.nsw.gov.au>; [redacted];@planning.nsw.gov.au" [redacted]@planning.nsw.gov.au>;"Goth,  
Kathy" <Kathy.Goth@act.gov.au>;"Webb, Chris" <Chris.Webb@act.gov.au>;"Hankinson, Joel"  
<Joel.Hankinson@act.gov.au>;"Blount, Wilhelmina" <Wilhelmina.Blount@act.gov.au>;"Clapham, David"  
<David.Clapham@act.gov.au>; [redacted];@planning.nsw.gov.au>  
**Cc:** [redacted]t@regional.nsw.gov.au>; [redacted]  
< [redacted]@regional.nsw.gov.au>; [redacted]@dpc.nsw.gov.au>; [redacted]  
[redacted]@regional.nsw.gov.au>;"Phillips, Brett" <Brett.Phillips@act.gov.au>  
**Subject:** Inaugural meeting of the Parkwood Governance Steering Committee  
**Attachments:** Parkwood Urban Release Area Governance Framework (004).pdf, Steering Committee for  
the Parkwood Urban Release Area Governance Framework - Draft Terms of Reference.DOCX, 20210309  
AGENDA\_Parkwood SC Meeting.docx

All

An **updated agenda** for Tuesday's Steering Committee meeting is now attached.

Kind regards  
Stacey

**Stacey Matthews | Senior Director**

Planning, Infrastructure and Environment | Economic and Regional Policy Branch

Policy and Cabinet Division, Chief Minister, Treasury and Economic Development Directorate

Ph: +61 2 6205 3337 | Level 4 Canberra Nara Centre | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)



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# Parkwood Urban Release Area Governance Framework

## Objective

The 2019 ACT-NSW Memorandum of Understanding (MoU) for Regional Collaboration provides the primary framework for cross-border collaboration between the ACT and NSW.

The Parkwood Urban Release Area Governance Framework (Framework) serves as a mechanism between Yass Valley Council, NSW and ACT Governments (the parties) for the ongoing cooperation and negotiation on the governance arrangements and service model (including the method and responsibility for service and infrastructure delivery) for the provision of government services and infrastructure, specifically in relation to the proposed urban release area on the NSW/ACT border known as Parkwood.

The parties will continue to engage productively on the development of Parkwood using the structures and processes created by this Framework under the auspices of the ACT-NSW MoU for Regional Collaboration.

## Parties

- Australian Capital Territory (ACT) Government.
- New South Wales (NSW) Government.
- Yass Valley Council.

## Principles

The parties agree that development of the governance arrangement and service delivery model is guided by the principles set out under the Parkwood Planning Proposal Services and Infrastructure Report:

### Look and feel

- Achieve the look and feel of a borderless community wherever possible.
- Provide a consumer centric service and complaints model of service delivery.
- Encourage both government and non-government service providers to be guided by these principles.

### Local service provision

- Establish the same or similar service levels for local services in the ACT and NSW parts of the development wherever possible.
- Implement the same or similar infrastructure standards in the ACT and NSW parts of the development wherever possible.
- Set local government rates and charges at an adequate level to cover the costs of local services and infrastructure maintenance and renewal in the long term.
- Recognise that if provided by ACT service providers, user charges for water, sewer, gas and electricity service provision in Parkwood will seek to recoup costs at levels comparable to ACT charges.
- Ensure service provision into Parkwood from the ACT has no detrimental impact on service delivery for ACT residents.
- Ensure existing Yass Valley ratepayers and NSW residents are not detrimentally impacted by service provision from Yass Valley.
- Use existing legislative opportunities to maximise options for delivery of local services into Parkwood by ACT.

### State and Territory service provision

- Utilise needs based planning to inform service provision. Establish the same or similar service levels for state services in the ACT and NSW parts of the development wherever possible.
- Implement the same or similar infrastructure standards in the ACT and NSW parts of the development wherever possible.
- Recognise existing Commonwealth, State and Territory service provision and financing agreements.
- Build on existing cross agency MOUs and operational arrangements which already deliver coordinated NSW and ACT Government services across the border for policing, emergency services and human services.
- Build on and where needed further formalise engagement and dispute resolution procedures between governments related to operational MOUs, guided by the governance approach in the overarching MOU.
- Use the framework of the overarching MOU between the ACT and NSW Governments to engage further, finalise arrangements and resolve potential and actual disputes to support service access and delivery.

### Establishment Terms of Reference

The Parkwood Urban Release Area Governance Framework provides the following as establishment Terms of Reference to allow the parties to:

- Develop and implement a servicing model for the provision of government services and infrastructure to Parkwood;
- Identify key issues that impede efficient and consistent service delivery to the community of Ginninderry and to determine an appropriate arrangement for the service; and
- Identify opportunities for alignment and integration of service delivery and infrastructure spending, including where appropriate, through innovative and digitally-enabled solutions.

A complete Terms of Reference will be developed as a priority following establishment of a Steering Committee and will be reviewed every three years, in accordance with the next three-year formal update of the MoU.

### Governance

Implementation and governance for the Parkwood Urban Release Area Governance Framework will be led by: Chief Minister, Treasury and Economic Development Directorate (ACT), Department of Planning, Industry and Environment (NSW) and the General Manager of Yass Valley Council.

### Steering Committee

To progress agreement on the preferred governance mechanism and service delivery models, the parties agree to establish a Steering Committee comprising a representative from each party. A Chair of the Steering Committee will be elected at the first meeting after the signing of the MoU and will serve for one year. The Steering Committee will conduct biannual meetings, after that time, the Chair will rotate amongst members by agreement. Meetings, and all substantive decisions relating to the Parkwood Urban Release Area Governance Framework should involve the participation of all parties.

The Steering Committee will serve to ensure the preferred governance mechanism and service delivery models remain responsive to State/Territory and Local Government policy and demographic changes whilst maintaining certainty around the serviceability of Parkwood.



Ongoing engagement, dispute resolution and governance processes are proposed under this Framework. Parties agree to a flexible approach to allow refinement over time to ensure alignment with all other relevant cross agency MoUs and all planning approval processes.


### Dispute Resolution

Signature of this Parkwood Urban Release Area Governance Framework is not intended to create legally binding obligations on the parties to the Framework. The intention is to minimise the requirement for dispute resolution by pursuing active engagement. Where a dispute does arise, it is proposed that Yass Valley Council and/or the ACT and NSW Governments will take all necessary steps to resolve the dispute expeditiously by mutual agreement, using the following procedures:

- Discussions will first take place at an officer level, with every attempt made to resolve the dispute at this level.
- If the issue cannot be resolved at an officer level, then discussions will be held between the heads of relevant agencies and/or departments or otherwise as provided in the ACT-NSW Memorandum of Understanding for Regional Collaboration.
- If the issue cannot be resolved by the heads of relevant agencies, then discussions will be held between relevant Ministers.
- If not resolved, the discussions will be held between the First Ministers. Should a matter require escalation as outlined above, it is proposed that within the spirit and framework of the MoU between the NSW and ACT governments, all relevant information is processed quickly and a timeframe mutually agreed to settle the matters.

### Agreed Actions

Parkwood Urban Release Area Governance Framework	
Establish a Steering Committee comprising a representative from each party to progress agreement on the preferred governance mechanism and service delivery models.	Enduring Terms of Reference to be created following establishment of a Steering Committee.  Following development of the Terms of Reference, the parties agree to prepare an annual work program as an outcome of the Steering Committee.

  
 \_\_\_\_\_ Date 19/3/20  
 Kathy Leigh  
 Head of Service and Director General, ACT Chief Minister, Treasury and Economic Development Directorate

Sch 2.2(a)(ii)  
 \_\_\_\_\_ Date 26/06/20  
 NSW Government Signatory  
 \_\_\_\_\_ Secretary, Department Regional NSW

Sch 2.2(a)(ii)  
 \_\_\_\_\_ Date 30/6/2020  
 \_\_\_\_\_ Yass Valley Council



## Steering Committee for the Parkwood Urban Release Area Governance Framework

Draft Terms of Reference

### Introduction

Under the ACT-NSW Memorandum of Understanding for Regional Collaboration (the MoU) and the Parkwood Urban Release Area Governance Framework, the ACT and NSW Governments have agreed to establish a Steering Committee to progress agreement on the preferred governance mechanism and service delivery models for the urban release area on the NSW/ACT border known as Parkwood.

### The Steering Committee

The Steering Committee will develop an annual work program to:

- Develop and implement a service delivery model for the provision of government services and infrastructure to Parkwood;
- Identify key issues that impede efficient and consistent service delivery to the community of Ginninderry and to determine an appropriate arrangement for those services; and
- Identify opportunities for alignment and integration of service delivery and infrastructure spending, including where appropriate, through innovative and digitally-enabled solutions.

The Steering Committee will serve to ensure the preferred governance mechanism and service delivery models remain responsive to State/Territory and Local Government policy and demographic changes, whilst maintaining certainty around the serviceability of Parkwood.

The development of the governance arrangement and service delivery model will be guided by the principles set out under the Parkwood Urban Release Area Governance Framework.

### Membership

Under the Parkwood Urban Release Area Governance Framework, the Parties to the Framework are the ACT and NSW Governments, and Yass Valley Council. The Steering Committee will consist of the following representatives from the parties:

- ACT Government
  - Executive Branch Manager, Policy and Cabinet, Chief Minister, Treasury and Economic Development Directorate
  - Executive Branch Manager, Economic and Financial Analysis, Chief Minister, Treasury and Economic Development Directorate
  - Territory Representative for the Ginninderry Joint Venture, Suburban Land Agency

Commented [CD1]: To be agreed.

Commented [CD2]: For discussion: to what extent do we wish to specify membership?

Commented [CD3]: Please advise correct role



- NSW Government,
  - Office of the Cross-Border Commissioner
  - Department of Planning, Industry and the Environment
  - Department of Regional NSW
- Yass Valley Council
  - General Manager, Yass Valley Council
  - Director, Planning & Environment

**Chair**

The Steering Committee will nominate a chair in its first meeting. The chair will serve for one year. The chair will then rotate amongst members by agreement.

**Working groups**

The Steering Committee may establish working groups as required. The Steering Committee will agree terms of reference for working groups as applicable.

**Stakeholder engagement**

From time to time, the members of the Steering Committee may with agreement invite others to attend meetings of the Steering Committee or to participate in working groups.

**Secretariat**

Secretariat support for the Steering Committee will be provided by [ACT Government, Chief Minister, Treasury and Economic Development Directorate].

**Meetings**

Meetings will occur on a biannual basis and should involve the participation of all parties.

**Commented [CD4]:** For discussion

**Decision-making**

All substantive decisions of the Steering Committee should involve the participation of all parties.

**Commented [CD5]:** For discussion. need to be clear about the decision-making remit of this group, or is it rather about providing advice to Government(s).

**Term**

These Terms of Reference will be reviewed every three years, in accordance with the next three-year formal update of the MoU.



**Steering Committee for the Parkwood Urban Release Area Governance Framework**

**Inaugural Meeting, 9 March 2021**

<b>Chair</b>	Policy and Cabinet Division (PCD), ACT Chief Minister, Treasury and Economic Development Directorate
<b>Attendees</b>	
Policy and Cabinet Division, ACT Chief Minister, Treasury and Economic Development Directorate	Wilhelmina Blount (PCD) David Clapham (PDC) Stacey Matthews (PCD) Joel Hankinson (PCD) Kathy Goth (Treasury)
ACT Environment, Planning and Sustainable Development Directorate	Brett Phillips (Planning Delivery Division) Chris Webb (Suburban Land Agency)
Yass Valley Council	
NSW Department of Planning, Industry, and Environment	
Office of the Cross Border Commissioner	
Department of Regional NSW	

**MEETING AGENDA**

1. Welcome and Introductions
2. Background and context
3. Steering Committee for the Parkwood Urban Release Area Governance Framework Terms of Reference
4. Next Actions:
  - a. Water issues
  - b. ACT/NSW border issues
5. Other business
6. Close and next meeting date







# Steering Committee for the Parkwood Urban Release Area Governance Framework

Draft Terms of Reference

## Introduction

Under the *ACT-NSW Memorandum of Understanding for Regional Collaboration* (the MoU) and the Parkwood Urban Release Area Governance Framework, the ACT and NSW Governments have agreed to establish a Steering Committee to progress agreement on the preferred governance mechanism and service delivery models for the urban release area on the NSW/ACT border known as Parkwood.

[A copy of the Framework is attached to these Terms of Reference.](#)

## The Steering Committee

The Steering Committee will develop an annual work program to:

- Develop and implement a service delivery model for the provision of government services and infrastructure to Parkwood;
- Identify key issues that impede efficient and consistent service delivery to the community of Ginninderry and to determine an appropriate arrangement for those services; and
- Identify opportunities for alignment and integration of service delivery and infrastructure spending, including where appropriate, through innovative and digitally-enabled solutions.

The Steering Committee will serve to ensure the preferred governance mechanism and service delivery models remain responsive to State/Territory and Local Government policy and demographic changes, whilst maintaining certainty around ~~the~~ serviceability of Parkwood.

The development of the governance arrangement and service delivery model will be guided by the principles set out under the Parkwood Urban Release Area Governance Framework.

## Membership

Under the Parkwood Urban Release Area Governance Framework, the Parties to the Framework are the ACT and NSW Governments, and Yass Valley Council. The Steering Committee will consist of ~~the following~~ representatives from the following Government departments parties:

- ACT Government
  - ~~Executive Branch Manager~~, Policy and Cabinet, Chief Minister, Treasury and Economic Development Directorate
  - ~~Executive Branch Manager~~, Economic and Financial Analysis, Chief Minister, Treasury and Economic Development Directorate
  - ~~Urban and Commercial Territory Representative for the Ginninderry Joint Venture~~, Suburban Land Agency

- Planning Delivery Division, Environment, Planning and Sustainable Development Directorate
- Water Policy, Environment, Planning and Sustainable Development Directorate
- NSW Government,
  - Office of the NSW Cross-Border Commissioner
  - Department of Planning, Industry and the Environment
  - Regional Development, Department of Regional NSW
  - South East Water, Department of Regional NSW
- Yass Valley Council
  - General Manager, Yass Valley Council
  - Director, Planning & Environment

Additional representatives may be invited by the agreement of all members.

#### **Chair**

The Steering Committee will be chaired by a representative of Policy and Cabinet, Chief Minister, Treasury and Economic Development Directorate, ACT Government.

~~nominate a chair in its first meeting. The chair will serve for one year. The chair may rotate will then rotate~~ amongst members by agreement.

#### **Working groups**

The Steering Committee may establish working groups as required. The Steering Committee will agree terms of reference for working groups as applicable.

#### **Stakeholder engagement**

From time to time, the members of the Steering Committee may with agreement invite others to attend meetings of the Steering Committee or to participate in working groups.

#### **Secretariat**

Secretariat support for the Steering Committee will be provided by Policy and Cabinet, [ACT Government, Chief Minister, Treasury and Economic Development Directorate, ACT Government].

#### **Meetings**

A meeting schedule will be agreed by members and will occur at least~~Meetings will occur on a biannual basis~~twice per annum and should involve the participation of all parties.

#### **Decision-making**

The role of the Steering Committee is to provide advice to the ACT and NSW Governments and Yass Valley Council on proposed approaches for service provision to the Parkwood development.

Decisions made by the Steering Committee are not binding on any parties.



All substantive decisions of the Steering Committee should involve the participation of all parties and consideration of all options. 7

**Term**

These Terms of Reference will be reviewed every three years, in accordance with the next three-year formal update of the MoU.

**Attachment A: Parkwood Urban Release Area Governance Framework**



**3. Parkwood Urban  
Release Area Governan**

DRAFT



## Steering Committee for the Parkwood Urban Release Area Governance Framework

### Inaugural Meeting, 9 March 2021

<b>Chair</b>	Policy and Cabinet Division (PCD), ACT Chief Minister, Treasury and Economic Development Directorate
<b>Attendees</b>	
ACT Chief Minister, Treasury and Economic Development Directorate	Wilhelmina Blount (PCD) David Clapham (PCD) Stacey Matthews (PCD) Joel Hankinson (PCD) Kathy Goth (Treasury)
ACT Environment, Planning and Sustainable Development Directorate	Brett Phillips (Planning Delivery Division) Chris Webb (Suburban Land Agency)
Yass Valley Council	
NSW Department of Planning, Industry, and Environment	
Office of the Cross Border Commissioner	
Department of Regional NSW	

## MINUTES

### 1. Welcome and Introductions

- Members of the Steering Committee introduced themselves and their roles.

### 2. Background and context

- David Clapham (PCD) provided background and context to the Ginninderry Joint Venture and Parkwood Urban Release Area Governance Framework, including discussion of the Addendum to the ACT-NSW MOU for Regional Collaboration including land rezoning in NSW and NSW Planning's desire for formal governance frameworks.
- [REDACTED] provided additional context including the development of a cross-border servicing report which identified key service needs and challenges (including acknowledgment that there are over 70 services to be addressed), cross-border water supply being a particularly pertinent issue and acknowledgment that development on NSW side may take another 15 years.

- It was acknowledged that, although planning approval would ultimately need to be provided by Yass Valley Council, this would depend on service delivery which would require collaboration across Governments.
- Chris Webb (Suburban Land Agency) provided further context, noting that the ACT is approaching the ACT/NSW border at a faster pace than previously anticipated.

### 3. Steering Committee for the Parkwood Urban Release Area Governance Framework Terms of Reference

- Members of the Steering Commitment reviewed and provided comment on the draft Terms of Reference for the Steering Committee:
  - Members discussed cross-border water supply as the immediate service need and whether representatives of water policy departments should be included in the group.
    - **Agreed** to include, noting that mechanisms exist for separate working groups as required and there is potential for overlap with other possible working groups (e.g. under the ACT-NSW MoU for Regional Collaboration and a technical working group proposed by ICON Water (see further below)).
    - **Agreed** to include a line that gives authority to agree to additional members as required.
  - Members discussed whether membership should be specified or made generic.
    - **Agreed** to make generic and refer to Divisions/Departments only.
  - Members discussed who would chair meetings.
    - **Agreed** that PCD (ACT Government) would chair meetings whilst retaining flexibility for chair to rotate as required.
  - Members discussed working group mechanism.
    - **Noted** that this mechanism could also be used for structuring discussions on water supply.
  - Members **agreed** that Policy and Cabinet Division (ACT Government) will provide Secretariat support for the Steering Committee.
  - Members discussed the regularity of meetings and **agreed** that a meeting schedule would be developed and occur at least on a biannual basis.

- Members discussed the decision-making power of the Steering Committee and **agreed** that the Terms of Reference would specify that the Steering Committee plays an advisory role and any decisions would not be binding on parties.

#### 4. Next Actions:

- Water Issues
  - ACT Treasury indicated that the ACT could develop a policy position/paper on water supply to the development and bring it forward to the NSW Government and Yass Valley Council for consideration.
  - Chris Webb (Suburban Land Agency) noted that ICON Water has proposed the development of a technical group on water.
    - The Steering Committee **agreed** that it would be important to not duplicate work across multiple working groups.
    - The Steering Committee also **noted** that it may be appropriate for the technical group to be established under the framework of the Terms of Reference.
    - The Steering Committee **agreed** that the group would be tasked with development of a paper outlining the high level technical and regulatory issues, timeframes for decisions that will impact on infrastructure
  - The Steering Committee discussed the technical nature of water supply, noting that who supplies water to households will impact on the type of infrastructure put in - bulk or reticulated supply.
- Terms of Reference
  - The Steering Committee **agreed** that Policy and Cabinet Division, ACT Government would update the Terms of Reference based on the discussion and bring back for consideration / approval.

##### a. ACT/NSW border issues

Members discussed the link between water supply and a potential border move. Due to limited time availability, it was **agreed** that a further meeting would be held to discuss this issue in further detail.

#### 5. Other business

No other business was identified.

#### 6. Close and next meeting date

**Agreed** that Policy and Cabinet, ACT Government would organise another meeting to be held in the two weeks following the meeting to further discuss ACT/NSW border issues and next steps on water supply.





**Steering Committee for the Parkwood Urban Release Area Governance Framework**

**19 March 2021, 2:00pm - 3:00pm**

<b>Chair</b>	Policy and Cabinet Division (PCD), ACT Chief Minister, Treasury and Economic Development Directorate
<b>Attendees</b>	
ACT Chief Minister, Treasury and Economic Development Directorate	Wilhelmina Blount (PCD) David Clapham (PCD) Stacey Matthews (PCD) Joel Hankinson (PCD) Libby Chilvers (PCD) Kathy Goth (Treasury)
ACT Environment, Planning and Sustainable Development Directorate	Chris Webb (Suburban Land Agency)
Yass Valley Council	
NSW Department of Planning, Industry, and Environment	
Office of the Cross Border Commissioner	
Department of Regional NSW	

**MEETING AGENDA**

1. Welcome and Introduction
  - a. Apologies – Brett Phillips, Julie Rogers and Sarah Lees
2. Confirmation of Minutes
3. Updated Terms of Reference for the Steering Committee
4. Next Actions
  - a. ACT/NSW border issues
  - b. Water issues
5. Other business
6. Close and next meeting date

**From:** '[REDACTED]' <[REDACTED]@yass.nsw.gov.au>  
**Sent:** 25/03/2021 10:25 PM  
**To:** "Clapham, David" <David.Clapham@act.gov.au>  
**Subject:** Ginninderry Border Discussions

**CAUTION:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

David  
Quick update on moving the border.

[REDACTED] met with the [REDACTED]  
[REDACTED] and other DPIE reps yesterday to discuss the option of moving the  
ACT/NSW border for Ginninderry.

[REDACTED] agreed moving the border was preferable to complex cross border arrangements. [REDACTED] indicated [REDACTED] would  
discuss with the Premier

[REDACTED] | [REDACTED] | **Yass Valley Council**  
P: [REDACTED]  
E: [REDACTED]@yass.nsw.gov.au | W: [www.yassvalley.nsw.gov.au](http://www.yassvalley.nsw.gov.au)

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**From:** [redacted]@yass.nsw.gov.au>  
**Sent:** 25/03/2021 10:29 PM  
**To:** "Clapham, David" <David.Clapham@act.gov.au>  
**Subject:** RE: Ginninderry Border Discussions  
**Attachments:** Ministerial Briefing Notes - Parkwood (V3).docx

**CAUTION:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Very encouraging, Attached is the briefing notes we left with the Minister FYI

[redacted] | Yass Valley Council  
P: [redacted]  
E: [redacted]@yass.nsw.gov.au | W: [www.yassvalley.nsw.gov.au](http://www.yassvalley.nsw.gov.au)

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**From:** Clapham, David [mailto:David.Clapham@act.gov.au]  
**Sent:** Friday, 26 March 2021 9:27 AM  
**To:** [redacted]@yass.nsw.gov.au>  
**Subject:** RE: Ginninderry Border Discussions

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**OFFICIAL: Sensitive**

Thanks for the update [redacted] encouraging news.

**From:** [REDACTED]@yass.nsw.gov.au>  
**Sent:** Friday, 26 March 2021 9:26 AM  
**To:** Clapham, David <David.Clapham@act.gov.au>  
**Subject:** Ginninderry Border Discussions

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David  
Quick update on moving the border.

[REDACTED],  
[REDACTED] and other DPIE reps yesterday to discuss the option of moving the ACT/NSW border for Ginninderry.

[REDACTED] agreed moving the border was preferable to complex cross border arrangements. [REDACTED] indicated [REDACTED] would discuss with the Premier

[REDACTED] | [REDACTED] | Yass Valley Council  
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**1. Introduction**

- Parkwood Planning Proposal prepared on the basis of a 'seamless' new suburb in NSW with the adjoining suburb in the ACT – 5,000 new houses in NSW
- Unique geographic characteristics for the site which make it accessible from the ACT only
- Affects 9 properties in the ownership of 5 landowners
- Proposal was able to demonstrate cross border servicing is possible
- New LEP gazetted on 17 July 2020 through NSW Planning Acceleration Program
- Council support for the project subject to existing ratepayers not being disadvantaged
- To achieve 'seamless' servicing, property rates on each side of the border need to be equalised
- Potential rate revenue to Yass Valley of \$8,250,00 (based on \$1,650/lot to cover service costs)







### 3. Risk Assessment

The following table is a summary of the key risks and potential impacts:

Risks	Potential Impacts
<b>Planning Risks:</b>	
<ul style="list-style-type: none"> <li>Differences in planning systems</li> </ul>	Potential barrier to consultants and builders working in both jurisdictions
<ul style="list-style-type: none"> <li>Need to harmonise infrastructure standards</li> </ul>	Yass Valley would need to adopt ACT standards for infrastructure
<b>Financial Risks:</b>	
<ul style="list-style-type: none"> <li>Equalisation of Yass Valley property rates in Parkwood with the ACT to cover the costs of services</li> </ul>	Requires a SRV Rates in Parkwood need to be \$1,650/residential property to match expected ACT costs for services
<ul style="list-style-type: none"> <li>Rate capping in NSW does not keep pace with rates in ACT</li> </ul>	Differences in service levels between NSW and ACT residents Confusing for residents that are effectively one community Rates insufficient to cover operating costs and asset depreciation
<ul style="list-style-type: none"> <li>Any increase in rates for Parkwood means a reduction in rates elsewhere due to rate capping rules</li> </ul>	Different service levels for residents in Yass Valley outside of Parkwood disadvantaging existing ratepayers
<ul style="list-style-type: none"> <li>Special Rate Variation (SRV) to achieve parity in rates may not be approved by IPART. SRV to include levy for management of Conservation Area</li> </ul>	Additional Council resources required to prepare documentation of IPART (potentially annually) No certainty SRV will be granted in full or part SRV are time limited Disparity in service standards between the two jurisdictions
<ul style="list-style-type: none"> <li>Contract management</li> </ul>	Outsourcing the provision of services to the ACT will require contractual service agreements. Council will need dedicated contract managers to provide oversight to these agreements



<b>Political Risks:</b>	
<b>Yass Valley</b>	
<ul style="list-style-type: none"> <li>Changes to Yass Valley LGA priorities and political representation</li> </ul>	Future Parkwood community (15,000 people) will have Canberra as its main community of interest rather than Yass Valley
<ul style="list-style-type: none"> <li>Potential voting block not representative of the whole LGA</li> </ul>	Large number of people in small area of LGA could effectively determine all of the priorities for the LGA
<b>State</b>	
<ul style="list-style-type: none"> <li>Adjustment to State Electoral boundaries to equalise population sizes</li> </ul>	Goulburn Electorate may need to give up Southern Highlands to gain Parkwood
<b>Legislative Risks:</b>	
<ul style="list-style-type: none"> <li>Amendments to <i>LG Act 1993</i>, <i>EP&amp;A Act 1979</i>, <i>Public Health Act 2010</i>, <i>Companion Animals Act 1998</i>, tri-water agreement may not be implemented</li> </ul>	Council may need to assume responsibility for provision of LG services rather than the ACT Government or other service provider if legislation not adjusted

**4. Managing Risk**

- Considerable moving parts and multiple organisation responsibilities to manage the risks outlined above. Likely to involve considerable public sector resources and costs to coordinate.
- Alternative would be to move the NSW-ACT border.
  - Precedent in establishing ACT (1911) and Jervis Bay Territory (1915)
  - Parkwood only needs agreement of NSW, ACT, Commonwealth and Yass Valley Council
  - If border not moved NSW State Government will need to increase funding arrangements to ACT for services provided to Parkwood residents (i.e. health, education, policing)
  - Yass Valley Council prepared to consider foregoing future rate revenue (\$8.2M per year) and contributions to reduce administrative complexities in exchange for a lasting legacy for the Yass Valley community e.g.
    - Construction of Water Pipeline from ACT to Murrumbateman to supply projected regional growth
    - Barton Highway duplication

**5. Contacts**

[Redacted]  
 Sch 2.2(a)(i)(i)

[Redacted]  
 [Redacted]  
 Sch 2.2(a)(ii)

**From:** [REDACTED]@yass.nsw.gov.au>  
**Sent:** 06/10/2021 11:23 PM  
**To:** "Clapham, David" <David.Clapham@act.gov.au>  
**Subject:** RE: Amendments to the City Renewal Authority and Suburban Land Agency Act 2017

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You participation always welcome

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**From:** Clapham, David [mailto:David.Clapham@act.gov.au]  
**Sent:** Thursday, 7 October 2021 10:09 AM  
**To:** [REDACTED]@yass.nsw.gov.au>  
**Subject:** RE: Amendments to the City Renewal Authority and Suburban Land Agency Act 2017

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**OFFICIAL**

Thanks [REDACTED] – [REDACTED] has asked I attend – let me know of any issues.



**From:** [redacted] <[redacted]@yass.nsw.gov.au>  
**Sent:** Thursday, 7 October 2021 9:05 AM  
**To:** Clapham, David <David.Clapham@act.gov.au>  
**Subject:** RE: Amendments to the City Renewal Authority and Suburban Land Agency Act 2017

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Thanks David

[redacted] and I will be having a catch up next Wed to discuss. Will provide some feedback after this meeting

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**From:** Clapham, David [<mailto:David.Clapham@act.gov.au>]  
**Sent:** Tuesday, 5 October 2021 2:43 PM  
**To:** [redacted] <[redacted]@yass.nsw.gov.au>; [redacted] <[redacted]@snowymonaro.nsw.gov.au>; [redacted] <[redacted]@qprc.nsw.gov.au>; [redacted] <[redacted]@svc.nsw.gov.au>; Emma Watts <[redacted]@regional.nsw.gov.au>; [redacted] <[redacted]@regional.nsw.gov.au>; [redacted] <[redacted]@regional.nsw.gov.au> <[redacted]@regional.nsw.gov.au>; Kalina Koloff <[redacted]@crjo.nsw.gov.au>  
**Cc:** Hassett, Glen <Glen.Hassett@act.gov.au>; Blount, Wilhelmina <Wilhelmina.Blount@act.gov.au>; Potter, Chantel <Chantel.Potter@act.gov.au>  
**Subject:** Amendments to the City Renewal Authority and Suburban Land Agency Act 2017

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OFFICIAL

Good afternoon all

I am writing to inform you of the presentation of a bill this week to the ACT Legislative Assembly proposing amendments to the *City Renewal Authority and Suburban Land Agency Act 2017* (the Act). If passed, these technical amendments will remove the word 'leases' from provisions in the Act which deal with purchase or sale of land. An effect of this technical amendment will be that the Act will allow the purchase or sale of land in NSW via the Suburban Land Agency, if the Government chooses to do so in the future. These amendments to the Act will give the Suburban Land Agency the option of identifying and purchasing land for a variety of uses as it responds to the continuing population and economic growth of Canberra as a major regional city.

In agreeing that the amendments be presented to the Assembly, the Government asked that local councils and the NSW Government be informed of the Bill's introduction. If you have any questions please don't hesitate to get in touch with me.

The ACT Government welcomes further discussions with the NSW government and regional Council representatives to collaborate and consult on development and cross-border issues. We look forward to continuing to work with you on such matters that will ensure a safe and prosperous community.

All the best

David

**David Clapham** | Executive Branch Manager

Better Regulation Taskforce | Economic and Regional Policy Branch | **Policy & Cabinet Division**

☎ 02 6205 7261 | **Chief Minister, Treasury & Economic Development Directorate** | ACT Government

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[redacted]@regional.nsw.gov.au>; [redacted]@regional.nsw.gov.au>;  
[redacted]@dpc.nsw.gov.au>; Phillips, Brett <Brett.Phillips@act.gov.au>; [redacted]  
[redacted]:@regional.nsw.gov.au>

**Cc:** Blount, Wilhelmina <Wilhelmina.Blount@act.gov.au>; Clapham, David <David.Clapham@act.gov.au>

**Subject:** Parkwood Governance Steering Committee - Auditor Office audit scoping

**OFFICIAL**

Good Morning

For those of you that I have not yet met, I recently moved from Economic Development to Policy and Cabinet Division working in David's team with responsibility for Planning, Infrastructure and Regional Development.

The reason for this email is to inform you that the ACT Audit Office has included the Ginninderry development in the Performance Audit Work Program for 2021/22. Audit Office officials are in the early stages of planning and scoping for this potential audit and have been seeking input from relevant directorates. David and I had an introductory discussion with Tanya Porter from the Audit office in early September and have been responding to requests for information including a timeline for key development decisions which I have included below. The office has now asked if it can review meeting agendas and minutes for the Parkwood Governance Steering Committee.

Could members of the Committee please let me know if there are any concerns about sharing these documents with the Audit Office?

Kind regards

Glen

- **2021** – Parkwood Governance group formed.
- **2021** – Officials' level discussions on ACT-NSW Border move commence
- **By 2023** – Options on border move considered by Governments (timing to be confirmed).
- **2022-24** – Advance planning on school and education services is required 10 years in advance of reaching the border.
- **2025** – Decision required on cross border water supply in order to allow time for capital works planning (advised by ICON Water).
- **2027-2030** – Key decisions on other infrastructure and services is required 2-5 years in advance of development reaching the border. This includes public transport, rural fire services, and state emergency services.
- **2032-34** – Development will reach the border.

**Glen Hassett** | Senior Director | [redacted]

Planning, Infrastructure and Regional Development | Economic and Regional Policy Branch | **Policy & Cabinet Division**

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**Steering Committee for the Parkwood Urban Release Area Governance Framework  
19 March 2021**

<b>Chair</b>	Policy and Cabinet Division (PCD), ACT Chief Minister, Treasury and Economic Development Directorate
<b>Attendees</b>	
ACT Chief Minister, Treasury and Economic Development Directorate	Wilhelmina Blount (PCD) David Clapham (PCD) Stacey Matthews (PCD) Joel Hankinson (PCD) Kathy Goth (Treasury)
ACT Environment, Planning and Sustainable Development Directorate	Chris Webb (Suburban Land Agency)
Yass Valley Council	Chris Berry
NSW Department of Planning, Industry, and Environment	[Redacted]
Office of the Cross Border Commissioner	
Department of Regional NSW	

**MINUTES**

**1. Welcome and Introductions**

- Apologies - Brett Phillips (EPSDD), [Redacted]

**2. Confirmation of minutes**

- Members **agreed** that the following amendments would be made to the meeting minutes for 9 March 2021:
  - Section 3 amended as follows: “Members **noted** that mechanisms exist for separate working groups as required and there is potential for overlap with other possible working groups (e.g., under the ACT-NSW MoU for Regional Collaboration and a technical working group proposed by ICON Water (see further below)).”
  - Section 4 amended as follows: “ACT Treasury noted that development of a timeframe for key decisions etc. on water issues relating to Parkwood would be beneficial”.

**3. Updated Terms of Reference for the Steering Committee**

- Members **agreed** to the updated Terms of Reference.

**4. Next Actions:**



- ACT/NSW Border Issues

- Representatives of PCD noted that a border move may be the simplest solution to the complexities of cross border service provision to Parkwood, and expressed interest in discussing opportunities and challenges with other members.
- [REDACTED] discussed the challenges associated with cross border service provision (e.g., financial risks relating to rates and need for further consultation with NSW Government agencies).
- [REDACTED] noted that a Council resolution would be required to pursue a border move approach and identify any conditions that would apply to this approach.
- [REDACTED] noted that former advice on the ACT Government's position on a border move would support the progression of discussions within the NSW Government.
- [REDACTED] noted that there would be some planning implications to incorporate the border change (e.g., updating relevant LEPs).
- [REDACTED] noted the importance of understanding impact on costs etc. of a border move.
- Members discussed the technical aspects of a border move, including legal advice received.
- [REDACTED] indicated that a potential border move could be discussed with the Minister for Planning and Public Spaces, Rob Stokes.
  - **UPDATE FOLLOWING MEETING:** This meeting has now occurred. The Minister agreed that a potential border move would be the simplest solution and agreed to discuss this with the NSW Premier.
- Representatives of PCD **agreed** that an ACT Government position would be confirmed and communicated to representatives of NSW and Yass Valley Council.
- [REDACTED] and Chris Webb (Suburban Land Agency) **agreed** to find previous legal advice on border move and share with relevant parties.

- Water Issues

- Chris Webb (Suburban Land Agency) indicated that water supply is the number one strategic priority for cross border service provision from the perspective of the joint venture.
  - Noted that development in the ACT is getting close to the border. As such, a decision on water would be required in the next 10 years.
- [REDACTED] agreed with this perspective.
- Chris Webb (Suburban Land Agency) **agreed** to develop a list of possible attendees and a draft Terms of Reference for a working group focused on cross-border water supply.
- [REDACTED] noted that interaction with water supply actions under the South East Regional Plan would be an important consideration for NSW.

**5. Other business**

No other business was identified.

**6. Close and next meeting date**

**Agreed** that the next meeting date would be settled once draft materials for a water working group are developed by Chris Webb (Suburban Land Agency).

**From:** [Redacted]  
**To:** [Clapham, David](#)  
**Cc:** [Peter Bascomb](#); [Peter Tegart](#); [Matthew Hyde](#)  
**Subject:** RE: Amendments to the City Renewal Authority and Suburban Land Agency Act 2017  
**Date:** Thursday, 14 October 2021 8:49:15 AM  
**Attachments:** [image00ac6a.PNG](#)  
[image7d6786.PNG](#)  
[image2dd674.PNG](#)  
[image9dade7.PNG](#)  
[image011a26.PNG](#)

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David

Further to yesterday's discussions here is my summary:

Acknowledge that:

- The changes to the legislation to remove reference to leases provides increase flexibility in relation to the purchase of property for ACT agencies
- Overcomes problems for the ACT's joint venture project at Parkwood in Yass Valley, NSW

For the NSW Local Government Areas adjoining the ACT:

- NSW Councils encourage the ACT agencies to engage with NSW Local Government in the early stages for any land purchases in NSW and their Local Government Area
- The purpose of the land purchases in NSW should be consistent with the applicable Strategic Regional Planning Framework and the NSW/ACT Memorandum of Understanding on cross border matters

Trust this is of assistance

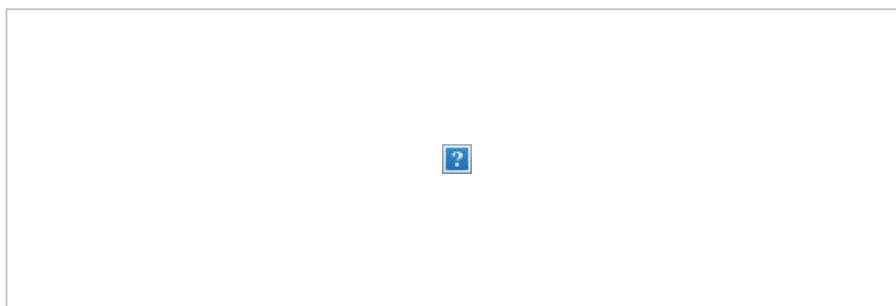
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**From:** Clapham, David [mailto:David.Clapham@act.gov.au]

**Sent:** Tuesday, 5 October 2021 2:43 PM

**To:** [redacted]@yass.nsw.gov.au; [redacted]@snowymonaro.nsw.gov.au;  
[redacted]@qprc.nsw.gov.au; [redacted]@svc.nsw.gov.au; [redacted]  
[redacted]@regional.nsw.gov.au; [redacted]@regional.nsw.gov.au; [redacted]  
[redacted]@regional.nsw.gov.au) <[redacted]@regional.nsw.gov.au>; [redacted]  
<[redacted]@crjo.nsw.gov.au>

**Cc:** Hassett, Glen <Glen.Hassett@act.gov.au>; Blount, Wilhelmina <Wilhelmina.Blount@act.gov.au>; Potter, Chantel <Chantel.Potter@act.gov.au>

**Subject:** Amendments to the City Renewal Authority and Suburban Land Agency Act 2017

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OFFICIAL

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In agreeing that the amendments be presented to the Assembly, the Government asked that local councils and the NSW Government be informed of the Bill's introduction. If you have any questions please don't hesitate to get in touch with me.

The ACT Government welcomes further discussions with the NSW government and regional Council representatives to collaborate and consult on development and cross-border issues. We look forward to continuing to work with you on such matters that will ensure a safe and prosperous community.

All the best

David

**David Clapham** | Executive Branch Manager

Better Regulation Taskforce | Economic and Regional Policy Branch | **Policy & Cabinet Division**

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**From:** 'Sch 2.2(a)(ii)'  
**Sent:** 23/12/2021 10:59 PM  
**To:** 'Sch 2.2(a)(ii)' 'Breen, Ryan' <Ryan.Breen@act.gov.au>  
'Sch 2.2(a)(ii)' 'Clapham, David' <David.Clapham@act.gov.au>;  
'Sch 2.2(a)(ii)' <@yass.nsw.gov.au> 'Sch 2.2(a)(ii)' <@yass.nsw.gov.au>;  
'Sch 2.2(a)(ii)' <@yass.nsw.gov.au>;  
'Sch 2.2(a)(ii)' <@yass.nsw.gov.au>;  
'Sch 2.2(a)(ii)' <@yass.nsw.gov.au>; Glenn.Hassett@act.gov.au <Glenn.Hassett@act.gov.au>  
**Subject:** Yass Valley Council Water Supply Strategy - Cross-border discussion - draft minutes  
**Attachments:** 12548725-MIN- Cross-border water supply discussion Minutes.pdf

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Hi all,

Please find attached draft minutes from our recent meeting to discuss potential for cross-border supply of water to Yass Valley Council to service the growth areas of Yass and Murrumbateman. I have also included with the minutes the minutes of our scope confirmation workshop to provide clarity on this engagement compared to the work PWA are doing in preparing the IWCM.

Please provide any comments on these minutes by 21 January 2022. Please note that I will be on leave from this afternoon until 11 January 2022. I hope you all have a pleasant break over Christmas/New Year and look forward to discussing this project with you further in 2022.

Regards,

[Redacted signature]

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# Minutes

17 December 2021

<b>Project name</b>	Yass Valley Water Supply Strategy	<b>From</b>	
<b>Subject</b>	Cross-border water supply discussion	<b>Tel</b>	02 22(000)
<b>Date / Time</b>	17 December 2021 9.30 am to 10.30 am at Icon Water Mitchel office and via MS Teams	<b>Project no.</b>	12548725
<b>Attendees</b>	<p>[Redacted]</p> <p>Ryan Breen (RB), ACT Gov EPSDD David Clapham (DC), ACT Gov CMTEDD Glenn Hassett (GH), ACT Gov CMTEDD</p> <p>[Redacted]</p>	<b>Apologies</b>	
<b>Objective</b>	Exploring required steps for YVC to further cross-border water supply discussion.	<b>Copy to</b>	All invitees

Minutes	To be actioned by
<p><b>Welcome</b></p> <ul style="list-style-type: none"> <li>- An Acknowledgement of Country and acknowledgement of Icon Water hosting the meeting by CW</li> <li>- Participants introduced themselves</li> </ul>	
<p><b>Project Overview</b></p> <ul style="list-style-type: none"> <li>- Background to and overview of the project was given by CW and JD.</li> <li>- Highlighting the focus at this stage is the future water supply Yass and Murrumbateman</li> <li>- Parkwood on different timelines in relation to the strategy. Also, Parkwood is separate from Yass Valley and must be accessed via the ACT. 72 services required and being considered for Parkwood.</li> <li>- Currently developing IWCM. Likely to run out of water prior to known development completion.</li> <li>- Options on the table considered. ACT supply preferred</li> </ul>	
<p><b>Discussion</b></p> <p><b>Clarification on context</b></p> <ul style="list-style-type: none"> <li>- GHD (CW) provided introduction of stepwise approach through the MCA</li> <li>- DC - Need to be clear on what strategy is going to encompass. A political process is required before infrastructure and regulation can come into place.</li> </ul>	

- [ ] – all options technically achievable but biggest hurdle is the regulatory challenges e.g., cross-border, inter jurisdictional, history with Queanbeyan. What is the feasibility and certainty of supply for small number of people being on a long pipeline?
- What are the political requirements?
- RB – What is the engagement to date with NSW water planners?
- [ ] – Matters discussed but not yet included in the planning. DPIE involved in process to date. Yass dam dry means other dams downstream likely dry. How would Icon Water manage supply especially during higher demand and lower inflow.
- [ ] – security and ability to supply can be worked out later. Has been included in previous modelling. TE to provide previous modelling done and what was included.
- Modelling has been updated but not finalised.
- ACT within MDB regarding water accounting
- DC – how confident is YVC in growth projection?
- [ ] – considering opposite – without water supply growth will need to slow down.
- YVC to consider Murrumbateman supply need cause due to higher growth rate than currently projected.
- Existing Murrumbateman village has supply. YVC try to increase denser rural residential development. Too hard. Focus new growth in new areas north of Murrumbateman towards Yass
- Yass to Murrumbateman pipeline now caters for existing village. Rezoning of land can't occur until water supply secured.
- [ ] – 2006 study was done as part of Yass Dam raising. Approximately 5 ML/d. Yass to Murrumbateman 3 ML/d. Only facilitates 3000 people in Murrumbateman. Settlement strategy projects 10,000 people in future.

#### ACT perspective by DC

- Secretariate for Parkwood and DC sits on region stakeholder group.
- DC has tried to drive identifying what ACT role in regional water supply.
- Conversation has been had for a while. Supply to Queanbeyan but no clear position in supplying water in region.
- ACT needs a clear position on circumstances and principles that would guide that process and agreement. Need to capture context of water supply, long-term understanding impacts on volumes, regional growth. ACT more growth is good economically but increase water demands.
- Work needs to be done in ACT to construct a policy position. May be accelerated if a concrete formal proposal from NSW + YVC is presented. Never previously been a formal request.
- Where NSW government are at with their water planning/regional water supply strategy.
- ACT will consider other items and will need to involve NSW. E.g. this will enable X number additional people in Yass, cost of health services etc.:
  1. Clear position from ACT.
  2. Clear proposal and approach, joint with NSW? (Coherent and aligned approach)
  3. Also, broader considerations than just water will have to come into play (access of health services, infrastructure were mentioned)
  4. Parkwood is separate but would need to be considered as part of the conversation
- NSW to be part of documented approach
- There is an appetite for ministers in ACT for conversation and also ACT community
- Are we talking about unlimited supply and go with growth whatever may come or is there a cap? What does that do for timeframes for new water sources for ACT supply, impact on timeframe.
- Need to understand what this means for the MDB agreement e.g. ownership of water NSW/ACT

#### Increase NSW buy-in for water supply

- [ ] – key driver for this work was to prompt these conversations with government stakeholders. YVC gone down this track to strengthen their position in relation to NSW government. They are coming on the journey at the moment. This is our preferred strategy. The YVC Water supply strategy will be used to start conversations. Get agreement and get solution moving.
- DC – strategy will struggle to articulate a clear path but there is a series of decisions that will need to be made. Point out big milestones in strategy. E.g. NSW agree with YVC therefore both approach ACT. ACT needs to be supported to facilitate

- [redacted] – IWCM has the weight to show NSW is supportive of the preferred scenario.
- [redacted] – while discussing with DPIE Water as the organisation needs to be coming on board. How do we promote and increase buy-in.
- DC – might want to consider what governance framework would be. Existing MoU between ACT and Commonwealth for water. Technically still in force. DC to send copy.
- Articulate preferred option Queanbeyan precedent – include this level of detail.
- [redacted] – articulate accounting mechanism and referenced
- RB – not simple accounting but MoU plus Basin Plan
- DC – key milestone would be trading agreement for water
- [redacted] – IWCM will drive timing of when this will be done.
- Potential that the current growth is higher than modelled demand. Understanding timeline will help bring NSW on board, e.g. when do we need to put a stop on development due to no water supply?

#### Challenges due to future community consultation through IWCM process and publication of Supply Strategy

- [redacted] – Community consultation as part of IWCM. ACT supply nominated.
- [redacted] – IWCM will inform likely time of water running out and reinforcing work for preferred scenario but not adopted until public exhibition. Note that it isn't yet agreed.
- [redacted] – Need to get agreement for all services between jurisdictions, water trading and how managed, [how to resolve this]
- RB – need to do some technical work on broader integrated water management. Is this technically feasible without impacting on future options for ACT.
- [redacted] – Note additional demands are small but they are additional demands to the water supply. It cannot just be stated that the ACT has enough water.
- [redacted] – we are looking for a long-term source. IWCM process is iterative in 30-year periods. Need to look at when Yass Dam can't meet supply. What would be capacity for 50 – 100 year planning.
- DC – good to understand timing of when scenario would be made public
- [redacted] – presentation to Councillors at end of GHD work. Need to identify clear milestones for the way forward and make that part of the decision process for Yass.
- If alternative supply not secured planning strategies won't eventuate.
- DC – Yass isn't the only Council in the Region. Other townships also considering this. How does ACT multiple stakeholders in the regions
- RB – Greta (member of the outgoing YASS council) will be important on how messages are crafted and framed, upstream water management issues and water trading.
- Hydrologic model has been developed and will help discussion.

#### Next steps

- GHD to incorporate key milestones into strategy document outlining necessary steps and considerations to help YVC to progress discussions for future water supply in the Yass Valley Council LGA GHD

#### Close

- GHD to prepare minutes and share with workshop participants GHD

Attachment – Scope confirmation workshop minutes for GHD engagement



# Minutes

7 October 2021

<b>Project name</b>	Yass Valley Water Supply Strategy	<b>From</b>	[Redacted]
<b>Subject</b>	Scope Confirmation Workshop	<b>Tel</b>	Sch 22 (a) (1)
<b>Date / Time</b>	30 September 2021 / 10 am to 12 pm via MS Teams	<b>Project no.</b>	12548725
<b>Attendees</b>	[Redacted]	<b>Apologies</b>	[Redacted]
<b>Objective</b>	Project scope confirmation	<b>Copy to</b>	All invitees

Minutes	To be actioned by
<p>Welcome</p> <ul style="list-style-type: none"> <li>- An Acknowledgement of Country was given by CW</li> <li>- Participants introduced themselves</li> </ul>	
<p>Project Background and Overview</p> <ul style="list-style-type: none"> <li>- Background to and overview of the project was given by JC.</li> <li>- Discussed linkage between this project and the development of YVC's IWCM being prepared by PWA.</li> <li>- A table was presented (non-exhaustive) to compare the IWCM process and this engagement scope</li> <li>- Timing for this project is end of year.</li> <li>- IWCM timing will continue to 2022.</li> </ul>	
<p>Structure of the Engagement – Tasks 1 to 4</p> <ul style="list-style-type: none"> <li>- GHD presented an overview of the way the engagement has been structured.</li> </ul>	
<p>Program (Based on Tasks 1 to 4)</p> <ul style="list-style-type: none"> <li>- Review of program</li> <li>- Will require input from this group, particularly at workshops for MCA.</li> </ul>	
<p>Specific Areas of NSW DPIE Expertise/Involvement</p> <ul style="list-style-type: none"> <li>- AS noted the timing and the need for advice to the Cross-border commissioner.</li> <li>- Intent is to identify challenges and issues to start the conversation not propose solutions.</li> <li>- Noted that the focus will be on the three development areas, i.e. Yass, Murrumbateman and Ginninderry as noted in the YVC Settlement Strategy.</li> <li>- Consider scalability in criteria to adapt to market changes</li> </ul>	[Redacted]

Minutes	To be actioned by
Information Review, Document Control and Collaboration	
– Use of MS Teams for collaboration space and document sharing	ALL
– All to upload additional documents as available	GHD/ALL
– GHD setting up access to Teams. Please advise if you do not have access.	
Water Supply Options Assessment	
– Options assessment is to identify the technically preferred option.	
– Pipeline is considered a likely preferred option, and this will raise cross-border issues	
– Note that entitlement of water will be a key consideration	
– Criteria to be developed need to allow decision making that is defensible and robust. Criteria will be developed then assessed pairwise for weighting.	GHD GHD
– Need to have sufficient technical information collated/prepared to define the options	GHD
– If there is insufficient information available, we will need to utilise a hold point and undertake further studies. It is hope this is not necessary with the knowledge available in this group of stakeholders.	
– Options assessment criteria needs to consider YVC strategies	GHD
– Consider sensitivity analysis on the criteria weightings (and potentially scoring) to confirm robustness of decision-making process.	GHD
Strategy	GHD/ALL
– Intent is to identify preferred option for each identified growth area and then combine these to form the overall preferred strategy	
Cross Border Issues (Based on Tasks 1 to 4)	
– The Ginninderry development is on its own. Icon Water are aware and have been considering this development. Nicole Vonarx is the contact for Icon Water.	
– If cross-border supply is considered will need to consider the volume of water available. Consideration needed for licensing, water resource accounting, sustainable diversion limits and system capacity.	GHD
Close	
– GHD to prepare criteria and options descriptions	GHD
– Coordinate time for review and MCA	GHD/YVC

Attachment – Presentation slides



**Yass Valley Water Supply  
Strategy – Scope  
Confirmation Workshop**

**Welcome**



I'd like to take a moment to acknowledge the traditional owners of the lands on which I am joining the meeting from today, the Ngunnawal and Ngambri people. I extend that acknowledgement to the lands from which others are joining from today.

→ I pay my respects to their Elders – past, present and emerging and celebrate the diversity of Aboriginal peoples and their ongoing cultures and connections to the lands, waters and communities around us.







# Scope Confirmation Workshop

→ Agenda

Item	Timing	Who by
Welcome	10.00 – 10.05	GHD
Project Background and Overview	10.05 – 10.20	YVC
Role of DPIE	10.20 – 10.30	DPIE
Linkage with Council's IWCM	10.30 – 10.40	YVC
Structure of the Engagement – Tasks 1 to 4	10.40 – 10.50	GHD
Program (Based on Tasks 1 to 4)	10.45 – 11.00	GHD
Specific Areas of NSW DPIE Expertise/Involvement	11.00 – 11.10	DPIE
Information Review, Document Control and Collaboration	11.10 – 11.25	ALL
Water Supply Options Assessment	11.25 – 11.35	GHD
Strategy	11.35 – 11.45	GHD/ALL
Cross Border Issues (Based on Tasks 1 to 4)	11.45 – 11.55	GHD/ALL
Close	11.55 – 12.00	GHD



# Project Overview

→ Background and scope





# Yass development areas



Focus on three growth areas

- Yass
- Murrumbateman
- Ginninderry

This development in Yass -  
Precinct 1 sold in 6 months





# Role of DPIE

→ Working together and valuable insights

# IWCM process - Where does this project fit?

	YVC IWCM Strategy - NSW PWA	YVC Water Source Strategy - GHD
<b>Applicant</b>	Yass Valley Council	Yass Valley Council
<b>Funding</b>	Committed up to 60% subsidy by NSW DPIE	100% by YVC
<b>Objective</b>	Develop a 30 year strategy for provision of affordable, cost effective and sustainable urban water and sewerage services to meet community and regulatory requirements - Based on 2019 IWCM check list activities.	Targeted water supply strategy inclusive of options assessment and identification of a preferred option to address specific security of supply risks including the impact of cross border development, extraction licencing, governance and legal.
<b>Audience</b>	General Manager, Councillors, Staff, Community, Water Regulators and other stakeholders	General Manager, Councillors, <b>NSW Government, ACT Government, Cross Border Commissioner, NSW DPIE and Icon Water</b>
<b>Consultation</b>	Wide ranging consultation	Targeted higher-level consultation
<b>Financial</b>	Comprehensive 30 year financial plan capturing OMA and capital costs	Preferred option detailed costing
<b>Capacity Assessment</b>	Detail water and sewer reservoir zone and SPS level capacity assessment. Plus detailed stream flow modelling and secure yield assessment.	Net water supply capacity assessment using secure yield and consumption data.
<b>Water Quality</b>	Detailed assessment	<b>Not in scope</b>
<b>Effluent Quality</b>	Detailed assessment	<b>Not in scope</b>
<b>Unserviced Areas</b>	Detailed assessment	<b>Not in scope</b>
<b>Asset Renewals and New Capex</b>	Detailed assessment	<b>Not in scope</b>
<b>Final Strategy Document</b>	IWCM Strategy for water supply and sewerage systems including 30 year TAMP and financial plan for the adopted scenario. Conventional IWCM.	Water source strategy document inclusive of high quality material suitable for the desired audience.
<b>Timeline</b>	Based on established processes with completion in 2022	<b>Urgent for Council to chart its direction of settlement strategy. Completion by end 2021.</b>

# Structure of the Engagement

## Commence & Formulate

- **Task 1 – Commencement of project**
  - Background briefing meeting
  - IWCM Issues Paper Presentation
  - Scope Conformation Workshop
  - Review of Informaiton
- **Task 2 - Formulate**
  - Criteria Development
  - Criteria confirmation workshop

## Assess & Strategise

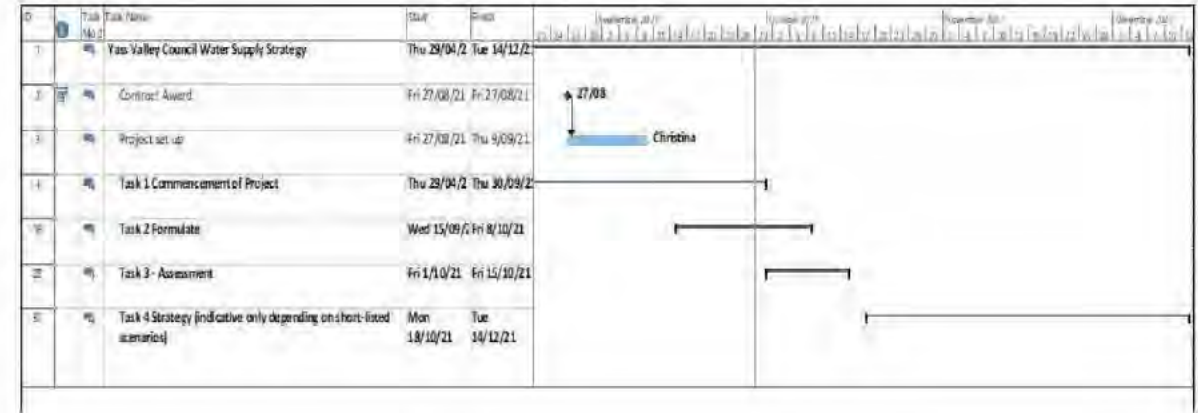
- **Task 3 – Assessment**
  - Long list of options
  - Draft Assessment
  - MCA Workshop
- **Task 4 – Strategy**
  - Scenario development
  - Preferred Scenario
  - Water Supply Strategy





# Program

- **Task 1 – Commencement – Now**
  - currently underway including this meeting
- **Task 2 – Formulate – Next week**
  - Criteria
- **Task 3 – Assessment – Two weeks time**
  - Long list options
  - MCA
- **Task 4 – Strategy – November**
  - Preferred option for each growth area
  - Preferred scenario overall
  - Water strategy document identifying cross-border and other regulatory challenges faced





# Role of DPIE

→ Specific areas of DPIE involvement



# Collaboration

→ Information Review, Document Control and Collaboration







# Water Supply Options Assessment

→ Criteria and Option considerations

# Criteria

Criteria aligned with NSW and NSW Regional Water Strategy objectives and priorities (as this will likely feed into Murrumbidgee Regional water strategy)

**Define specific criteria that may include both:**

Mandatory/minimum performance criteria (all options including the base case must meet those particular standards)

**&**

Broader objectives (other physical, social, environmental objectives held by Council, stakeholders or the community).





# Criteria



## Examples of criteria we have used in other projects include:

- High level CAPEX and OPEX
- Environmental impact/benefit
- Cultural heritage impact/benefit
- Operational and maintenance complexity
- Timeframe for implementation
- Population serviced or volumes supplied/treated
- Level of regulatory approvals required
- Adaptability to climate change
- Energy use/greenhouse gas emission
- Scalability to accommodate changes in demand or supply
- Alignment with UNDP Sustainable Development Goals
- Principles of Circular Economy



# Options per growth area

Long list of options, followed by draft assessment and multi-criteria-assessment (MCA) workshop

There are three identified growth areas in the scope of the project: Yass, Murrumbateman and Parkwood.

---

**#01**

Recycling/reuse of water

---

**#02**

Decentralised water supply

---

**#03**

Surface water

---

**#04**

Groundwater

---

**#05**

Alternative water source  
(stormwater, rainwater, air-to-water technologies)

---

**#06**

Cross-border supply

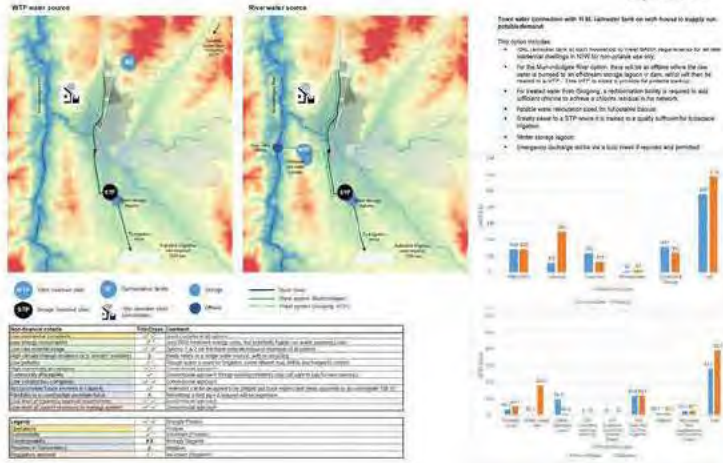
---

**#07**

Efficiency & conservation

# Water Supply Strategy

## Option 1



1  
2  
3

Scenario development

Preferred Scenario

Water Supply Strategy.



A tool to facilitate further discussion





# Cross-border considerations

→ Based on tasks 1 - 4







# Next Steps

→ Where to from here?



**\* Thank You**

**From:** "Christina West" <Sch 2.2(a)(1)>  
**Sent:** 14/01/2022 5:43 AM  
**To:** "Clapham, David" <David.Clapham@act.gov.au>  
**Cc:** "Carmody, Sophie" <Sophie.Carmody@act.gov.au>; "Hassett, Glen" <Glen.Hassett@act.gov.au>; "Sch 2.2(a)(1)" <Sch 2.2(a)(1)>  
<Sch 2.2(a)(1)>@yass.nsw.gov.au  
**Subject:** RE: Yass Valley Council Water Supply Strategy - Cross-border discussion - draft minutes

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Hi David

The only other action would be providing any additional comments or feedback on the minutes. From here we will be documenting the process so far and drafting up a milestone document of the next steps. As discussed in the meeting looking to get something in front of both NSW and ACT authorities about what the issues and challenges of this water supply strategy might be going forward. We are in the process of drafting this and will circulate something hopefully before the end of the month.

Regards,

**Christina West** (she/her) | A GHD Associate  
BE (Chem (Environment and Energy)) (Hons) FIEAust CPEng  
Senior Project Manager

**GHD**

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**From:** Clapham, David <David.Clapham@act.gov.au>  
**Sent:** Tuesday, 4 January 2022 2:45 PM  
**To:** Christina West <Sch 2.2(a)(1)>  
**Cc:** Carmody, Sophie <Sophie.Carmody@act.gov.au>; Hassett, Glen <Glen.Hassett@act.gov.au>  
**Subject:** RE: Yass Valley Council Water Supply Strategy - Cross-border discussion - draft minutes

**OFFICIAL**

Thanks Christina

I was trying to recall if there were any actions for me – all I could see was to share the ACT-NSW-Commonwealth MoU which I think Glen did on the day. However, for completeness, the MoU can be found here:

<https://www.infrastructure.gov.au/department/media/publications/act-cross-border-water-resources>

What are the next steps from GHD's perspective?

Thanks



David

**David Clapham** | Executive Branch Manager

Better Regulation Taskforce | Economic and Regional Policy Branch | **Policy & Cabinet Division**

☎ 02 6205 7261 | **Chief Minister, Treasury & Economic Development Directorate** | ACT Government

Level 5, 220 London Circuit | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)

**From:** [redacted] Sch 2.2(a)(ii)

**Sent:** Friday, 24 December 2021 10:00 AM

**To:** [redacted] Sch 2.2(a)(ii) Breen, Ryan <[Ryan.Breen@act.gov.au](mailto:Ryan.Breen@act.gov.au)>;

[redacted] Sch 2.2(a)(ii) Clapham, David

<[David.Clapham@act.gov.au](mailto:David.Clapham@act.gov.au)>; Kuga Kugaprasatham <[KKugaprasatham@yass.nsw.gov.au](mailto:KKugaprasatham@yass.nsw.gov.au)>; [redacted] Sch 2.2(a)(ii)

[redacted] Sch 2.2(a)(ii) com>; [redacted] @yass.nsw.gov.au; [redacted] @yass.nsw.gov.au;

[Glenn.Hassett@act.gov.au](mailto:Glenn.Hassett@act.gov.au)

**Subject:** Yass Valley Council Water Supply Strategy Cross border discussion draft minutes

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Hi all,

Please find attached draft minutes from our recent meeting to discuss potential for cross-border supply of water to Yass Valley Council to service the growth areas of Yass and Murrumbateman. I have also included with the minutes the minutes of our scope confirmation workshop to provide clarity on this engagement compared to the work PWA are doing in preparing the IWCM.

Please provide any comments on these minutes by 21 January 2022. Please note that I will be on leave from this afternoon until 11 January 2022. I hope you all have a pleasant break over Christmas/New Year and look forward to discussing this project with you further in 2022.

Regards,

**GHD**

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**From:** "Clapham, David"  
**Sent:** 01/04/2022 3:49 AM  
**To:** [REDACTED]@yass.nsw.gov.au  
**Bcc:** "Blount, Wilhelmina" <Wilhelmina.Blount@act.gov.au>; "Carmody, Sophie" <Sophie.Carmody@act.gov.au>  
**Subject:** Performance Audit - Parkwood

OFFICIAL

Thanks for the heads up.

---

**From:** [REDACTED]@yass.nsw.gov.au  
**Sent:** Thursday, 31 March 2022 1:05 PM  
**To:** Clapham, David <David.Clapham@act.gov.au>  
**Subject:** Performance Audit - Parkwood

**CAUTION:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

David  
Just a heads up - received a request for an interview by ACT Audit Office on Parkwood

[REDACTED] | **Yass Valley Council**  
P: [REDACTED]  
E: [REDACTED]@yass.nsw.gov.au | W: [www.yassvalley.nsw.gov.au](http://www.yassvalley.nsw.gov.au)

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**From:** "Clapham, David"  
**Sent:** 11/05/2022 7:15 AM  
**To:** [REDACTED]@yass.nsw.gov.au>  
**Subject:** RE: ACT Audit Office Report - Parkwood

OFFICIAL: Sensitive

Thanks [REDACTED] and yes just received the report too.

On my quick scan I don't see an issue with the recommendations but will need to thoroughly read the report for accuracy.

We are of one mind on expectations for if the group met again soon. I have been waiting to call the group back together pending advice from NSW on a border move; as you know we were pretty close to kicking things off prior to the change in Premier. Sadly I have nothing significant to report on this front, although can confirm that I am in conversations with NSW. A timeline is probably a good idea, if we can impose it on NSW.

Totally agree with your sequencing of priorities, including the desire to leave detail to the technical experts. I imagine that we will need to meet again sooner rather than later in the wake of this report, perhaps the next meeting should bring Icon and the JV to talk to water.

I won't be able to share our comments back to the AG, but if there is anything critical I will seek to confirm details with you.

Thanks

David

---

**From:** [REDACTED]@yass.nsw.gov.au>  
**Sent:** Wednesday, 11 May 2022 4:56 PM  
**To:** Clapham, David <David.Clapham@act.gov.au>  
**Subject:** ACT Audit Office Report - Parkwood

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David  
I presume  
you have  
received a

copy of the draft proposed report from the ACT Audit Office. From my perspective it reflects my statements made in the interview and some additional information provided after the interview. I am not intending to seek any changes.

My recollections of the Governance Steering Committee is that we wanted to focus on progressing the moving of the border as a priority rather than dive into the detail of service agreements. If moving the border was a define NO from NSW then we would need to shift to negotiating each of the service arrangements. I still think that the border move is worth pursuing with the assistance from the Cross Border Commissioner in setting up a meeting between Premier, Chief Minister and Mayor (and one adviser each) as a matter of some urgency. The outcome from such a meeting would be an in principle agreement to move the border.

I'm sure if the Governance Steering Committee meet (as per the Audit Office recommendation) in the near future moving the border would still be a priority and seeking that commitment from NSW for an on principle' agreement would need to be escalated. Maybe worth setting ourselves a deadline for this to occur.

Agree the priority for water supply to Parkwood should continue to be our focus. My thoughts are:

- Move the border then there is no problem (for water supply or any other service for that matter)
- Agree on a water supply arrangement between YVC and ACT/ICON Water eg
  - Supply from ACT to a holding tank/reservoir at the border and YVC is responsible for reticulating from the tank to households (I think this is the Queanbeyan arrangement) or
  - Pipeline to the border with a meter, developers in NSW provide reticulation system throughout Parkwood and hands over finished infrastructure to Council, Council collects water rates from residents to pay ACT/ICON for water use based on the metered amount

I may have oversimplified the water supply options but am happy to leave the technical details up to the water engineers to work out what is involved with these options.

Thoughts?

[REDACTED] | **Yass Valley Council**

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E: [REDACTED]@yass.nsw.gov.au | W: [www.yassvalley.nsw.gov.au](http://www.yassvalley.nsw.gov.au)

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**From:** "Barbaro, Theresa" <Theresa.Barbaro@act.gov.au> on behalf of "Clapham, David" <David.Clapham@act.gov.au>  
**Sent:** 08/07/2022 1:04 AM  
**To:** "Goth, Kathy" <Kathy.Goth@act.gov.au>; "Brady, Erin" <Erin.Brady@act.gov.au>; "Stewart, Di" <Di.Stewart@act.gov.au>; "Breen, Ryan" <Ryan.Breen@act.gov.au>; "Webb, Chris" <Chris.Webb@act.gov.au>; "Chris Berry" <[REDACTED]@yass.nsw.gov.au>; "[REDACTED]" <[REDACTED]@yass.nsw.gov.au>; "[REDACTED]" <[REDACTED]@planning.nsw.gov.au>; "[REDACTED]" <[REDACTED]@regional.nsw.gov.au>; "[REDACTED]" <[REDACTED]@regional.nsw.gov.au>; "[REDACTED]" <[REDACTED]@regional.nsw.gov.au>; "[REDACTED]" <[REDACTED]@regional.nsw.gov.au>; "[REDACTED]" <[REDACTED]@regional.nsw.gov.au>; "[REDACTED]" <[REDACTED]@regional.nsw.gov.au>; "Gordon, Tom" <Tom.Gordon@act.gov.au>; "Burdon, Gareth" <Gareth.Burdon@act.gov.au>; "Thompson, Daniel" <Daniel.Thompson@act.gov.au>; "[REDACTED]" <[REDACTED]@planning.nsw.gov.au>; "[REDACTED]" <[REDACTED]@planning.nsw.gov.au>; "Barbaro, Theresa" <Theresa.Barbaro@act.gov.au>  
**Cc:** "Davies, Dean" <Dean.Davies@act.gov.au>; "Carmody, Sophie" <Sophie.Carmody@act.gov.au>; "Blount, Wilhelmina" <Wilhelmina.Blount@act.gov.au>; "Chilvers, Libby" <Libby.Chilvers@act.gov.au>  
**Subject:** Draft Agenda - Parkwood Steering Committee Meeting, Wed 13 July  
**Attachments:** Draft Agenda - Parkwood Steering Committee Meeting - 13 July 2022.docx

OFFICIAL

Hi everyone

Attached is the draft agenda for next week's Steering Committee Meeting. Please let us know if there is anything you would like added/amended on the agenda.

The team have also booked a meeting room at 220 London Circuit on the 5<sup>th</sup> Floor, but due to current health and safety, also have the option to participate via Webex.

Appreciate if you could let [@Barbaro, Theresa](#) know if you will be attending face to face or via Webex.

Sincerely

David

**David Clapham** | Executive Branch Manager  
Better Regulation Taskforce | Economic and Regional Policy Branch | **Policy & Cabinet Division**  
☎ 02 6205 7261 | **Chief Minister, Treasury & Economic Development Directorate** | ACT Government  
Level 5, 220 London Circuit | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)





**ACT**  
Government

Chief Minister, Treasury and  
Economic Development



## Steering Committee for the Parkwood Urban Release Area Governance Framework

Wednesday 13 July 2022, 2:00- 3:30pm

<b>Chair</b>	Policy and Cabinet Division (PCD), ACT Chief Minister, Treasury and Economic Development Directorate
<b>Attendees</b>	
ACT Chief Minister, Treasury and Economic Development Directorate	<b>Wilhelmina Blount</b> – Executive Group Manager, Policy and Cabinet Division <b>Dr David Clapham</b> – Executive Branch Manager, Economic and Regional Policy <b>Kathy Goth</b> – Executive Branch Manager, Economic and Financial Analysis, Treasury <b>Sophie Carmody</b> – A/g Senior Director, Economic and Regional Policy <b>Dean Davies</b> – Director, Economic and Regional Policy
ACT Environment, Planning and Sustainable Development Directorate	<b>Dr Erin Brady</b> – Deputy Director General, Planning and Sustainable Development (TBC) <b>Di Stewart</b> – A/g Executive Group Manager, Planning and Urban Policy (TBC) <b>Ryan Breen</b> – Director, Water Policy
ACT Suburban Land Agency	<b>Chris Webb</b> – Program Manager, Development Delivery Group
Yass Valley Council	
NSW Department of Planning, Industry, and Environment	
Office of the Cross Border Commissioner	
Department of Regional NSW	

### MEETING AGENDA

1. Welcome and Introduction a. Apologies
2. Confirmation of Minutes
3. Update on ACT Audit Office Performance Audit - <i>Governance arrangements for the planning of services for Parkwood, Ginninderry</i>
4. Updates: a. Parkwood/Ginninderry Development (SLA) b. Water infrastructure for Parkwood (SLA)
5. Next Actions: a. ACT/NSW border issues
6. Other business
7. Close and next meeting date

**From:** "Clapham, David"  
**Sent:** 19/07/2022 12:15 AM  
**To:** "Carmody, Sophie" <Sophie.Carmody@act.gov.au>; "Blount, Wilhelmina" <Wilhelmina.Blount@act.gov.au>; "Goth, Kathy" <Kathy.Goth@act.gov.au>; "Davies, Dean" <Dean.Davies@act.gov.au>; "Chilvers, Libby" <Libby.Chilvers@act.gov.au>; "Brady, Erin" <Erin.Brady@act.gov.au>; "Stewart, Di" <Di.Stewart@act.gov.au>; "Breen, Ryan" <Ryan.Breen@act.gov.au>; [REDACTED]@act.gov.au; [REDACTED]@yass.nsw.gov.au; [REDACTED]@yass.nsw.gov.au; [REDACTED]@yass.nsw.gov.au; [REDACTED]@planning.nsw.gov.au; [REDACTED]@regional.nsw.gov.au; [REDACTED]@regional.nsw.gov.au; [REDACTED]@regional.nsw.gov.au; "Michele Bailey" [REDACTED]@regional.nsw.gov.au; [REDACTED]@regional.nsw.gov.au; [REDACTED]@regional.nsw.gov.au; [REDACTED]@regional.nsw.gov.au; "Bromley, Guy" <Guy.Bromley@act.gov.au>  
**Cc:** "Gordon, Tom" <Tom.Gordon@act.gov.au>; "Burdon, Gareth" <Gareth.Burdon@act.gov.au>; [REDACTED]@regional.nsw.gov.au; [REDACTED]@dpie.nsw.gov.au; [REDACTED]@planning.nsw.gov.au; "Wong, Nicole" <Nicole.Wong@act.gov.au>; "Teburea, Lisa" <Lisa.Teburea@act.gov.au>  
**Bcc:** "220LC 5.39 (Capacity 10, Seats 6, COVID safe, Webex)" <220LC539@act.gov.au>  
**Subject:** Parkwood Steering Committee Meeting (Agenda and Papers attached)  
**Attachments:** 1. Agenda - Parkwood Steering Committee Meeting 20 July 2022.pdf, 2. Minutes Parkwood Steering Committee - 19 March 2021 Meeting.pdf, 3. Meeting Notes - Parkwood Steering Committee Meeting - 20 July 2022.pdf

Hi everyone

Apologies but we need to reschedule to the following week. Hope you have had an opportunity to review the Agenda emailed last week, if you have any questions regarding the agenda or would like to discuss the meeting, please contact Sophie Carmody.

Kind regards

Theresa

– Do not delete or change any of the following text –

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Meeting number (access code): 2651 998

4209

Meeting password: QMzMTJ9Mj67

Tap to join from a mobile device (attendees only)

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## Steering Committee for the Parkwood Urban Release Area Governance Framework

Wednesday 20 July 2022, 1:30- 3:00pm (Webex)

<b>Chair</b>	Policy and Cabinet Division (PCD), ACT Chief Minister, Treasury and Economic Development Directorate
<b>Attendees</b>	
ACT Chief Minister, Treasury and Economic Development Directorate	<b>Wilhelmina Blount</b> - Executive Group Manager, Policy and Cabinet Division <b>Dr David Clapham</b> - Executive Branch Manager, Economic and Regional Policy <b>Kathy Goth</b> - Executive Branch Manager, Economic and Financial Analysis, Treasury <b>Nicole Wong</b> - A/g Senior Director Government Business Enterprises <b>Guy Bromley</b> - A/g Senior Director, Economic and Regional Policy <b>Sophie Carmody</b> - Director, Economic and Regional Policy <b>Dean Davies</b> - Director, Economic and Regional Policy
ACT Environment, Planning and Sustainable Development Directorate	<b>Dr Erin Brady</b> - Deputy Director General, Planning and Sustainable Development (TBC) <b>Lisa Teburea</b> - Executive Group Manager, Planning and Urban Policy <b>Ryan Breen</b> - Director, Water Policy
ACT Suburban Land Agency	<b>Chris Webb</b> - Program Manager, Development Delivery Group
Yass Valley Council	<b>Chris Berry</b> - General Manager
NSW Department of Planning, Industry, and Environment	
Office of the Cross Border Commissioner	
Department of Regional NSW	

### MEETING AGENDA

1. Welcome and Introduction <ul style="list-style-type: none"> <li>a. Apologies</li> </ul>
2. Confirmation of Minutes
3. Update on ACT Audit Office Performance Audit - <i>Governance arrangements for the planning of services for Parkwood, Ginninderry</i>
4. Updates: <ul style="list-style-type: none"> <li>a. Parkwood/Ginninderry Development (SLA)</li> <li>b. Water infrastructure for Parkwood (SLA)</li> </ul>
5. Next Actions: <ul style="list-style-type: none"> <li>a. ACT/NSW border issues</li> </ul>
6. Other business
7. Close and next meeting date



**Steering Committee for the Parkwood Urban Release Area Governance Framework  
19 March 2021**

<b>Chair</b>	Policy and Cabinet Division (PCD), ACT Chief Minister, Treasury and Economic Development Directorate
<b>Attendees</b>	
ACT Chief Minister, Treasury and Economic Development Directorate	Wilhelmina Blount (PCD) David Clapham (PCD) Stacey Matthews (PCD) Joel Hankinson (PCD) Kathy Goth (Treasury)
ACT Environment, Planning and Sustainable Development Directorate	Chris Webb (Suburban Land Agency)
Yass Valley Council	
NSW Department of Planning, Industry, and Environment	
Office of the Cross Border Commissioner	
Department of Regional NSW	

**MINUTES**

**1. Welcome and Introductions**

- Apologies - Brett Phillips (EPSDD), Julie Rogers (Yass) and Sarah Lees (NSW)

**2. Confirmation of minutes**

- Members **agreed** that the following amendments would be made to the meeting minutes for 9 March 2021:
  - Section 3 amended as follows: "Members **noted** that mechanisms exist for separate working groups as required and there is potential for overlap with other possible working groups (e.g., under the ACT-NSW MoU for Regional Collaboration and a technical working group proposed by ICON Water (see further below))."
  - Section 4 amended as follows: "ACT Treasury noted that development of a timeframe for key decisions etc. on water issues relating to Parkwood would be beneficial".

**3. Updated Terms of Reference for the Steering Committee**

- Members **agreed** to the updated Terms of Reference.

**4. Next Actions:**

- ACT/NSW Border Issues

- Representatives of PCD noted that a border move may be the simplest solution to the complexities of cross border service provision to Parkwood, and expressed interest in discussing opportunities and challenges with other members.
- [REDACTED] discussed the challenges associated with cross border service provision (e.g., financial risks relating to rates and need for further consultation with NSW Government agencies).
- [REDACTED] noted that a Council resolution would be required to pursue a border move approach and identify any conditions that would apply to this approach.
- [REDACTED] noted that former advice on the ACT Government's position on a border move would support the progression of discussions within the NSW Government.
- [REDACTED] noted that there would be some planning implications to incorporate the border change (e.g., updating relevant LEPs).
- [REDACTED] noted the importance of understanding impact on costs etc. of a border move.
- Members discussed the technical aspects of a border move, including legal advice received.
- [REDACTED] indicated that a potential border move could be discussed with the Minister for Planning and Public Spaces, Rob Stokes.
  - **UPDATE FOLLOWING MEETING:** This meeting has now occurred. The Minister agreed that a potential border move would be the simplest solution and agreed to discuss this with the NSW Premier.
- Representatives of PCD **agreed** that an ACT Government position would be confirmed and communicated to representatives of NSW and Yass Valley Council.
- [REDACTED] and Chris Webb (Suburban Land Agency) **agreed** to find previous legal advice on border move and share with relevant parties.

- Water Issues



- Chris Webb (Suburban Land Agency) indicated that water supply is the number one strategic priority for cross border service provision from the perspective of the joint venture.
  - Noted that development in the ACT is getting close to the border. As such, a decision on water would be required in the next 10 years.
- [REDACTED] with this perspective.
- Chris Webb (Suburban Land Agency) **agreed** to develop a list of possible attendees and a draft Terms of Reference for a working group focused on cross-border water supply.
- [REDACTED] noted that interaction with water supply actions under the South East Regional Plan would be an important consideration for NSW.

#### **5. Other business**

No other business was identified.

#### **6. Close and next meeting date**

**Agreed** that the next meeting date would be settled once draft materials for a water working group are developed by Chris Webb (Suburban Land Agency).



# Steering Committee for the Parkwood Urban Release Area Governance Framework

Meeting Notes: 20 July 2020

## 1. Welcome and Introduction

- This Committee is the key governance forum for inter-jurisdictional parties that have responsibility for developing and implementing a model for service delivery to Parkwood.
- The Committee has previously met on two occasions in March 2021 (9 March and 19 March) and agreed to a Terms of Reference.
- The work of this Committee has been paused due to the ongoing response to the COVID-19 pandemic and while discussions on a potential move of the ACT/NSW border.

## 2. Confirmation of Minutes

- The last meeting of the Committee was on 19 March 2021.
  - Minutes are attached.

## 3. Update on ACT Audit Office Performance Audit - *Governance arrangements for the planning of services for Parkwood, Ginninderry*

- The ACT Auditor-General has completed a performance audit on the governance arrangements for the planning of services for Parkwood.
  - The report was presented to the Speaker of the ACT Legislative Assembly on 29 June 2022.
- The Report makes two recommendations:
  - CMTEDD should re-convene the Parkwood Steering Committee and work with the members to agree and deliver a work program each year. The work program should document the priority tasks and timelines for the Committee to effectively deliver on its objectives in advance of the Ginninderry development reaching the NSW border.
  - CMTEDD should review and endorse and/or revise the service delivery options developed through the Cross Border Agency Forums in 2013, 2016 and 2019, and documented in the *Parkwood Planning Proposal: Services and Infrastructure Report* (2017). There is merit in progressing this in parallel with considerations about the border move as the move may not occur.

- The ACT Government will prepare a response to the audit report, which should be provided by the end of October 2022.

#### **4. Updates:**

##### *a) Parkwood/Ginninderry Development (SLA)*

- SLA to provide high level update on development progress.

##### *b) Water infrastructure for Parkwood (SLA)*

- At its last meeting Committee resolved that water infrastructure across the border was the first critical decision point for the group.
- SLA to provide advice on any further developments in this space
- Group to discuss critical timeframes for decisions.

#### **5. Next Actions**

##### *a) ACT/NSW border issues*

- The ACT Chief Minister wrote to the NSW Premier in October 2021 congratulating him on his appointment as Premier. In his letter, the Chief Minister sought to reopen discussions on the ACT/NSW border move.
- The NSW Premier is yet to reply.

#### **6. Other business**

#### **7. Close and next meeting date**



**From:** "Barbaro, Theresa" <Theresa.Barbaro@act.gov.au> on behalf of "Clapham, David" <David.Clapham@act.gov.au>  
**Sent:** 01/08/2022 6:31 AM  
**To:** "Undisclosed recipients:"  
**Subject:** FW: For review/comment: Due COB Monday 8 August - Draft minutes and Terms of Reference  
**Attachments:** DRAFT Minutes Parkwood Steering Committee #3 Meeting held on 20 July 2022.docx, Parkwood Steering Committee - Agreed Terms of Reference - For Review Following 20 July 2022 Meeting.DOCX, Performance Audit Report - Governance arrangements for the planning of services for Parkwood, Ginninderry.PDF

**OFFICIAL**

Dear all,

Thank you all for your attendance and contributions to the Parkwood Steering Committee meeting on 20 July 2022.

Attached are the draft minutes and the current Committee Terms of Reference for your review. **Please let us know if there is anything you would like added/amended in the minutes and if there are any corrections or proposed changes for the terms.**

As discussed last week, the ACT Auditor-General has completed a performance audit on the governance arrangements for the planning of services for Parkwood (final report attached). The ACT Government will prepare a response to the audit report however we acknowledge that the recommendations made by the Auditor-General require the Committee's agreement to facilitate.

**CMTEDD Policy and Cabinet is leading the drafting of the Government response and we request your views on the Auditor-General's recommendations to inform the development of the ACT Government response.**

Could you please provide any feedback or comments on the above mentioned documents by **COB Monday 8 August 2022.**

If you would like any further information or to discuss any of the items listed above, please let me know.

Kind regards,

David

-

**David Clapham** | Executive Branch Manager  
Regional, Infrastructure, Planning & Transport Branch | **Policy & Cabinet Division**  
☎ 02 6205 7261 | **Chief Minister, Treasury & Economic Development Directorate** | ACT Government  
Level 5, 220 London Circuit | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development



**Steering Committee for the Parkwood Urban Release Area Governance Framework  
Meeting #3**

**Wednesday 20 July 2022, 1:30- 3:00pm (Webex)**

<b>Chair</b>	Policy and Cabinet Division (PCD), ACT Chief Minister, Treasury and Economic Development Directorate
<b>Attendees</b>	
ACT Chief Minister, Treasury and Economic Development Directorate	<b>Wilhelmina Blount</b> - Executive Group Manager, Policy and Cabinet Division <b>Dr David Clapham</b> - Executive Branch Manager, Economic and Regional Policy <b>Kathy Goth</b> – Executive Branch Manager, Economic and Financial Analysis, Treasury <b>Nicole Wong</b> – A/g Senior Director, Government Business Enterprises <b>Guy Bromley</b> – A/g Senior Director, Economic and Regional Policy <b>Sophie Carmody</b> – Director, Economic and Regional Policy <b>Libby Chilvers</b> – Policy Officer, Economic and Regional Policy
ACT Environment, Planning and Sustainable Development Directorate	<b>Lisa Teburea</b> – Executive Group Manager, Planning and Urban Policy <b>Ryan Breen</b> – Director, Water Policy
ACT Suburban Land Agency	<b>Chris Webb</b> – Program Manager, Development Delivery Group <b>Tom Gordon</b> – Executive Director, Development Delivery Group <b>Gareth Burdon</b> – Development Director, Development Delivery Group
Yass Valley Council	
NSW Department of Planning and Environment	
Office of the Cross Border Commissioner	
Department of Regional NSW	

**MINUTES**

**1. Welcome and Introductions**

- Apologies – Dean Davies (CMTEDD), Dr Erin Brady (EPSDD), [REDACTED]

**2. Confirmation of minutes**

- Members **agreed** the meeting minutes for 19 March 2022.
- **ACTION:** Chair to circulate Terms of Reference for review and any updates.

**3. Update on ACT Audit Office Performance Audit – *Governance arrangements for the planning of services for Parkwood, Ginninderry***

- The ACT Auditor-General has completed a performance audit on the governance arrangements for the planning of services for Parkwood.
  - The report was presented to the Speaker of the ACT Legislative Assembly on 29 June 2022.

- The ACT Government will prepare a response to the audit report, which should be provided by the end of October 2022. The response will report that the Committee has met and will continue to meet.
- Representatives of PCD noted that the recommendations made by the Auditor-General require tripartite agreement between governments represented within the Committee and as such PCD intends to seek the views of the group to inform an ACT response.
- **ACTION:** CMTEDD to seek the views of the Committee on the Audit recommendations to inform the ACT Government response.

#### 4. Updates:

##### Parkwood/Ginninderry Development

- Chris Webb (Suburban Land Agency) provided a high-level update on development progress and indicated that several environmental clearance zones need to be removed in order for the development to progress.
  - Noted that all available land in the ACT has now been sold and, due to a delay with the closure and remediation of the Belconnen landfill site, the project is effectively out of land until the environmental clearance zones have been remediated appropriately for development.
  - Noted that this has highlighted a low risk that it may be necessary to develop NSW land earlier than anticipated, such as in 5 years' time where it was previously not anticipated until 2032.
- Kathy Goth (ACT Treasury) noted the previous decision to focus on resolving the potential border move was based on the length of time available before development would approach the border and the opportunity to minimise the intensive work involved with service provision planning if it did not need to occur.
- Members discussed the anticipated timeframe for breaking ground in NSW in 2032 and the low risk that the timeframe may be brought forward.
- Chris Webb (Suburban Land Agency) indicated that the Committee developing a service provision plan would ensure the Parkwood Urban Release Area Governance Framework Committee is prepared for either scenario developing.
- [REDACTED] ) noted that the potential border move is likely to take a significant amount of time to resolve



and progressing consideration of service provision planning may need to overlap.

#### Water Infrastructure for Parkwood

- Chris Webb (Suburban Land Agency) advised that no notable developments had occurred since the last meeting and noted that key decisions to be made remain:
  - How the water supply would occur (bulk supply to border, or Icon Water also managing the reticulation network); and
  - How regulation would be applied in Parkwood (technical regulation of water and sewerage standards, and economic regulation of pricing).
- [REDACTED] noted that modelling the arrangement after the Queanbeyan Water Supply Agreement, where Icon Water provides bulk water supply to the border and Yass Valley Council manages the reticulation network in Parkwood, may be the simplest solution available.
- Representatives of PCD noted that resolving the potential border move as a priority may still provide a significant benefit as the location of the border will influence the model of water supply utilised and the technical and economic regulation involved.

#### **5. Next Actions:**

##### ACT/NSW Border Issues

- Representatives from PCD provided an update on progress of work to date on the potential border move, noting that:
  - The NSW Premier has not yet replied to the ACT Chief Minister's letter seeking to reopen discussions on the ACT/NSW border move sent in October 2021;
  - CMTEDD has had intermittent contact with the NSW Department of Premier and Cabinet (DPC) over the last 10 months, that has indicated that it is unclear on the process required for moving the border, including querying if a referendum may be required.
- [REDACTED] noted that the Office had met with DPC to brief on this item and advise legal advice indicated a referendum would not be necessary.
  - Noted that DPC will be leading any conversations on this item for NSW.

- Representatives from PCD noted CMTEDD is currently working with the ACT Government Solicitor to re-confirm previous legal advice received on this matter and the steps involved to proceed.
- **ACTION:** When available, CMTEDD to share feedback on border move steps from GSO.
- Members discussed the merit of developing a sequencing timeline that captures the lead times necessary for planning purposes, which will assist in forming a clearer understanding of what decisions need to be made ahead of 2032 and in what order.
  - [REDACTED] noted the Council cannot approve the development until the satisfactory arrangements have been agreed for the servicing.
    - Noted that the Council has looked into funding and staffing required to appropriately manage cross border service provision and administer special rate variations.
    - Noted the political and financial risks that impact on the Council's agreement to ACT agencies servicing NSW land.
    - Indicated that moving the border may be the only option available, other than the development not proceeding.
  - Kathy Goth (ACT Treasury) noted given Yass Valley Council may not be in favour to agreeing a service agreement at this stage, the Committee should determine the priorities for the group moving forward.
  - Tom Gordon (Suburban Land Agency) noted that developing a sequencing timeline could be considered consistent with the Auditor-General's recommendation to develop a yearly work program and that it would benefit from the inclusion of issues to be addressed such as those raised by Yass Valley Council.
- **ACTION:** CMTEDD to begin work on a draft timeline and priority document that could be used to inform a work plan.

## 6. Other business

- No other business was identified.

## 7. Close and next meeting date

- **Agreed** that the next meeting would be held in six weeks' time.
- A meeting invite has been sent for Wednesday 31<sup>st</sup> August.

- NSW Government
  - Office of the NSW Cross-Border Commissioner
  - Department of Planning, Industry and the Environment
  - Regional Development, Department of Regional NSW
  - South East Water, Department of Regional NSW
  
- Yass Valley Council
  - General Manager, Yass Valley Council
  - Director, Planning & Environment

Additional representatives may be invited by the agreement of all members.

### **Chair**

The Steering Committee will be chaired by a representative of Policy and Cabinet, Chief Minister, Treasury and Economic Development Directorate, ACT Government.

The chair may rotate amongst members by agreement.

### **Working groups**

The Steering Committee may establish working groups as required. The Steering Committee will agree terms of reference for working groups as applicable.

### **Stakeholder engagement**

From time to time, the members of the Steering Committee may with agreement invite others to attend meetings of the Steering Committee or to participate in working groups.

### **Secretariat**

Secretariat support for the Steering Committee will be provided by Policy and Cabinet, Chief Minister, Treasury and Economic Development Directorate, ACT Government.

### **Meetings**

A meeting schedule will be agreed by members and will occur at least twice per annum.

### **Decision-making**

The role of the Steering Committee is to provide advice to the ACT and NSW Governments and Yass Valley Council on proposed approaches for service provision to the Parkwood development.

Decisions made by the Steering Committee are not binding on any parties.

All substantive decisions of the Steering Committee should involve the participation of all parties and consideration of all options.

### **Term**

These Terms of Reference will be reviewed every three years, in accordance with the next three-year formal update of the MoU.



**Attachment A: Parkwood Urban Release Area Governance Framework**



**3. Parkwood Urban  
Release Area Governan**

**From:** "Barbaro, Theresa" <Theresa.Barbaro@act.gov.au> on behalf of "Clapham, David" <David.Clapham@act.gov.au>  
**Sent:** 09/09/2022 3:08 AM  
**To:** "Green, Ben" <Ben.Green@act.gov.au>; [REDACTED]@regional.nsw.gov.au; [REDACTED]@dpie.nsw.gov.au; "Goth, Kathy" <Kathy.Goth@act.gov.au>; "Brady, Erin" <Erin.Brady@act.gov.au>; "Stewart, Di" <Di.Stewart@act.gov.au>; "Breen, Ryan" <Ryan.Breen@act.gov.au>; "Webb, Chris" <Chris.Webb@act.gov.au>; [REDACTED]@yass.nsw.gov.au; [REDACTED]@yass.nsw.gov.au; [REDACTED]@yass.nsw.gov.au; [REDACTED]@planning.nsw.gov.au; [REDACTED]@regional.nsw.gov.au; [REDACTED]@regional.nsw.gov.au; [REDACTED]@regional.nsw.gov.au; [REDACTED]@regional.nsw.gov.au; "Teburea, Lisa" <Lisa.Teburea@act.gov.au>; [REDACTED]@regional.nsw.gov.au; [REDACTED]@planning.nsw.gov.au; [REDACTED]@planning.nsw.gov.au; "Gordon, Tom" <Tom.Gordon@act.gov.au>; "Burdon, Gareth" <Gareth.Burdon@act.gov.au>; "Wong, Nicole" <Nicole.Wong@act.gov.au>  
**Cc:** "Carmody, Sophie" <Sophie.Carmody@act.gov.au>; "Chilvers, Libby" <Libby.Chilvers@act.gov.au>; "Bromley, Guy" <Guy.Bromley@act.gov.au>; "Blount, Wilhelmina" <Wilhelmina.Blount@act.gov.au>  
**Subject:** UPDATED Agenda and Papers - Parkwood Steering Committee Meeting #4 - Tues 20 September 2022

**Attachments:** 4. Attachment A - ACT Advice - Mechanism to relocate the ACT-NSW border.PDF, 4. Parkwood Steering Committee - ACT-NSW border move update.DOCX, 7. Attachment A - Draft Parkwood Sequencing Chart.PDF, 7. Attachment B - Parkwood Cross Border Agency Forum Outcomes Report - Elton - March 2019.PDF, 7. Attachment B - West Belconnen Parkwood Cross Border Agency Forum Outcomes Report - Elton - 24 March 2016.PDF, 7. Attachment B - Parkwood Planning Proposal - Services and Infrastructure report - Elton - 2 June 2017.PDF, 7. Parkwood Steering Committee - Issue Sequencing.DOCX, 3. Steering Committee - Parkwood Urban Release Area Governance Framework - Agreed Terms of Reference (OCBC edits).DOCX, 2. Minutes Parkwood Steering Committee #3 - 20 July 2022 Meeting (OCBC edits).DOCX, 1. Agenda - Parkwood Steering Committee Meeting #4 Tuesday 20 September 2022.DOCX

OFFICIAL

Dear all

Thank you all for accommodating a change to the meeting date.

Attached are papers with updated agenda.

Kind regards

David

**David Clapham** | Executive Branch Manager  
Regional, Infrastructure, Planning and Transport Branch | **Policy & Cabinet Division**  
☎ 02 6205 7261 | **Chief Minister, Treasury & Economic Development Directorate** | ACT Government  
Level 5, 220 London Circuit | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)

### Constitutional mechanisms

1. The land comprising the Australian Capital Territory (as a geographic place – referred to as the ACT) was surrendered by NSW and acquired or “accepted” by the Commonwealth pursuant to s 111 of the Commonwealth Constitution (Constitution), for the purposes of s 125. This is clearly reflected in the terms of the *Seat of Government Acceptance Act 1909* (Cth).
2. Section 111 of the Constitution is the applicable section for expanding the ACT. It provides for surrender of State land by the “Parliament of a State” and acceptance by the Commonwealth of land constituting part of the State. Such surrendered and accepted land becomes subject to the “exclusive jurisdiction of the Commonwealth”. The mechanism in s 111 of the Constitution has led to land being surrendered for the creation of the ACT, the Northern Territory and the Jervis Bay Territory.
3. The High Court’s unanimous decision in *Paterson v O’Brien* (1978) 138 CLR 276 confirmed that the surrender of land under s 111 of the Constitution does not require compliance with s 123, nor the requirement within that section for “the approval of the majority of electors of the State voting upon the question” (i.e., a referendum).
4. Accordingly, in our view, the legislative process to move the border would be as follows:
  - a. NSW enacts legislation to surrender NSW land sought to be incorporated into the ACT;
  - b. The Commonwealth enacts legislation to accept the surrender of that NSW land; and
  - c. The Commonwealth incorporates the accepted land into the ACT by amending the *Seat of Government Acceptance Act 1909* (Cth) (Commonwealth Seat of Government Act) and the National Capital Plan, pursuant to the Commonwealth’s legislative power to make laws for the territories in s 122 of the Constitution.

### Incorporating additional land into the ACT

5. The effect of s 7 of the Commonwealth Seat of Government Act was that, despite the surrender of land by NSW and acceptance of that land by the Commonwealth, all interests in land held from the State that existed before 1 January 1911 (the proclaimed day) would, subject to any law of the Commonwealth, be held from the Commonwealth on the same terms and conditions as they were held from the State.
6. In our view, the Commonwealth could amend the Commonwealth Seat of Government Act to include a description of the additional land and reference to the date upon which the additional land was intended to become part of the ACT. If that legislative amendment was to occur, the operation of s 7 of that Act would provide for the continuation of interests (including freehold interests) in the land upon acceptance of the land by the Commonwealth.
7. Accordingly, we consider the most appropriate course would be for NSW to surrender the additional land to the Commonwealth, subject to all existing estates and interests. Once accepted by the Commonwealth, the land incorporated into the ACT would be classified as Territory Land for the purposes of the *Australian Capital Territory (Planning and Land Management) Act 1988* (Cth) and would be managed in accordance with s 29 of that Act.





**Steering Committee for the  
Parkwood Urban Release Area Governance Framework**  
Meeting date: 20 September 2022

**ITEM 4: ACT/NSW border move update**

Author: CMTEDD, ACT Government

ACT Advice – Mechanism to re-locate ACT-NSW Border

1. At the meeting of 20 July 2022 CMTEDD took an action to “when available, share feedback on border move steps from the ACT Government Solicitor Office”.
  - a. At Attachment A CMTEDD provides advice on the ACT Government’s understanding of the mechanism by which the border between the ACT and NSW could be relocated.

Update on ACT/NSW border move discussions

2. The ACT Chief Minister wrote to the NSW Premier in October 2021 congratulating him on his appointment as Premier. In his letter, the Chief Minister sought to reopen discussions on the ACT/NSW border move.
3. On 30 August 2022, NSW Department of Premier and Cabinet officials advised that the NSW Premier has agreed for officials to progress discussions with the ACT on options to move the ACT/NSW border on a no commitment basis and alongside exploration of other service delivery options.

## DRAFT Parkwood Sequencing Chart

Stream of Work	Notes / Sub-components	Next Step	Timing of Next Step	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032
					NSW ELECTION MARCH	ACT ELECTION OCTOBER	CG ELECTION		NSW ELECTION	CG ELECTION	ACT ELECTION OCTOBER			
Border Move	Agreement between the governments of NSW and the Commonwealth to transfer the land	Confirmation to enter discussion from NSW	Post 2023 election?											
		Commence discussions with NSW and ACT												
	NSW Parliament to enact legislation to surrender part of the State to the Commonwealth	Commence discussions with NSW and ACT												
		Ministerial approval/written agreement												
Commonwealth Parliament to enact legislation to accept the land surrendered by NSW and to vest that land in the ACT	NSW Cabinet agreement to draft a Bill													
	Draft Bill													
	Parliamentary debate													
	ACT Cabinet agreement to draft a Bill													
Water and Sewerage Services	Determination on service delivery options (i.e. bulk water supply by Iron Water and Test Valley Councils to retail supplier, OR 2. Service normal and supplied by Iron Water)	Options examined in detail and early to provide details	To be confirmed. Previously identified in 2016											
		Commence construction of new hydraulic services	October 2023											
	Sewerage service	Complete construction	2025											
		Resolve regulatory/servicing issues for sewerage												
Water	Review regulatory and pricing framework to maximise stewardship	2025												
	Resolve water harvesting	2.5 years in advance												
State and Territory Services	Resilience	Confirm preferred option and associated outcomes	2.5 years in advance											
	Fire and Rescue	Monitor outcomes of NSW funding changes	2018											
	Policing	Desk top exercise	2.5 years in advance											
		ACT and NSW to discuss options, including budgetary, and report agreement on preferred direction	2017/18											
	Home fire service	Monitor outcomes of NSW funding changes. Risk planning	2019 (from 2016, updated every two years)											
	State emergency services	Resolve options and confirm detail	2.5 years in advance											
	Child Protection	Test option in desk top exercise	2.5 years in advance											
		Review approach with agencies based on government policy directions	2021 and then 2 years until homes occupied											
	Community bus services	Monitor outcomes of community transport reform	2.5 years in advance											
	Community health	Confirm preferred approach early for planning purposes	2017											
		Step through each service type and confirm provision arrangements	2.5 years in advance											
	Community services	Review discussion in standard facility provision request funding will be linked to consumer	2.5 years in advance											
	Hospitals	Monitor ongoing health agreements and associated financial arrangements	2.5 years in advance											
	Public bus transport	Review outstanding issues related to public transport provision e.g. industrial	2.5 years in advance											
	Schools	Resolve preferred option and associated financial arrangements	2020											
	Gas and electricity	Resolve details	2 years in advance											
Natural resources and environment management	Work has been completed between Riverina and OEH to develop next level of detail about Conservation Trust	2015/17												
Water and Sewerage Services	Next steps captured in separate stream of work above.	See above.												
Key Infrastructure and services - Local Services	Abandoned vehicles regulation	Confirm option and resolve details	2 years in advance											
	Community strategic planning	Resolve details	2 years in advance											
	Companion animals management	Confirm option and resolve details, including amendments to	2 years in advance											
	DA assessment	Confirm option and resolve details	2 years in advance											
	DA determinations	Confirm option and resolve details	2 years in advance											
	Development certification	Confirm option and resolve details	2 years in advance											
	Food safety regulation	Confirm option and resolve details	2 years in advance											
	Illegal dumping regulation	Confirm option and resolve details, including amendments to	2 years in advance											
	Parking regulation	Confirm option and resolve details, including legislative	2 years in advance											
	Parks and open space maintenance	Confirm option and resolve details	2 years in advance											
	Private pool inspections	Confirm option and resolve details regarding necessary	2 years in advance											
	Public health inspections, including food services	Confirm option and resolve details, including legislative	2 years in advance											
	Rate setting and collection	Confirm rating related to servicing costs	2 years in advance											
	Roads and footpaths maintenance	Confirm option and resolve details	2 years in advance											
	Waste collection and recycling	Confirm option and resolve details	2 years in advance											

CONSTRUCTION COMMENCES

Border move  
 Emergency Services and Police  
 Human Services and Health  
 Municipal and Local Government Services, Resource and Environment Management.  
 Timing for "next step" has passed and requires update on progress of any work



# **Parkwood Cross Border Agency Forum March 2019**

Outcomes Report

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<b>Reviewed by</b>	[Redacted]
<b>Date</b>	10 May 2019
<b>Version</b>	Final Draft

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# 1 Summary

This report provides an overview of the attendance, discussions and outputs from the NSW/ACT cross border cross agency Forum held on 12 March 2019.

A condition of the Alteration of Gateway Determination dated 28 August 2018 from the NSW Department of Planning and Environment required Yass Valley Council to hold the forum:

*"Council is to undertake an agency forum as part of the consultation process with government agencies under condition 6. The forum will assist these agencies in preparing their submission on the proposal by providing them with an outline of the intent of the revised planning proposal and the proposed servicing framework contained in the Services and Infrastructure Report."*

46 participants from 23 agencies attended the 2019 Forum, in addition to three Council representatives and the Riverview Projects team.

To place the 2019 Forum in its context, Section 2 of this report briefly summarises the timeline of key consultation with government agencies about the proposed urban development at Parkwood from 2007-2016. It also summarises the approach to services and infrastructure developed in 2017, which was tested and refreshed through individual agency consultation in late 2018/early 2019 and then at the forum on 12 March.

Section 3 provides an overview of the 2019 Forum, with key outcomes reported in Section 4.

The Appendices include detailed information about the agenda, attendees and updates to the Principles and approach which emerged from the Forum.

The intent of the revised Planning Proposal was explained to the forum as were the guiding principles and the 2017 approach to planning and delivering services and infrastructure. As a result of consultation with individual agencies in 2018/19 and the cross- agency Forum, the 2017 approach remains largely unchanged.

- » A small number of additions to the guiding principles were suggested as included in Appendix C.
- » Detailed and constructive discussions about implementation of servicing arrangements raised some further issues for consideration, which have been noted for further immediate action in Section 4 or for follow up closer to construction in Appendix D.
- » The options and the preferred options remain largely unchanged. The base case remains feasible within existing legislation, with the period 2-5 years before construction viewed as crucial for fine tuning and finalising the preferred option, with some to be confirmed earlier. (see Appendix D)
- » In addition, many delivery agencies as well as the NSW Cross Border Commissioner and the ACT Chief Minister, Treasury and Economic Development Directorate would prefer to achieve an approach which is regional rather than state and territory based. This was viewed as more efficient and effective in delivering services and infrastructure in accordance with the principles. In particular, there was a focus on achieving Principles 1 and 2, being achieving the look and feel of a borderless community wherever possible and providing a consumer centric service and complaints model of service delivery.



## 2 Overview of pre-2019 agency consultation and reporting

### 2.1 2007 – 2016 consultation

**2007 -2010:** Riverview Projects consulted with relevant agencies on the proposed urban development, starting with the ACT Land Development Agency from 2007, Yass Valley Council from 2009 and the NSW Department of Planning and Infrastructure in 2010. Discussions included principles and possible approaches to the provision of local infrastructure and services.

**June 2013:** the ACT Government announced an agreement with Riverview Projects (ACT) to facilitate the planning and development of Parkwood. Extensive engagement with key agencies was undertaken prior to this announcement, including the NSW Department of Premier and Cabinet, the NSW Office of Environment and Heritage and the ACT Chief Minister’s Directorate.

**November 2013:** an interactive planning and design forum (PDF) was held over three days to prepare the preliminary draft West Belconnen/Parkwood Master Plan. The PDF combined the skills and experience of technical experts from ACT and NSW agencies, Yass Valley Council, a broad range of consultancies, government decision makers and key community representatives.

**June 2014:** following the PDF and in the lead up to the submission of the Planning Proposal, extensive engagement was undertaken with Yass Valley Council, further refining the principles and approach to local infrastructure and service provision. The ACT government was continually briefed and consulted.

**November 2015:** when the ACT Government approved the rezoning of West Belconnen, a significant amount of engagement continued with ACT Government Directorates including the Environment and Planning Directorate, Territory and Municipal Services and ICON water.

**April -December 2015:** the NSW Department of Planning and Environment issued the Gateway Determination which was the trigger for the next more detailed phase of engagement with agencies, particularly in NSW. Individual agency as well as cross agency discussions were held with senior staff to canvas a range of options for service delivery, identify if there were preferred options, explore possible timing and next steps, and identify funding mechanisms.

**January- March 2016:** the series of meetings with NSW Government agency representatives continued, confirming the outcomes of the post gateway discussions and in some cases highlighting additional options. The options were then tested with senior representatives from across the ACT Government Directorates in the lead up to the Cross Border Agency Forum. The final testing occurred at the March 2016 Forum, with the outputs directly captured in the Outcomes Report and the 2017 Planning Proposal Report on Services and Infrastructure.

### 2.2 2017 Planning Proposal - services and infrastructure

The services and infrastructure report explored in detail 16 local government services and 15 state and territory services. It proposed a “**base case**” for service and infrastructure delivery that is feasible within existing legislation and supported by MOUs between the NSW and ACT governments. It demonstrated that all necessary services and infrastructure could be provided and funded.

Key elements of the base case include:

- » Local service delivery by Yass Valley Council, or via Council contracting with ACT government agencies to deliver services wherever enabled within existing legislation.
- » Icon Water providing bulk water, with Council being the local water supplier.
- » ACTEWAGL providing gas and electricity.

- » A p-12 school and related education services provided by the NSW government.
- » Emergency services provided by the ACT government, building on the approach and arrangements in existing MOUs and tested via desk top exercises prior to construction commencing.
- » Police, child protection and other state and territory services provided by a combination of NSW and ACT government agencies, building on existing arrangements including joint taskforces and special constable arrangements.
- » Land management services in the conservation corridor provided primarily by the Conservation Trust, possibly supported by some government service provision.

The extensive consultation with Council, NSW and ACT service delivery agencies identified service delivery options that were regarded as more efficient and effective than the base case. The long lead time for planning Parkwood in NSW was viewed by agencies as providing flexibility to respond to emerging government policy and legislative directions, as well as changes in government and Council preferences over time. This includes the opportunity for exploration of more innovative and efficient service delivery options which are described in Appendix D. These options achieve the 'borderless community' approach to a greater extent.

Some, but not all, of the borderless community options would require specific financial agreements, legislative change and/or amendments to regulations. For example, legislative change and amendments to regulations would be required to outsource some regulatory services to the ACT government. Some of these changes may occur as a result of ongoing legislative reviews while others may require specific consideration. These matters were all documented in the 2017 report.

A summary table of all options identified in 2017 is included at Appendix D. This is the options table that was tested at the 2018/2019 individual agency consultations, culminating in the cross agency discussions at the Forum. Appendix D also included updates in red suggested at the 2019 Forum or in individual agency consultations leading up to or following the Forum.



### 3 Overview of 2019 Forum

The Cross Border Agency Forum was held on 12 March 2019 with representatives from various NSW and ACT Government departments and agencies, as well as Yass Valley Council. Agencies invited included all those required by the Alteration of Gateway Determination in response to the resubmitted Planning Proposal in 2017. Additional interested agencies were also invited.

A full list of organisations and attendees is included at Appendix B.

The purpose of the forum as described on the agenda was:

- » To update NSW and ACT agencies about the proposed Parkwood development and the planning approval process
- » To provide an overview and gain any further feedback about the proposed approach to infrastructure and service delivery developed in consultation with Yass Valley Council, NSW and ACT government agencies
- » To ensure agencies have sufficient information prior to being formally requested to provide submissions on the Planning Proposal

Forum participants were provided with an overview of the project and the planning process, including the changes in the revised Planning Proposal that had occurred since the original Forum in 2016. The Development Director of the Suburban Land Agency explained the involvement of the ACT Government as a joint venture partner with Riverview Projects.

An overview of the proposed infrastructure and service delivery framework was then provided by project team members. This overview included the service delivery guiding principles, options for service and infrastructure delivery, funding, and timing of review points and resolution of preferred options.

A theme of 'seamless' delivery of services in the cross-border environment was consistent throughout the presentation and supported by participants.

The NSW Cross Border Commissioner and the Deputy-Directory General, Policy and Cabinet from the ACT Chief Minister, Treasury and Economic Development Directorate spoke about cross border planning in general and the best practice elements, including taking a regional approach. Particular focus was given to the increasingly strong working relationship between the ACT and NSW governments and agencies, supported by the existing Memorandum of Understanding on Regional Collaboration as well as other important operational cross-border agreements.

As per the 2016 Forum, a workshop session followed the presentation. Three concurrent sessions were held with attendees participating in the appropriate sector specific workshop. The three sector-based discussions were:

- » Municipal/local services; Utilities; Land Management, Environment; Transport
- » Emergency Services and Police
- » Human Services, Education and Health.

The workshops were designed to re-test the service and infrastructure options as developed and documented in the 2017 Parkwood Planning Proposal – Services and Infrastructure Report.

- » Are there any further suggested refinements to the approach/options?
- » Are the proposed next steps and timing appropriate?
- » Are there matters that require further attention to assist agencies prepare submissions?
- » Are there any further comments on the guiding principles?

The workshops commenced by re-examining the agreed approach for each service or type of infrastructure from the 2017 report. Participants were asked to consider whether any changes had occurred since 2017 that may impact future delivery of services or the provision of infrastructure.



Participants then moved on to reviewing the principles guiding planning of services and infrastructure to determine whether any improvements could be made. The workshop groups reported back to all participants at the end of the individual sessions.

A copy of the Forum agenda is provided at Appendix B. An update to the principles guiding planning of services and infrastructure is included at Appendix C and an update to the options table is at Appendix D.

## 4 Key forum outcomes

### 4.1 Testing principles guiding Infrastructure and Service Delivery

The principles were presented to the whole Forum and then discussed in the three working groups. The principles were broadly endorsed to provide ongoing guidance for the planning of services and infrastructure. There was some discussion and questions, leading to a small number of suggested amendments to the principles. The updated set of principles are included at Appendix D, with updates noted in red.

Key points from the discussions were:

- » The principles have been developed to guide services and infrastructure planning and delivery. A different and overarching set of principles exist in legislation for the Planning Proposal to be tested against in NSW. It is worth clarifying this when naming the services and infrastructure principles. In addition to the NSW legislation, the Planning Proposal should have regard to the overarching principles in ACT legislation.
- » Principle 8 should ensure no detriment for NSW as well as the ACT.
- » Principle 10 deals with needs based planning. A reference to the triggers that would ensure early provision of services and infrastructure was suggested for consideration.
- » Principle 13 recognises the importance of building on existing servicing and financing arrangements. It is also important to recognise emerging arrangements.
- » Principle 18 refers to MOUs as a basis for service delivery. In order to provide flexibility, other possible instruments should also be referenced.

### 4.2 Testing the approach to infrastructure and service delivery

#### 4.2.1 Local services, utilities, transport and land management

18 participants from 10 agencies attended this discussion. The discussion touched on each of the services.

In picturing the future in Parkwood, ACT representatives in particular envisaged the sorts of issues that may arise should Yass Valley Council contract most services to the ACT. Key points that emerged about **local services** were:

- » If regulatory activities are to be outsourced to ACT, a preference was expressed by ACT agencies to achieve harmonised laws and regulation between NSW and the ACT. This was seen as desirable from both from a resident perspective and for ease of management of the service. While it could be feasible for staff to administer different legislation, it isn't desirable in seeking to achieve the feel of a borderless community. Examples discussed included regulation of dogs and cats, illegal dumping, littering and unlawful uses.
- » It was suggested that two- five years before construction commences in NSW is the right timing for more detailed consideration of ACT and NSW legislation and possible harmonisation. One option suggested was that the two governments and Council take an overall approach to this matter rather than dealing with it on an agency by agency basis.
- » There was also a desire expressed for Council to consider whether the decision about contracting out one specific service is linked to another, with the specific example being DA assessment and certification.
- » Harmonisation of infrastructure standards wherever possible was also identified as desirable both for the community and also efficiency of maintenance services.



It was acknowledged that contracting services to the ACT and achieving similar service levels in the ACT and NSW would depend on Yass Valley Council being able to achieve rating income comparable to the ACT. This is a critical issue requiring a streamlined rating process.

With regard to **management of the conservation area**, representatives from NSW Crown Lands outlined the recent discussions and investigations that have led to clarification of the waterway as being Crown Land. Options for management of the waterway include the Ginninderry Environmental Management Trust and Council, either of which can apply to become the reserve trust manager. Ongoing discussions are planned to work through the options, which should now be recognised as involving more than the Trust on its own.

Initially with regard to **transport** and then more broadly, the issue was raised as to the triggers for various services to be commenced eg buses, car share, park and ride. The principle about needs based planning needs to translate at the appropriate time to the determination of triggers for service commencement. The two- five year timeframe in advance of construction was seen to be appropriate for decision making.

With regard to **water management**, given 42 wetlands and 12 catchments, the importance of water sensitive urban design and water harvesting was raised. There is already significant attention given to this issue for the whole cross border development. Two- five years in advance of construction was viewed as the right timing to resolve the details of the approach, with the matter also to be highlighted in the summary table.

The options for **provision of water** were unchanged from 2017.

## 4.2.2 Human services, health and education

11 participants from 6 agencies attended this group discussion. The group covered broad issues regarding the type of community Parkwood would be and the type of service network required to support it, as well as detailed agency-specific discussion.

In terms of the broad discussion, the group referred to the 'First 2000 Days Framework', A Policy Directive of the NSW Government issued by NSW Health in February 2019

([https://www1.health.nsw.gov.au/pds/ActivePDSDocuments/PD2019\\_008.pdf](https://www1.health.nsw.gov.au/pds/ActivePDSDocuments/PD2019_008.pdf)), as a key input into human services, health and education planning. The discussion focussed on the importance of early intervention, proactive delivery of services, and the long term benefits created through an emphasis on children and families. This approach emphasised the connection and interdependencies among human services, health and education agencies. One area that was consistent with this theme, that the group thought required greater attention, was pre-school education and early childhood development.

In related discussion, the importance of a coordinated network of service provision that involved government, not-government and private sector provision was identified. For optimal service provision to be achieved, an integrated approach to service provision was identified as fundamental. This was seen as both a source of more effective and more efficient service provision.

The funding arrangements under the Commonwealth/State Agreement were identified as the primary source for a number of services including community health, hospitals and community services. The group suggested that the nature of these agreements should be reviewed regularly to ensure they continue to be effective over time. It was noted that current arrangements do not include costs for expanded infrastructure such as hospitals, so alternatives will be required if additional capital infrastructure investment is required.

Beyond these broader issues, there was little change recommended to the 2017 options. The following service areas remained the same:

- » Child protection
- » Community health (with the exception of the addition of an option for joint commissioning of services)
- » Community services
- » Hospitals



» Education.

The planning of schools was a key issue, with both ACT and NSW Education agencies acknowledging the opportunity for a shared approach. NSW Education reported that the 5,000 dwellings in NSW may not be sufficient to support a secondary school in NSW. Options identified included the possibility of a smaller secondary school in NSW, or for a partnership arrangement where NSW secondary students attend an ACT Government secondary school.

The relevant Education agencies also recognised that more joint planning and information sharing was required to address both infrastructure provision and funding. The group agreed that revised school student population projections would be developed and that a meeting between ACT and NSW Education agencies would be organised to progress a joint planning approach.

### 4.2.3 Police and emergency services

13 participants from 5 agencies attended this discussion. The discussion was largely focussed on the logistics surrounding the servicing of the locations within their specified response times.

The working group reflected on the guiding principles and reaffirmed their appropriateness with one suggested addition. With regard to the references to an MOU, the view was the MOU was suitable for confirming intent and defining a level of cooperation. However, it was not necessarily the most appropriate for the delivery of a specified service, which would require a legally binding instrument. The group suggested a reference to an "MOU or other legal instrument" to allow flexibility when exploring options.

No changes were made to the options for service delivery. The group suggested a further refinement to the overall approach might include a restated commitment to the highest possible service standard as a benchmark for future cross-border servicing arrangements.

The working group noted that no additional information is required to complete the next step in the process, with the exception that to assist agencies prepare submissions, ESA, RFS and NSWRF require a copy of the Trust Management Plan for bushfire management of the river corridor.

The working group noted that the Regional Bushfire Management Plan is due for review in the near future and Parkwood should provide input.

The costing of various policing options was raised, with the view that some costings could be developed to assist with consideration of the options.

The group requested the following points be captured for future consideration;

- » There should be input to the planning, location and design of service infrastructure, as response times will need to be considered and may influence the service agreement
- » Scenario testing should inform infrastructure requirements.
- » Scenario modelling may be required to ensure the matrix of services (cross border and interagency) are considered to assist in pinpointing strategic limitations for further attention.
- » Sharing of information impacting on response parameters will be maintained with a round table agreement to circulate. A Cross border planning standard (shared DCP) is required to determine bushfire strategy for the area.
- » Ongoing monitoring and updates regarding funding arrangements are desired.
- » Emergency management legislation will need to be clear to ensure no mixed messages regarding the "lead". The legislation supporting the Jervis Bay School cross border solution is a good practice example.
- » Technological tools and automated messaging will be required and may require significant lead time to implement.

## 4.3 Updated approach and matters requiring short term action

The updated options table is in Appendix D and includes key steps and timing.

More immediate action items are included in the table below

### Immediate Actions

Item	Comments and timing
Prepare revised school student population projections.	Riverview Projects to prepare in April.
ACT and NSW Education agencies to meet.	Riverview Projects to organise in April.
ESA, RFS, NSWRFSS require a copy of the Trust Management Plan for bushfire management of the river corridor.	Riverview Projects to organise immediately.
Update of Regional Bushfire Management Plan due soon.	Riverview Projects to co-ordinate a meeting to update those working on the plan about the Parkwood Planning Proposal.
Prepare brief for OLG about streamlining the rating process to achieve aligned rates for the NSW and ACT developments.	Riverview Projects to prepare for Yass Valley Council and OLG.

# Appendices



## A Attendees at the Cross Border Agency Forum

### Workshop Groups

**Table 1 Municipal and local government services; Utilities; Land Management, Environment; Transport Participants**

Agency	Agency Representative/s	Position (if recorded)
<b>Access Canberra</b>	Ben Green	Director, Regulatory Solutions and Compliance
<b>Department of Industry – Crown Lands</b>	[REDACTED] [REDACTED]	
<b>EPSDD</b>	Alison Moore	
<b>NSW Planning and Environment</b>	Graham Judge	
<b>ICON Water</b>	[REDACTED] [REDACTED]	Principal Liaison, Urban Planning Integration Senior Technical Liaison
<b>OEH</b>	[REDACTED] [REDACTED]	
<b>Roads and Maritime Service</b>	[REDACTED]	
<b>Suburban Land Agency</b>	Chris Webb	Development Director
<b>TCCS</b>	Geoff Davidson	Director, Transport Planning and Active Travel, City Services
	Darwin Zeta	Manager Capital Works Planning
	Tim Wyatt	Manager Transport Planning and Policy
	Gabriel Joseph	Manager Place Co-ordination
	Stephen Alegria	Executive Branch Manager, City Presentation
	Chandra Chandramoha	
<b>Transport for NSW</b>	[REDACTED]	

Total number of agencies included = 10

Total number of agency representatives = 18

**Table 2 Emergency Services and Police Participants**

Agency	Agency Representative/s	Position (if recorded)
<b>Emergency Services Agency</b>	Bren Burkevics	Justice - Security and EM
	David Foot	Risk and Planning
	David Horner	Risk and Planning
<b>NSW Police</b>	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
<b>NSW Police – Emergency Management</b>	[REDACTED]	[REDACTED]
<b>Rural Fire Service</b>	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
<b>SES</b>	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]

Total number of agencies included = 5

Total number of agency representatives = 13

**Table 3 Human Services and Health Workshop Participants**

Agency	Agency Representative/s	Position (if recorded)
<b>Chief Minister, Treasury and Economic Development Directorate</b>	Leesa Croke - (EA is Alex Slobodian)	Deputy Director General, Policy and Cabinet
	Ryan Thomson	
	David Clapham	Acting Manager, Intergovernmental Relations
<b>Education Directorate</b>	Margaret Stewart	
<b>Family and Community Services</b>	Jill Herbert	
	Hannah Wanless	
<b>NSW Ambulance</b>	[REDACTED]	
<b>NSW Department of Education</b>	[REDACTED]	
	[REDACTED]	
<b>Suburban Land Agency</b>	Gareth Burdon	
	Chris Webb	Development Director

Total number of agencies included = 6

Total number of agency representatives = 11

**Table 4 Unallocated to Workshop**

Agency	Agency Representative/s	Position (if recorded)
NSW Planning and Environment	[REDACTED]	[REDACTED]
Premier and Cabinet	[REDACTED]	[REDACTED]
Cross Border Commissioner	[REDACTED]	[REDACTED]
Chief Minister, Cross Border	[REDACTED]	[REDACTED]

Total number of agencies included = 4

Total number of agency representatives = 4

**Table 5 Apologies**

Agency	Agency Representative/s	Position
<b>ACT</b>		
Access Canberra	David Peffer (EA - Julie)	Deputy Director General
ACT Ambulance	Howard Wren	
Chief Minister, Treasury and Economic Development Directorate	Stephen Miners	Deputy Under Treasurer
	Sam Engele	Executive Group Manager, Policy and Cabinet
Community Services Directorate	Rebecca Cross (DG)	
	Bernadette Mitcherson (DDG)	Bernadette's Executive Officer - cc her for info
Emergency Services Agency	Carmel Summers	SBMP Members
Environment, Planning and Sustainable Development Directorate	Daniel Iglesias	Director, ACT Parks and Conservation Service
	Steven Gianakis	
Fire and Rescue	Mark Brown	
Health Directorate	Michael De'Ath	
	Karen Doran	Corporate Services Deputy Director-General
	Leonie McGregor	Health Systems, Policy and Research Deputy Director-General
	Nicole Kefford	
Icon Water	[REDACTED]	
Justice and Community Safety Directorate	David Pryce	Deputy Director General Community Safety
Rural Fire Service	[REDACTED]	
State Emergency Service	[REDACTED]	
	[REDACTED]	
Transport Canberra and City Services	Emma Thomas	Director General
	Ben McHugh	Executive Group Manager, City Operations
	Peter Steele	Transport Canberra buses
<b>New South Wales</b>		



<b>Ambulance Service of NW</b>	[REDACTED]	
<b>Department of Planning and Environment - Energy and Resources</b>	[REDACTED]	[REDACTED]
<b>Fire and Rescue NSW</b>	[REDACTED]	
<b>Local Land Services</b>	[REDACTED]	[REDACTED]
<b>NSW Department of Family and Community Services</b>	[REDACTED]	[REDACTED]
<b>NSW Department of Health</b>	[REDACTED]	[REDACTED]
<b>NSW Department of Industry - Water</b>	[REDACTED]	
<b>NSW Department of Justice - Office of Emergency Management</b>	[REDACTED]	[REDACTED]
<b>NSW Department of Primary Industries - Agriculture</b>	[REDACTED]	
<b>NSW Rural Fire Service</b>	[REDACTED]	
<b>NSW State Emergency Service</b>	[REDACTED]	
<b>NSW Treasury</b>	[REDACTED]	[REDACTED]
<b>Office of Emergency Management</b>	[REDACTED]	
<b>Office of Environment and Heritage</b>	[REDACTED]	

Total number of agencies apologies = 10

Total number of agency representative apologies = 18

## **B Cross Border Agency Forum Agenda**

<b>Project</b>	Parkwood Planning Proposal	<b>Date</b>	12 March 2019
<b>Venue</b>	33-35 Brindabella Circuit, Brindabella Business Park	<b>Time</b>	10.45am-2.30pm
<b>Purpose</b>	<ul style="list-style-type: none"> <li>» To update NSW and ACT agencies about the proposed Parkwood development and the planning approval process</li> <li>» To provide an overview and gain any further feedback about the proposed approach to infrastructure and service delivery developed in consultation with Council, NSW and ACT government agencies</li> <li>» To ensure agencies have sufficient information prior to being formally requested to provide submissions on the Planning Proposal</li> </ul>		

Time	Item	Lead
10.45am	<b>1. Registration and refreshments</b>	
11.00am	<b>2. Introduction</b> <ul style="list-style-type: none"> <li>» Acknowledgement of country</li> <li>» Welcome</li> <li>» Purpose of forum</li> </ul>	Chris Berry (Director of Planning, Yass Valley Council) Kim Anson (Workshop Facilitator, Elton Consulting)
11.20am	<b>3. Update on project</b> <ul style="list-style-type: none"> <li>» Overview from Council</li> <li>» Background - overview of timeline and process including engagement</li> <li>» Overview of intent and detail of revised planning proposal</li> <li>» Alteration of Gateway Determination – NSW DPE requirements</li> <li>» Next steps in planning process</li> <li>» Question and Answer</li> </ul>	Liz Makin (Strategic Planning Manager, Yass Valley Council)  David Maxwell (Riverview Projects) Chris Webb (Development Director, Suburban Land Agency) Stephen Gouge (Knight Frank Town Planning)
12.30pm	<b>4. Cross Border Planning</b>	Leesa Croke, Deputy Director General, Policy and Cabinet, ACT Government) James McTavish (NSW Cross Border Commissioner)
12.45pm	<b>5. Light lunch</b>	



Time	Item	Lead
1.15pm	<p><b>6. Testing the approach</b></p> <p>Small group discussions – three groups</p> <ul style="list-style-type: none"> <li>&gt; Are there any further suggested refinements to the approach?</li> <li>&gt; Are the proposed next steps and timing appropriate?</li> <li>&gt; Are there any further comments on the guiding principles?</li> <li>&gt; Are there matters requiring further attention to assist agencies prepare their submissions to NSW DPE?</li> </ul> <p>» Report back</p>	<p>Facilitator and project team</p> <p>David Maxwell</p> <p>Stephen Gouge, Amy Ryan</p> <p>Kim Anson, Steve Rossiter, Will Pearson</p> <p>Ross O'Shea</p> <p>Mick Palmer</p> <p>Stephen Harding</p>
2.15 pm	<p><b>7. Next steps</b></p> <ul style="list-style-type: none"> <li>» Recap outstanding items</li> <li>» Process and timing for agency submissions</li> <li>» Forum reporting</li> <li>» Final questions and comments</li> </ul>	<p>Kim Anson</p> <p>Stephen Gouge</p>
2.30pm	<p><b>8. Close</b></p>	<p>Yass Valley Council</p>

## C Updated Principles guiding planning of services and infrastructure

### Look and Feel

1. Achieve the look and feel of a borderless community wherever possible.
2. Provide a consumer centric service and complaints model of service delivery.
3. Encourage both government and non-government service providers to be guided by these principles.

### Local Service Provision

4. Establish same or similar service levels for local services in ACT and NSW wherever possible
5. Implement the same or similar infrastructure standards in ACT and NSW wherever possible
6. Set local government rates and charges at an adequate level to cover the costs of local services and infrastructure maintenance and renewal in the long term.
7. Recognise that if provided by ACT service providers, user charges for water, sewer, gas and electricity service provision in Parkwood will seek to recoup costs at levels comparable to ACT charges.
8. Ensure service provision into Parkwood from the ACT has no detrimental impact on service delivery in the ACT and NSW.
9. Use existing legislative opportunities to maximise options for delivery of local services into Parkwood by ACT Government and other providers.

### State and Territory Service Provision

10. Utilise needs based planning to inform service provision and consider triggers for commencement of services.
11. Establish same or similar service levels for state services in ACT and NSW wherever possible.
12. Implement same or similar infrastructure standards in the ACT and NSW wherever possible.
13. Recognise existing and emerging Commonwealth, State and Territory service provision and financing agreements
14. Build on existing cross agency MOUs and operational arrangements which already deliver coordinated NSW and ACT government services across the border for policing, emergency services and human services.
15. Build on and where needed further formalise engagement and dispute resolution procedures between governments related to operational MOUs, guided by the governance approach in the overarching MOU.
16. Use the framework of the overarching MOU between the ACT and NSW Governments to engage further, finalise arrangements and resolve potential and actual disputes to support service access and delivery.

### Timing and process

17. Review service delivery proposals and policy directions in 2020 and then every 2 to 5 years before construction in NSW
18. Use existing legislation and MOUs or other relevant instruments as a foundation for service delivery
19. Continue to explore opportunities created by legislative reform directions and change



## D Updated Services and Infrastructure options

This table was originally produced in Parkwood Planning Proposal, Services and Infrastructure report, 2017. It has been updated following the cross-border forum on 12 March, 2019 with updates in red. The table is organised with local services first in alphabetical order, followed by state and territory services in alphabetical order. The colour coding reflects the three workshop groups at the forum.

Local government, utilities, land management, environment, transport

Human Services and Health

Police and Emergency Services

Key infrastructure and services	Summary of service delivery options (preferred option in bold, if determined)	Recurrent funding source	Key steps	Timing on key step
<b>Local Services</b>				
<b>Abandoned vehicles regulation</b>	1. Yass Valley Council <b>2. Contracted by Yass Valley Council to ACT Government</b>	Rates income and fines	Confirm option and resolve details	2 years in advance
<b>Community strategic planning</b>	Yass Valley Council	Rates income	Resolve details	2 years in advance
<b>Companion animals' management</b>	1. Yass Valley Council <b>2. Contracted by Yass Valley Council to ACT Government</b>	Rates income and user charges	Confirm option and resolve details including *regulatory amendment if ACT delivery * <b>explore harmonisation of NSW and ACT legislation</b>	<b>2 -5 years in advance</b>



Key infrastructure and services	Summary of service delivery options (preferred option in bold, if determined)	Recurrent funding source	Key steps	Timing on key step
<b>DA assessment</b>	1. Yass Valley Council 2. Contracted by Yass Valley Council to ACT Government	Rates income and user charges	Confirm option and resolve details including » Explore harmonisation » Consider whether assessment and certification require the same approach	2-5 years in advance
<b>DA determinations</b>	Yass Valley Council	Rates income and user charges	Confirm option and resolve details	2-5 years in advance
<b>Development certification</b>	1. Yass Valley Council 2. Contracted by Yass Valley Council to ACT Government or ACT service provider	Rates income and user charges	Confirm option and resolve details including » Consider whether assessment and certification require the same approach	2-5 years in advance
<b>Community Home Support Service Program services</b>	1. Yass Valley Council 2. Community organisations 3. Contracted by Yass Valley Council to ACT Government or ACT service provider	Commonwealth funding-consumer based	Confirm option and resolve details	2-5 years in advance
<b>Food shop regulation</b>	1. Yass Valley Council <b>2. Contracted by Yass Valley Council to ACT Government</b>	User charges	Confirm option and resolve details	2 years in advance
<b>Illegal dumping regulation</b>	1. Yass Valley Council <b>2. Contracted by Yass Valley Council to ACT Government</b>	Rates income and fines	Confirm option and resolve details, including amendment to regulation if required	2-5 years in advance



Key infrastructure and services	Summary of service delivery options (preferred option in bold, if determined)	Recurrent funding source	Key steps	Timing on key step
Library services	1. Yass Valley Council -mobile service <b>2. Contracted by Yass Valley Council to ACT Government-</b> Kippax library possibly supported by a shop front drop off.	Rates income and fines	Confirm option and resolve details	2-5 years in advance
Parking regulation	1. Yass Valley Council <b>2. Contracted by Yass Valley Council to ACT Government</b>	Fines and user charges	Confirm option and resolve details, including legislative position	2-5 years in advance
Parks and open space maintenance	1. Yass Valley Council <b>2. Contracted by Yass Valley Council to ACT Government</b>	Rates income	Confirm option and resolve details	2 years in advance
Private pool inspections	1. Yass Valley Council <b>2. Contracted by Yass Valley Council to ACT Government or 'authorised authority'</b>	Rates income and user charges	Confirm option and resolve details regarding necessary administrative action	2 years in advance
Public health inspections, including hairdressers	1. Yass Valley Council <b>2. Contracted by Yass Valley Council to ACT Government</b>	Rates income and user charges	Confirm option and resolve details, including legislative position	2-5 years in advance
Rate setting and collection	Yass Valley Council	Rates income	Confirm rating related to servicing costs	2-5 years in advance
Roads, stormwater and footpaths maintenance	1. Yass Valley Council <b>2. Contracted by Yass Valley Council to ACT Government</b>	Rates income	Confirm option and resolve details <b>Explore option of harmonising infrastructure standards</b>	2 years in advance <b>5 years in advance</b>
Waste collection and recycling	1. Yass Valley Council <b>2. Contracted by Yass Valley Council to ACT Government</b>	User charges	Confirm option and resolve detail	2 years in advance





Local government, utilities, land management, environment, transport

Human Services and Health

Police and Emergency Services

Key infrastructure and services	Summary of service delivery options (preferred option in bold, if determined)	Recurrent funding source	Key steps*	Timing on key steps*
<b>State and Territory Services</b>				
<b>Ambulance</b>	Options <b>1. ACT Government from Aranda or Charnwood</b> 2. NSW Government	User charges and possible subsidies	Confirm preferred option and associated subsidies	2-5 years in advance
<b>Child protection</b>	Options 1. Similar to current approach » NSW Government from Yass or Queanbeyan » Joint Investigation Response Team from ACT and NSW <b>(for criminal matters)</b> 2. ACT government	NSW Government NSW and ACT governments as per existing arrangements for joint investigations	Review approach with agencies based on government policy directions	2-5 years in advance
<b>Community bus services</b>	<b>Non-government organisation</b>	Commonwealth funding and user charges	Monitor reform outcomes Confirm approach	2-5 years in advance

Key infrastructure and services	Summary of service delivery options (preferred option in bold, if determined)	Recurrent funding source	Key steps*	Timing on key steps*
Community health	Options 1. ACT Government from: » existing sites, or » a new service site within community hub 2. NSW government from sites as outlined above 3. Explore joint commissioning of services	Funding framework as per Commonwealth/State Government agreement <b>Funding framework to be reviewed and updated every five years</b>	Confirm preferred approach early for planning purposes	<b>5 years in advance</b> <b>Reviewed every 5 years</b>
Community services	<b>A coordinated network of Government, Non-Government and Private sector provision</b>	Community development position funded by Ginninderry Joint Venture. Ongoing community services funded by State and Commonwealth Government	Review situation to understand likely provision- reform directions suggest funding will be linked to consumers	2-5 years in advance
Fire and rescue services	<b>ACT Government, consistent with the current or an enhanced MOU</b>	<b>Negotiated as part of the MOU review</b>	<b>Review of existing MOU</b>	<b>2-5 years in advance</b>
			Desk top exercise - <b>scenario modelling and testing</b>	2-5 years in advance
Gas and electricity services	<b>Owned and supplied by ACTEWAGL</b>	User charges	Resolve details	2 years in advance
Hospitals	<b>Canberra Hospital and Calvary Bruce Hospital (ACT) as per likely consumer choice</b>	Funding as per Commonwealth/State/Territory Government agreement	Monitor ongoing health agreements and associated financial arrangements	2-5 years in advance



Key infrastructure and services	Summary of service delivery options (preferred option in bold, if determined)	Recurrent funding source	Key steps*	Timing on key steps*
<p><b>Natural resources and environment management</b></p>	<p>Management provided by the Ginninderry Environmental Management Trust and others.</p>	<p>Funding proposed to include:</p> <p><b>NSW</b></p> <ul style="list-style-type: none"> <li>- 1% levy on land sales</li> <li>- \$100 rates surcharge per lot</li> <li>- commercial activities operated by Trust</li> </ul> <p><b>ACT</b></p> <ul style="list-style-type: none"> <li>- contribution from ACT government and developer equivalent to 1% levy on land sales</li> <li>- annual contribution from ACT government equivalent to \$100/lot surcharge in NSW</li> </ul>	<ul style="list-style-type: none"> <li>- work with NSW Crown Lands regarding boundary issue and options for management of waterway</li> <li>- include proposed funding arrangements in rating submission to OLG</li> <li>- review details of implementation of Trust in NSW, noting the first stage of the Management Trust will be in place in ACT by 2020</li> </ul>	<p>2019/20</p> <p>2-5 years in advance of opening of reserve in NSW</p>
<p><b>Policing</b></p>	<p>Options</p> <ol style="list-style-type: none"> <li>1. ACT and NSW police via existing Special Member model, with administrative enhancements</li> <li>2. Option 1, plus joint patrols</li> <li>3. Cross border justice scheme model, currently in place in border areas of South Australia, Northern Territory and Western Australia</li> </ol>	<p>A detailed feasibility assessment and new financial arrangements between ACT and NSW governments would be required for buffer zone option.</p> <p>No special financing arrangements anticipated for other options.</p>	<p>ACT and NSW governments to commence discussions about options, including buffer zone, and reach agreement on preferred direction.</p>	<p>2020</p>



Key infrastructure and services	Summary of service delivery options (preferred option in bold, if determined)	Recurrent funding source	Key steps*	Timing on key steps*
	4. Buffer zone option – a new model with ACT laws operating in Parkwood			
<b>Public bus and other transport options</b>	Options 1. private operator in the region 2. <b>ACT Government</b>	User charges	Review any outstanding issues and triggers for early delivery of options eg park and ride; buses; carshare	2-5 years in advance
<b>Rural fire services</b>	Options 1. Provision of service from Wallaroo Road with the unit crossing Ginninderra Creek. Provision of service from Wallaroo Road with the unit crossing Ginninderra Creek. <b>2. Service provided by the ACT.</b> MoU similar to Jervis Bay Territory would be an effective mechanism	Negotiated as part of the MOU review	Review of existing MOU	2-5 years in advance
			Risk planning	From 2016, updated every 5 years
			Resolve option and confirm detail	2-5 years in advance
<b>Schools and education services</b>	Options 1. Access for NSW residents to ACT schools 2. NSW Government to operate a school, potentially from K-Yr 12.	New access arrangements and possibly financing arrangement would be required between ACT and NSW Governments for Option 1. This could be in the form of recurrent funding (potentially via the Grants Commission). MOU to set framework for negotiations	Resolve preferred option. If Option 1, financial arrangements may be required.	10 years in advance
<b>State emergency services</b>	Options 1. Provision of services from NSW (Yass, Goulburn or Queanbeyan)	Negotiated as part of the MOU review	Review of existing MOU	2-5 years in advance

Key infrastructure and services	Summary of service delivery options (preferred option in bold, if determined)	Recurrent funding source	Key steps*	Timing on key steps*
	<b>2. Provision of services from the ACT, consistent with the current or an enhanced MOU</b>		Test option in desk top exercises	2-5 years in advance or earlier if Ginninderra Falls open early
<b>Water and sewerage services</b>	Options 1. Bulk water supply by Icon Water, Yass Valley Council is retail supplier <b>2. Service owned and supplied by Icon Water</b> Appropriate water sensitive urban design and water harvesting are integral to both options.	User charges	Sewerage service - commence construction of new hydraulic services - complete construction	October 2023  2025
			Water Review regulatory and pricing framework to maximise streamlining Resolve water harvesting	2025  2-5 years in advance





**Steering Committee for the  
Parkwood Urban Release Area Governance Framework**  
Meeting date: 20 September 2022

**ITEM 7: Issue sequencing**

Author: CMTEDD, ACT Government

1. At the meeting of 20 July 2022 CMTEDD took an action to “begin work on a draft timeline and priority document that could be used to inform a work plan”.
2. At Attachment A CMTEDD provides a high-level sequencing chart based on:
  - a. estimates of timeframes to achieve an ACT-NSW border move at Parkwood; and
  - b. the timeframes identified by ACT and NSW agencies through Cross Border Forums undertaken by Riverview in 2016 and 2019 in support of the NSW rezoning proposal. The reports from these forums are at Attachment B.
3. It should be noted that the “base case” outlined in the Forum Reports has not been formally considered nor endorsed by ACT Government, NSW Government or Yass Valley Council (YVC).
4. The sequencing chart shows that, based on information provided, there are a number of service streams for which planning work could commence. These include:
  - a. Policing
  - b. Community health
  - c. Schools
  - d. Natural resources and environment management
  - e. Water and sewerage services

CMTEDD notes there is already some well-progressed work in relation to some of these streams, especially natural resources and environment management.

5. The sequencing chart also indicates that planning work for rural fire services should begin in 2022.
6. It should be also noted that respective NSW, ACT and Commonwealth elections will potentially disrupt this work, which could have implications on projected timelines.
7. Discussion points

CMTEDD proposes the following questions for the Committee’s consideration:

- a. Does the Committee have any comments in relation to the estimated timelines for either the border move process or the service planning commencement thresholds?
- b. Should the Committee consider adopting an approach whereby a border move option is explored in parallel with cross-border service planning? And if so, when should this commence?





**Steering Committee for the  
Parkwood Urban Release Area Governance Framework**  
Meeting date: 20 September 2022

**ITEM 7: Issue sequencing**

Author: CMTEDD, ACT Government

- c. Does the committee consider that immediate action is required in relation to the services where planning could commence? This could include preliminary options development and early engagement with relevant agencies.
  - d. What should be included in an annual workplan for the Committee?
8. Possible future actions
- a. Preliminary scoping of service delivery options in relation to the following service streams:
    - i. Policing
    - ii. Community health
    - iii. Schools
    - iv. Natural resources and environment management
    - v. Water and sewerage services
    - vi. Fire Services
  - b. Review by ACT, NSW and YVC of Cross Border Forum reports to test assumptions and timelines in the base case.
  - c. Development of a workplan with formal adoption of a timeline of key decision points to guide long term work of the Committee. Key milestones may be:
    - i. Stop/go points in border move negotiation, with the first being advice from NSW on whether or not to enter into border move discussions.
    - ii. Commencement dates for tranches of cross border service planning actions.

- NSW Government
  - Office of the NSW Cross-Border Commissioner
  - Department of Planning, ~~Industry and the~~ Environment
  - Regional Development, Department of Regional NSW
  - South East Water, Department of Regional NSW
- Yass Valley Council
  - General Manager, Yass Valley Council
  - Director, Planning & Environment

Commented [EW1]: MOG Change

Commented [EW2]: No such thing – do you mean DPE Water?

Additional representatives may be invited by the agreement of all members.

#### Chair

The Steering Committee will be chaired by a representative of Policy and Cabinet, Chief Minister, Treasury and Economic Development Directorate, ACT Government.

The chair may rotate amongst members by agreement.

#### Working groups

The Steering Committee may establish working groups as required. The Steering Committee will agree terms of reference for working groups as applicable.

#### Stakeholder engagement

From time to time, the members of the Steering Committee may with agreement invite others to attend meetings of the Steering Committee or to participate in working groups.

#### Secretariat

Secretariat support for the Steering Committee will be provided by Policy and Cabinet, Chief Minister, Treasury and Economic Development Directorate, ACT Government.

#### Meetings

A meeting schedule will be agreed by members and will occur at least twice per annum.

#### Decision-making

The role of the Steering Committee is to provide advice to the ACT and NSW Governments and Yass Valley Council on proposed approaches for service provision to the Parkwood development.

Decisions made by the Steering Committee are not binding on any parties.

All substantive decisions of the Steering Committee should involve the participation of all parties and consideration of all options.

#### Term

These Terms of Reference will be reviewed every three years, in accordance with the next three-year formal update of the MoU.

**Attachment A: Parkwood Urban Release Area Governance Framework**



**3. Parkwood Urban  
Release Area Governanc**



and progressing consideration of service provision planning may need to overlap.

#### Water Infrastructure for Parkwood

- Chris Webb (Suburban Land Agency) advised that no notable developments had occurred since the last meeting and noted that key decisions to be made remain:
  - How the water supply would occur (bulk supply to border, or Icon Water also managing the reticulation network); and
  - How regulation would be applied in Parkwood (technical regulation of water and sewerage standards, and economic regulation of pricing).
- [REDACTED] noted that modelling the arrangement after the Queanbeyan Water Supply Agreement, where Icon Water provides bulk water supply to the border and Yass Valley Council manages the reticulation network in Parkwood, may be the simplest solution available.
- Representatives of PCD noted that resolving the potential border move as a priority may still provide a significant benefit as the location of the border will influence the model of water supply utilised and the technical and economic regulation involved.

#### **5. Next Actions:**

##### ACT/NSW Border Issues

- Representatives from PCD provided an update on progress of work to date on the potential border move, noting that:
  - The NSW Premier has not yet replied to the ACT Chief Minister's letter seeking to reopen discussions on the ACT/NSW border move sent in October 2021;
  - CMTEDD has had intermittent contact with the NSW Department of Premier and Cabinet (DPC) over the last 10 months, that has indicated that it is unclear on the process required for moving the border, including querying if a referendum may be required.
- [REDACTED] noted that the Office had met with DPC to brief on this item ~~and advise legal advice indicated a referendum would not be necessary, and there had been conversations as to if a referendum was necessary. Further legal advice is being sought.~~
  - Noted that DPC will be leading any conversations on this item for NSW.



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development



## Steering Committee for the Parkwood Urban Release Area Governance Framework

Tuesday 20 September 2022, 2:30 - 4:00pm (Webex)

<b>Chair</b>	Policy and Cabinet Division (PCD), ACT Chief Minister, Treasury and Economic Development Directorate
<b>Attendees</b>	
ACT Chief Minister, Treasury and Economic Development Directorate	<b>Wilhelmina Blount</b> - Executive Group Manager, Policy and Cabinet Division <b>Dr David Clapham</b> - Executive Branch Manager, Regional, Infrastructure, Planning and Transport Branch, Policy and Cabinet Division <b>Kathy Goth</b> – Executive Branch Manager, Economic and Financial Analysis, Treasury <b>Nicole Wong</b> – A/g Senior Director Government Business Enterprises <b>Guy Bromley</b> – A/g Senior Director, Regional, Infrastructure, Planning and Transport Branch <b>Sophie Carmody</b> – Director, Regional, Infrastructure, Planning and Transport Branch <b>Libby Chilvers</b> – Policy Officer, Regional, Infrastructure, Planning and Transport Branch
ACT Environment, Planning and Sustainable Development Directorate	<b>Dr Erin Brady</b> – Deputy Director General, Planning and Sustainable Development <b>Lisa Teburea</b> – Executive Group Manager, Planning and Urban Policy <b>Ryan Breen</b> – Director, Water Policy
ACT Suburban Land Agency	<b>Chris Webb</b> – Program Manager, Development Delivery Group
Yass Valley Council	
NSW Department of Planning, Industry, and Environment	
Office of the Cross Border Commissioner	
Department of Regional NSW	

### MEETING AGENDA

1. Welcome and Introduction
a. Apologies
2. Confirmation of updated Minutes and Terms of Reference
3. Update on ACT Audit Office Performance Audit - <i>Governance arrangements for the planning of services for Parkwood, Ginninderry</i> (CMTEDD)
4. ACT/NSW border move update (CMTEDD)
5. Riverview Presentation: Cross-border forums
6. Updates:
a. Parkwood/Ginninderry Development (SLA)
b. Water infrastructure for Parkwood (SLA)
7. Issue Sequencing (CMTEDD)
8. Other business
9. Close and next meeting date



**From:** "Clapham, David"  
**Sent:** 13/10/2022 9:45 PM  
**To:** "Green, Ben" <Ben.Green@act.gov.au>; [REDACTED]@regional.nsw.gov.au>; [REDACTED]@dpie.nsw.gov.au>; "Goth, Kathy" <Kathy.Goth@act.gov.au>; "Brady, Erin" <Erin.Brady@act.gov.au>; "Breen, Ryan" <Ryan.Breen@act.gov.au>; "Webb, Chris" <Chris.Webb@act.gov.au>; [REDACTED]@yass.nsw.gov.au>; [REDACTED]@yass.nsw.gov.au" [REDACTED]@yass.nsw.gov.au>; [REDACTED] <[REDACTED]@planning.nsw.gov.au>; [REDACTED]:@regional.nsw.gov.au" [REDACTED];@regional.nsw.gov.au>; [REDACTED]:@regional.nsw.gov.au>; [REDACTED]" [REDACTED]@regional.nsw.gov.au>; [REDACTED]@regional.nsw.gov.au>; [REDACTED]" [REDACTED]:@regional.nsw.gov.au>; "Breen, Ryan" <Ryan.Breen@act.gov.au>; [REDACTED] [REDACTED]@planning.nsw.gov.au)" [REDACTED]@planning.nsw.gov.au>; [REDACTED]" <[REDACTED]@regional.nsw.gov.au>; "Gordon, Tom" <Tom.Gordon@act.gov.au>; "Burdon, Gareth" <Gareth.Burdon@act.gov.au>; "Wong, Nicole" <Nicole.Wong@act.gov.au>; "Peter Ledwos" <peter.ledwos@dpie.nsw.gov.au>; "Vithalis, Nick" <Nick.Vithalis@act.gov.au>; "Carmody, Sophie" <Sophie.Carmody@act.gov.au>  
**Cc:** "Barnett, Vanessa" <Vanessa.Barnett@act.gov.au>; "Chilvers, Libby" <Libby.Chilvers@act.gov.au>; "Blount, Wilhelmina" <Wilhelmina.Blount@act.gov.au>; "Davies, Dean" <Dean.Davies@act.gov.au>  
**Bcc:** "Clapham, David" <David.Clapham@act.gov.au>  
**Subject:** FOR REVIEW/COMMENTS: Parkwood Steering Committee Minutes 20 September 2022 and Agreed TOR's  
**Attachments:** DRAFT Minutes Parkwood Steering Committee #4 Meeting held on 20 September 2022.DOCX, X. Steering Committee - Parkwood Urban Release Area Governance Framework - Agreed Terms of Reference.DOCX

OFFICIAL

Dear all

Attached are the draft minutes from our Parkwood Steering Committee held Tuesday, 20 September and the agreed Terms of Reference.

Please review and provide any comments/feedback to the draft minutes to [@Carmody, Sophie](#) by no later than 30 November.

Our last meeting for the year is scheduled for **Tuesday, 13 December**.

Best

David

**David Clapham** | Executive Branch Manager  
Regional, Infrastructure, Planning and Transport Branch | **Policy & Cabinet Division**  
☎ 02 6205 7261 | **Chief Minister, Treasury & Economic Development Directorate** | ACT Government  
Level 5, 220 London Circuit | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)





**ACT**  
Government

Chief Minister, Treasury and  
Economic Development



**Steering Committee for the Parkwood Urban Release Area Governance Framework  
Meeting #4**

**Tuesday 20 September 2022, 2:30 - 4:00pm (MS Teams)**

<b>Chair</b>	Policy and Cabinet Division (PCD), ACT Chief Minister, Treasury and Economic Development Directorate
<b>Attendees</b>	
ACT Chief Minister, Treasury and Economic Development Directorate	<b>Wilhelmina Blount</b> - Executive Group Manager, Policy and Cabinet Division <b>Dr David Clapham</b> - Executive Branch Manager, Economic and Regional Policy <b>Kathy Goth</b> – Executive Branch Manager, Economic and Financial Analysis, Treasury <b>Sophie Carmody</b> – Director, Economic and Regional Policy <b>Dean Davies</b> - Director, Economic and Regional Policy
ACT Environment, Planning and Sustainable Development Directorate	<b>Ben Green</b> – Executive Group Manager, Planning and Sustainable Development <b>Ryan Breen</b> – Director, Water Policy
ACT Suburban Land Agency	<b>Chris Webb</b> – Program Manager, Development Delivery Group <b>Nick Vithalis</b> – Project Officer, Development Delivery Group
Yass Valley Council	
NSW Department of Planning and Environment	
Office of the Cross Border Commissioner	
Department of Regional NSW	

**MINUTES**

**1. Welcome and Introductions**

- Apologies – Tom Gordon (SLA), Dr Erin Brady (EPSDD), [REDACTED]

**2. Confirmation of minutes**

- Members **agreed** the meeting minutes for 20 July 2022.
- Members **endorsed** the Terms of Reference as final.
- **ACTION: CMTEDD to circulate final Terms of Reference.**

**3. Update on ACT Audit Office Performance Audit – *Governance arrangements for the planning of services for Parkwood, Ginninderry***

- The ACT Government has prepared a response to the audit report, which will be tabled in the Legislative Assembly by the end of October 2022. The response is currently being considered by Government.
- Representatives of PCD noted that the recommendations made by the Auditor-General require tripartite agreement between governments represented within the Committee and that the response to the audit will reflect this.

#### 4. ACT/NSW Border Move

- David Clapham (CMTEDD) provided an update on engagement with the NSW Government on discussions around a potential ACT/NSW Border Move.



- Advised that CMTEDD is currently trying to arrange the first meeting with the NSW DPC.
- [REDACTED] confirmed that negotiations will commence on a no commitment basis, but that service delivery options should be considered in parallel.
- [REDACTED] noted that Yass Valley Council would look at the option of moving the border as a way of solving some of the cross border challenges.
  - Confirmed Yass Valley Council's position that any development at Parkwood should not disadvantage the rest of the rate payers in NSW.
  - Advised that a report will be taken to the October Council meeting that endorses the Council's water source strategy, which is, if support is provided for the border move, Yass Valley Council would seek access to water supply to allow for the growth of the Yass Valley.
  - Requested that the Mayor of the Yass Valley Council be involved in discussions on moving the border, even if as an observer.
- David Clapham (CMTEDD) noted Chris Berry's request and advised this would be dependent on the first conversation with NSW Government. Agreed that Yass Valley Council and the Commonwealth would need to be involved in any ongoing conversations about the border move.

#### 5. Riverview Presentation: Cross-border forums

- The Committee noted the presentation from the Riverview Group that provided a background on the project, an update on work to date on cross-border issues, and work on service delivery requirements.
- **ACTION:** The Riverview Group to provide additional context on Development Application timeframes outlined in presentation and access to the library of relevant reports as requested by the Committee.

## 6. Updates:

### Parkwood/Ginninderry Development

- Chris Webb (Suburban Land Agency) provided a high-level update on development progress and advised that 1000 people are now living in the area with public and community infrastructure being constructed and a school coming online soon.
  - Noted land shortages that may affect the progress of the development on the ACT side of the border such as landfill and high voltage powerlines.
  - Advised that the project is now focussing its attention to overcome these issues, and pending resolution, there is no pressure to bring on the early release of NSW land.
  - Noted there are active discussions with the third landowner in NSW and that there are no active discussions with the fourth landowner at Ginninderra Falls. Will continue to keep the Committee updated on the progress of discussions.

### Water Infrastructure for Parkwood

- Chris Webb (Suburban Land Agency) advised that discussions with Icon Water are ongoing regarding the provision of water supply. Issues have been identified relating to water demand, ensuring adequate servicing for the community, and regulatory issues. These discussions will need to continue over the next 12 months.
- There are two key pieces of infrastructure that have issues related to the regulatory positions determined by the location of the border:
  - Ginninderry Water Supply Reservoir
  - Murrumbidgee Trunk Sewer
- Advised that the site for the reservoir is in the ACT and has previously been secured by the SLA. The issue is around sizing and the reticulation network, which needs to be designed to ensure it meets supply to future community.



- Key unknowns:
  - How the water supply would occur (bulk supply to border, or Icon Water also managing the reticulation network); and
  - How regulation would be applied in Parkwood (technical regulation of water and sewerage standards, and economic regulation of pricing).
- [REDACTED] noted that bulk water transfer would require Yass Valley Council to have a treatment plant and that the Council is not interested in operating one.
  - Suggested that it would be better to provide treated water to the border with a meter, Yass Valley Council pay the cost as the authority in NSW and then bill customers accordingly.
- David Clapham (CMTEDD) confirmed his understanding that this approach is the preference of Icon Water as well.
- Chris Webb (SLA) confirmed that it would be bulk treated water, which would not require treatment plant.
- Kathy Goth (Treasury) proposed that the technical solution for supplying the water is not dependent on the location of the border. It is not necessary to delay engineering designs at this stage and that there is adequate time to determine the regulatory framework if the border does not move.
- Ben Green (EPSDD) noted the need to consider and consult with the Utilities Technical Regulator in the ACT if a different water supply arrangement to the current existing one with Queanbeyan is implemented.

## 7. Issue Sequencing:

- CMTEDD circulated a draft timeline and priority document ahead of the meeting that could be used to inform a work plan.
- The Committee **agreed** that further work was required on the timeline and priority document, based on the discussions at the meeting.
- Wilhelmina Blount (CMTEDD) noted the need to consider service delivery arrangements at the same time as a potential border move. Consideration needs to be given to the types and levels of services in the ACT, compared with other states and territories.
  - Further noted this will be challenging given the principles that were outlined in the base case and work on some of the complexities will be required.

- [REDACTED] emphasised the guidance from the NSW Department of Premier and Cabinet, that alongside discussions about a border move, discussions about service delivery will also need to occur.
- Wilhelmina Blount (CMTEDD) noted the ACT provides a range of services, however the rate at which services are charged to residents and how they are used may be different in NSW.
- [REDACTED] suggested it is appropriate to go back to the cross border service delivery work that has already been done, review each service and discuss available options and preferred approaches.
- Kathy Goth (Treasury) noted the ACT has a range of cross border services agreements with NSW, and that ACT services cost more than they cost in NSW. Suggested the development of a paper to identified threshold issues and help guide discussion.
- The Committee **agreed** to start work looking at service delivery options, rather than wait on the outcome of a border move discussion.
- **ACTION:** CMTEDD to begin preliminary work on cross-border servicing options and assumptions that were included in the base case, drawing on members of the Committee as required.
  - Informed by the base case, CMTEDD will begin with the following areas of government service delivery:
    - Police
    - Community Health
    - Schools
    - Natural Resources and Environment Management
    - Water and Sewerage Services
    - Fire Services
- **ACTION:** CMTEDD to develop a draft Committee work program to reflect the parallel consideration of a border move and cross-border service delivery.
- **ACTION:** CMTEDD to circulate draft minutes to clarify next steps and confirm Committee agreement.

## 8. Other business

- No other business was identified.

## 9. Close and next meeting date

- **Agreed** that one more meeting will be held in 2022.
- A meeting invite has been sent for Tuesday 13 December 2022.

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# Steering Committee for the Parkwood Urban Release Area Governance Framework

## Terms of Reference

### Introduction

Under the *ACT-NSW Memorandum of Understanding for Regional Collaboration* (the MoU) and the Parkwood Urban Release Area Governance Framework, the ACT and NSW Governments have agreed to establish a Steering Committee to progress agreement on the preferred governance mechanism and service delivery models for the urban release area on the NSW/ACT border known as Parkwood.

A copy of the Framework is attached to these Terms of Reference.

### The Steering Committee

The Steering Committee will develop an annual work program to:

- Develop and implement a service delivery model for the provision of government services and infrastructure to Parkwood;
- Identify key issues that impede efficient and consistent service delivery to the community of Ginninderry and to determine an appropriate arrangement for those services; and
- Identify opportunities for alignment and integration of service delivery and infrastructure spending, including where appropriate, through innovative and digitally-enabled solutions.

The Steering Committee will serve to ensure the preferred governance mechanism and service delivery models remain responsive to State/Territory and Local Government policy and demographic changes, whilst maintaining certainty around serviceability of Parkwood.

The development of the governance arrangement and service delivery model will be guided by the principles set out under the Parkwood Urban Release Area Governance Framework.

### Membership

Under the Parkwood Urban Release Area Governance Framework, the Parties to the Framework are the ACT and NSW Governments, and Yass Valley Council. The Steering Committee will consist of representatives from the following Government departments:

- ACT Government
  - Policy and Cabinet, Chief Minister, Treasury and Economic Development Directorate
  - Economic and Financial Analysis, Chief Minister, Treasury and Economic Development Directorate
  - Urban and Commercial, Suburban Land Agency
  - Planning Delivery Division, Environment, Planning and Sustainable Development Directorate
  - Water Policy, Environment, Planning and Sustainable Development Directorate

- NSW Government
  - Office of the NSW Cross-Border Commissioner
  - Department of Planning and Environment
  - Department of Regional NSW
  
- Yass Valley Council
  - General Manager, Yass Valley Council
  - Director, Planning & Environment

Additional representatives may be invited by the agreement of all members.

### **Chair**

The Steering Committee will be chaired by a representative of Policy and Cabinet, Chief Minister, Treasury and Economic Development Directorate, ACT Government.

The chair may rotate amongst members by agreement.

### **Working groups**

The Steering Committee may establish working groups as required. The Steering Committee will agree terms of reference for working groups as applicable.

### **Stakeholder engagement**

From time to time, the members of the Steering Committee may with agreement invite others to attend meetings of the Steering Committee or to participate in working groups.

### **Secretariat**

Secretariat support for the Steering Committee will be provided by Policy and Cabinet, Chief Minister, Treasury and Economic Development Directorate, ACT Government.

### **Meetings**

A meeting schedule will be agreed by members and will occur at least twice per annum.

### **Decision-making**

The role of the Steering Committee is to provide advice to the ACT and NSW Governments and Yass Valley Council on proposed approaches for service provision to the Parkwood development.

Decisions made by the Steering Committee are not binding on any parties.

All substantive decisions of the Steering Committee should involve the participation of all parties and consideration of all options.

### **Term**

These Terms of Reference will be reviewed every three years, in accordance with the next three-year formal update of the MoU.

## **Attachment A: Parkwood Urban Release Area Governance Framework**



### 3. Parkwood Urban Release Area Governanc