



Mr David Rowe  
General Manager  
Yass Valley Council  
PO Box 6  
Yass NSW 2582

15/02778

Attention: Chris Berry/Liz Makin

Dear Mr Rowe

**Parkwood Planning Proposal PP\_2015\_YASSV\_001\_00**

I am writing in response to Council's letter, dated 18 December 2014, requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) for a planning proposal to rezone land at Parkwood in Yass Valley Shire to allow for approximately 5,000 residential dwellings and associated urban uses as part of a broader urban release area in the Australian Capital Territory (ACT).

As delegate of the Minister for Planning, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination. Given the significant cross-border planning issues raised by the proposal I have decided not to issue an Authorisation to Council to use its delegation for plan making.

I understand that this is a unique, yet challenging planning proposal given its size and location on the boundary of NSW and the ACT. I appreciate that the development is likely to predominantly service demand for housing from the ACT and that Yass Valley Council is keen to understand its future role in the development if it proceeds.

I note that staff from the Department have worked cooperatively with both Council officers and representatives from the ACT Government to progress the planning for this area. I have asked my staff to continue working closely with Council to consider the long-term merits of the proposal and to assist where possible.

Demonstrating that suitable arrangements are in place for cross border service delivery and recovery of costs between governments will be fundamental to the success of the future development on the NSW land. As a condition of the Gateway determination, I have therefore required the preparation of a Cross Border Government Servicing Report, setting out the proposed arrangements for Government service delivery, and that a forum be held with relevant service providers from the ACT and NSW (including Council) to confirm that the proposed arrangements are practicable. This will need to occur before any formal community consultation.

It is expected that the report will be wide ranging in its scope and consider all matters relevant to future cross border co-ordination and management of the release area, including (but not limited to):

- infrastructure provision;
- servicing arrangements for State, Territory and Municipal services covering education, health, social and community welfare services;
- the administration and recoupment of State and Territory taxes, fees and charges; and
- arrangements for ongoing engagement and dispute resolution between the respective jurisdictions.

I envisage that the final report on cross government funding and servicing of Parkwood will be vital to the NSW Government's agreement to the servicing and funding arrangements that will need to be finalised with the ACT Government and therefore allow the release area to proceed. Due to the importance of these funding and servicing issues I am happy for the Department to work closely with Council in the identification and resolution of the cross border planning issues, including assisting Council with coordination of the proposed forum.

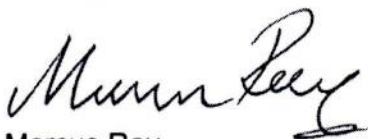
Council will need to obtain agreement for any inconsistencies with relevant Section 117 Directions when the revised planning proposal is resubmitted to the Department for endorsement. Council should ensure this occurs prior to the plan being made.

The amending local environmental plan is to be finalised within 24 months of the week following the date of the Gateway determination. Council's request for the Department to draft and finalise the local environmental plan should be made 6 weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete local environmental plans by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 54(2)(d) of the *Environmental Planning and Assessment Act 1979* if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Mr Brett Whitworth, General Manager, Southern Region at the Department on (02) 4224 9450.

Yours sincerely



Marcus Ray  
Deputy Secretary, Planning Services

16/04/2015  
Encl: Gateway Determination





## Gateway Determination

**Planning proposal (Department Ref: PP\_2015\_YASSV\_001\_00):** To rezone approximately 600 hectares of land (Parkwood) in Yass Valley Shire, adjacent to the ACT, for urban development to accommodate approximately 5,000 residential dwellings and other suitable land uses as part of an anticipated 11,500 dwelling development in conjunction with the Australian Capital Territory at West Belconnen.

I, Deputy Secretary of Planning Services at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that the planning proposal should proceed subject to the following conditions:

1. The planning proposal is to be revised prior to community consultation to include a Cross Border Government Servicing Report that addresses the intended framework for government funding and service delivery to the land by the ACT Government, NSW Government and Yass Valley Council.
2. A revised planning proposal, that includes the Cross Border Government Servicing Report, is to be submitted to the General Manager, Southern Region, for endorsement prior to community consultation.
3. Prior to submitting a revised planning proposal to the General Manager, Southern Region, a forum is to be held with all relevant government service providers to determine if the servicing framework in the Cross Border Government Servicing Report is practicable.
4. The Council is to prepare draft Local Environmental Plan Maps that are consistent with the latest version of the "Standard technical requirements for Local Environmental Plan maps" and the draft maps are to be placed on public exhibition as part of community consultation.
5. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
  - a) The planning proposal must be made publicly available for a minimum of **28 days**; and
  - b) The relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A Guide to Preparing Local Environmental Plans* (Department of Planning & Infrastructure 2013).
6. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant Section 117 Directions:
  - The ACT Government, including ACT Chief Ministers Department, ACT Treasury and ACT Environment and Planning Directorate

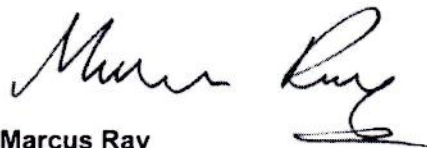
- Ambulance Service of NSW
- Department of Attorney General and Justice
- Murrumbidgee Catchment Management Authority
- Department of Family and Community Services
- Department of Education and Communities
- Office of Environment and Heritage
- Department of Premier and Cabinet
- Transport for NSW
- Office of Environment and Heritage - NSW National Parks and Wildlife Service
- Fire and Rescue NSW
- Department of Health
- NSW Police Force
- NSW Rural Fire Service
- NSW Treasury
- Transport for NSW - Roads and Maritime Services

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least **40 days** to comment on the proposal.

7. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

8. The timeframe for completing the Local Environmental Plan is to be **24 months** from the week following the date of the Gateway determination.

Dated *16th* day of *April* 2015



**Marcus Ray**  
**Deputy Secretary**  
**Department of Planning and Environment**

**Delegate of the Minister for Planning**