

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.	<p>Enduring Terms of Reference to be created following establishment of a Steering Committee.</p> <p>Following development of the Terms of Reference, the parties agree to prepare an annual work program as an outcome of the Steering Committee.</p>



Kathy Leigh

Head of Service and Director General, ACT Chief Minister, Treasury and Economic Development Directorate

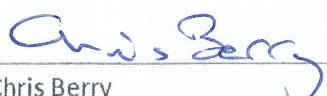
Date 19/3/20



NSW Government Signatory

Gary Barnes, Secretary, Department Regional NSW

Date 26/06/20



Chris Berry

General Manager, Yass Valley Council

Date 30/6/2020