

Issues for Immediate Consideration

Potential NSW Land Purchase

Minister with responsibility for	Housing and Suburban Development
Matter Type	Decision (Further information to follow)
Action Required by	08/11/2024
Recommendation/s	Note that SLA will prepare advice to an incoming Government to inform a decision regarding the potential to participate in the sale process for Part Lot 61 in Parkwood NSW ([REDACTED]).

Background

The West Belconnen Joint Venture Agreement master plan considered four privately owned NSW land holdings. To date, two of these have been acquired by the Suburban Land Agency (SLA) for inclusion into the Ginninderry Joint Venture (Cabinet Paper 21 - 312). Part Lot 61 in Parkwood ([REDACTED] land with Southern Access to Ginninderra Falls) has recently been placed on the market for sale via an [Expression of Interest \(EOI\)](#).

The site forms part of the Ginninderry Master Plan and could provide land for potential inclusion in the Ginninderry Conservation Corridor, creation of an eco-tourism precinct, access to the Ginninderra falls and further developable land. [REDACTED]

Some key issues include:

- The EOI closes on 28 November 2024, providing limited time to prepare a submission.
- Noting the caretaker conventions and the ACT election timing, there will be limited time to prepare the necessary advice and documentation for an incoming Government to facilitate an EOI submission.
- The selling agent reached out to various ACT Government agencies on numerous occasions requesting a meeting to discuss the EOI.
- SLA met with the selling agent on 17 October 2024 (and participated in a site tour on 23 October 2024) to facilitate an introduction and gain an understanding of the EOI to facilitate prompt advice to an incoming Government. It was made clear that

it was an exploratory meeting to understand the proposition to inform an incoming Government. No commitments were made that Government or SLA would participate in the EOI. It was also explained that caretaker conventions and the election meant that consideration of this matter would only occur post-election.

- The process and timeframe for undertaking a land acquisition differs depending on the acquiring entity. Regardless of the acquiring entity, significant consultation within Government will be required and this is expected to take some time. This engagement will need to be undertaken quickly in a new term of Government if a submission into the EOI is desired.
- The acquiring entity could be either SLA or [REDACTED], with differing processes and timing implications arising.
- If SLA was the acquiring entity, the acquisition would be subject to the [Land Acquisition Direction](#). The framework requires the development of a business case which has had consultation with relevant stakeholders including the Under Treasurer and Director General, Environment, Planning and Sustainable Development Directorate. The acquisition can only proceed if the Minister has approved the business case.

- [REDACTED]

SLA has indicated to the Ginninderry JV that it will not participate in the EOI process due to insufficient time to be able to undertake consultation within Government and engage with the Minister after Government is formed. [REDACTED]

[REDACTED]

[REDACTED]

If agreed, SLA intends on briefing Government fully on the potential opportunities [REDACTED] at a future point to inform Government consideration of its interest in participating in the opportunities across [REDACTED]

Key Stakeholders

SLA, Ginninderry Joint Venture, ACT Treasury and Landowner of Part Lot 61

Approved by

Adam Davey CEO SLA

Decision

- Noted
 - Agreed
 - Agreed (further information required)
 - Not Agreed/Please discuss
 - Responsible Minister to attend
(further information required)
 - Defer to Directorate
-

Minister's signature _____ Date ___/___/___

Portfolio: Homes and New Suburbs**Ginninderra Falls****Talking points**

- [REDACTED] has expressed its intention to participate in the EOI process given the opportunity to:
 - Acquire land identified in the Ginninderry JV masterplan, including further developable land.
 - Utilise the land for creation of a tourism precinct for use by the community.
 - Contribute to the achievement of the objectives within the Ginninderry JV vision.
- The ACT Government acknowledges significant local media and community interest in whether the ACT Government will be involved in the EOI process to secure the (NSW) land for use by the Canberra community.
- The ACT Government, through the SLA, did not submit a response to the EOI.
- There is no longer an EPBC development condition requirement for the Ginninderry JV to acquire this land.
- If [REDACTED] pursue the opportunity to purchase the land and are successful, the ACT Government will consider ways in which we might work with our Joint Venture Partner to deliver the vision of the land as identified in the Ginninderry JV Masterplan.

Key Information

- The EOI process is non-binding and is expected to take several months prior to any decisions being made. The vendor's agent is yet to confirm the sale process post the EOI submissions.
- [REDACTED]
- Any funding requests will be subject to valuation advice. [REDACTED]

Cleared as complete and accurate: 24/01/2025
Cleared for public release by: Chief Executive Officer Ext: 55465
Contact Officer name: Gareth Burdon MS Teams
Lead Directorate: CMTEDD, Suburban Land Agency
TRIM Ref: CMTEDD2024/4821

[Redacted]

Background Information

- The West Belconnen Joint Venture Agreement master plan considered four privately owned NSW land holdings. To date, two of these have been acquired by the Suburban Land Agency (SLA) for inclusion into the Ginninderry Joint Venture (Ginninderry JV) (Cabinet Paper 21 -312). Part Lot 61 DP801234 (Part of Lot 61) in Parkwood ([Redacted] Land with southern access to Ginninderra Falls) was placed on the market for sale via an Expression of Interest (EOI) process that closed on 28 November 2024.

- [Redacted]

- [Redacted]

- [Redacted]

- The Ginninderry Joint Venture master plan detailed in the West Belconnen Joint Venture Agreement included the future acquisition of four privately owned parcels of land in Parkwood.

- The Ginninderra Falls are located within part of Lot 61 DP801234 (owned by the [REDACTED]), the Falls are considered as part of the forementioned land that Ginninderry JV needed to acquire within two years of development commencing to place into a conversation trust or similar in perpetuity.
- The acquisition of part of these parcels of land was a then condition of the Ginninderry JV's *Environment Protection and Biodiversity Conservation Act* (EPBC) development conditions.
- The Ginninderry JV until 15 November 2024 were considered non-conforming against this EPBC condition. The Department of Climate, Change, Energy, the Environment and Water revised the wording of several of the Ginninderry JV development conditions including condition 5. Conformance for Condition 5 is now primarily achieved through the successful NSW land rezoning process which occurred in 2020.

- [REDACTED]

Portfolio: Homes and New Suburbs**1. Ginninderra Falls****Context**

- The West Belconnen Joint Venture Agreement master plan considered four privately owned NSW land holdings. To date, two of these have been acquired by the Suburban Land Agency (SLA) for inclusion into the Ginninderry Joint Venture (Ginninderry JV) (Cabinet Paper 21 -312). Part Lot 61 DP801234 (Part of Lot 61) in Parkwood ([REDACTED] Land with southern access to Ginninderra Falls) has recently been placed on the market for sale via an Expression of Interest (EOI) process that closed on 28 November 2024.

- [REDACTED]

- [REDACTED]

**Talking points**

- [REDACTED] has expressed its intention to participate in the EOI process given the opportunity to:
 - Acquire land identified in the Ginninderry JV masterplan, including further developable land.
 - Utilise the land for creation of a tourism precinct for use by the community.
 - Contribute to the achievement of the objectives within the Ginninderry JV vision.
- The ACT Government acknowledges significant local media and community interest in whether the ACT Government will be involved in the EOI process to secure the (NSW) land for use by the Canberra community.
- The ACT Government, through the SLA, did not submit a response to the EOI, however [REDACTED] Projects (the SLA's Partner in the Ginninderry JV) were assessing the opportunity.
- If [REDACTED] pursue the opportunity to purchase the land and are successful, the ACT Government will consider ways in which we might work with our Joint Venture Partner to deliver the vision of the land as identified in the Ginninderry JV Masterplan.

Key Information

- The EOI process is non-binding and is expected to take several months prior to any decisions being made. The vendor's agent is yet to confirm the sale process post the EOI submissions.

- [REDACTED]

- [REDACTED]
- There is no longer an EPBC development condition requirement for the Ginninderry JV to acquire this land.

Background

- The Ginninderry Joint Venture master plan detailed in the West Belconnen Joint Venture Agreement included the future acquisition of four privately owned parcels of land in Parkwood.
- The Ginninderra Falls are located within part of Lot 61 DP801234 (owned by the [REDACTED]), the Falls are considered as part of the forementioned land that Ginninderry JV needed to acquire within two years of development commencing to place into a conversation trust or similar in perpetuity.
- The acquisition of part of these parcels of land was a then condition of the Ginninderry JV's *Environment Protection and Biodiversity Conservation Act (EPBC)* development conditions.
- The Ginninderry JV until 15 November 2024 were considered non-conforming against this EPBC condition. The Department of Climate, Change, Energy, the Environment and Water revised the wording of several of the Ginninderry JV development conditions including condition 5. Conformance for Condition 5 is now primarily achieved through the successful NSW land rezoning process which occurred in 2020.



UNCLASSIFIED

To:	Minister for Homes and New Suburbs	Tracking No.: 24/124100
CC	Chief Minister, Treasurer	
From:	Chief Executive Officer, Suburban Land Agency	
Date:	22 November 2024	
Subject:	Potential Ginninderra Falls Tourism Precinct	
Critical Date:	28 November 2024	
Critical Reason:	To align with the timing of the Expression of Interest submission for the Ginninderra Falls (Part Lot61 DP801234) acquisition	

Purpose

To update you on activities related to potential land acquisition near the Ginninderra Falls.

Recommendations

That you:

1. **Note** that a recent change to the wording of the *Environment Protection and Biodiversity Conservation Act 1999* development conditions on the Ginninderry Joint Venture (Ginninderry JV) removes the need to acquire land adjacent to the Ginninderra Falls, resulting in the Ginninderry JV is now being compliant with the relevant condition.

Noted / Please Discuss

2.

Noted / Please Discuss

3.

Noted / Please Discuss

UNCLASSIFIED

4.



Noted / Please Discuss

Yvette Berry MLA/...../.....

Minister's Office Feedback

Please keep me updated on any further developments in this space

Background

1. The West Belconnen Joint Venture Agreement master plan considered four privately owned NSW land holdings. To date, two of these have been acquired by SLA for inclusion into the Ginninderry JV (Cabinet Paper 21 -312). Part Lot 61 DP801234 (Part of Lot 61) in Parkwood ([redacted] Land with Southern Access to Ginninderra Falls) has recently been placed on the market for sale via an [Expression of Interest \(EOI\)](#) closing on 28 November 2024.
2. The Ginninderry JV has had a long-held interest in acquiring the [redacted] Land to adhere to one of the *Environment Protection and Biodiversity Conservation Act 1999* development conditions. On 15 November 2024 the Department of Climate Change, the Environment, Energy and Water provided formal notification of a change in wording of this condition. The Ginninderry JV is now compliant with this condition.

3.



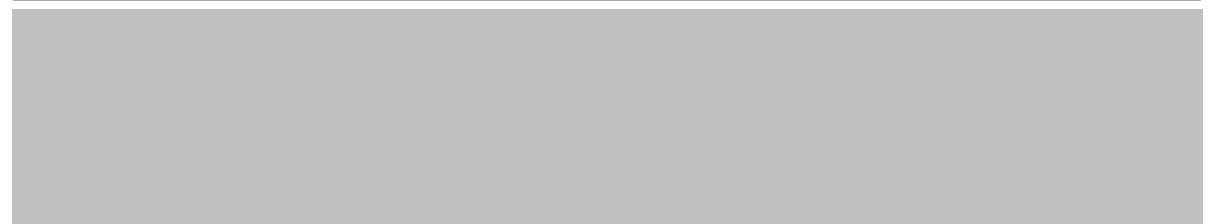
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Issues

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10. During the caretaker period, part of the [redacted] land that provides southern access to the Ginninderra Falls was placed on the market via an EOI (non-binding at this stage). SLA is not anticipating participating in the EOI at this stage as there was insufficient time to consult with Government and undertake the necessary processes related to land acquisition approvals. [redacted]

11.

12. A workgroup made up of participants from [redacted] [redacted] SLA and Treasury have been meeting regularly, post completion of a site tour on 23 October 2024, to discuss potential EOI submission strategies. The following are the proposed submissions strategies being considered¹:

¹ These options were considered by the Ginninderry JV Board on 13 November 2024.



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Financial Implications

18. There is no financial commitment for the ACT Government at this stage of the EOI process.



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Consultation

Internal

22. SLA's Media team has been briefed on the sale of the Part of the [redacted] land as well as have been included in the Ginninderry JV's communication planning work.

Cross Directorate

23. ACT Treasury were involved on the site tour as well as the EOI submission strategy work. They have provided advice on the process if the ACT Government was involved in any acquisition.

External

24. [REDACTED] they have been engaging with SLA on this process to ensure Government stakeholders are aware of their involvement and EOI participation.

25. [REDACTED]

Work Health and Safety

26. Not applicable.

Benefits/Sensitivities

27. Benefits:

1. Delivery on the Ginninderry JV public commitment to facilitate public access to the Ginninderra Falls precinct. This is part of the Ginninderry JV's project vision.
2. [REDACTED]
3. [REDACTED]

28. Sensitive

1. The lack of ACT Government participation in the EOI process needs to be managed carefully given the public's view that the Ginninderra Falls should be reopened for public use even if it is on NSW land.
2. Ginninderra Falls are on NSW land.
3. There are significant potential liability issues with providing safe access to the Ginninderra Falls area. That was the major reason why the Ginninderra Falls area has been closed for public access for the last 20 years.
4. ACT Government budget considerations, any funding would need to demonstrate significant benefits and returns to the ACT community.

Communications, media and engagement implications

29. There has been significant media and community interest in the EOI process. Much of the public commentary has been related to a preference for the Ginninderra Falls to reopen to public use.
30. [REDACTED] in consultation with the Ginninderry JV and SLA, have developed a draft communication and engagement plan.
31. SLA has been requested to provide several comments on ACT Government participation in the EOI process to the public. These are being managed on a case-by-case basis and will follow responses with the draft communication and engagement plan.

Signatory Name: Adam Davey

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Action Officer: Gareth Burdon

Phone: MS Teams