

Department of Planning, Housing and Infrastructure

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Governance and Probity Plan: Aerotropolis Technical Assurance Panel

Western Sydney Aerotropolis Master Planning

March 2024





Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Dharug Traditional Custodians of the land on which the Aerotropolis is located, and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

Published by NSW Department of Planning, Housing and Infrastructure
planning.nsw.gov.au

Governance and Probity Plan: Aerotropolis Technical Assurance Panel

First published: August 2022

Revision 2 (March 2024)

Version	Date	Modifications	Approved	Date
1	August 2022	-	Secretary, Department Planning and Environment	25 August 2022
2	March 2024	Updates to clarify roles and responsibilities, minor edits	Independent Chair, Aerotropolis Technical Assurance Panel	13 March 2024

Department reference number: SF22/59915

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1 Introduction

1.1 Purpose of this document

This Governance and Probity Plan (Plan) has been prepared by the Department of Planning, Housing and Infrastructure (the Department), as the government organisation responsible for establishing an independent Aerotropolis Technical Assurance Panel (TAP) for master plans in the Western Sydney Aerotropolis.

This Plan applies to all participants in the TAP process. It will guide an open, transparent and accountable planning process that meets Government objectives to support job creation, population growth, delivery of open space, infrastructure delivery and service provision in the public interest. This Plan sets out the governance arrangements and procedures to promote the integrity of the process. Specifically, the Plan outlines:

- the probity arrangements and expectations for the TAP,
- the roles, responsibilities and expectations of each participant within the TAP, and
- the procedures for the TAP.

This Plan should be read in conjunction with the Guidelines for Preparing a Master Plan and the Supplementary Guidance, available on the [Department's website](#).

1.2 Related documents

The key documents guiding the process are:

- State Environmental Planning Policy (Precincts – Western Parkland City) 2021,
- Western Sydney Aerotropolis Plan 2020,
- Western Sydney Aerotropolis Precinct Plan,
- Western Sydney Aerotropolis Development Control Plan (Phase 2),
- Guideline to Master Planning in the Western Sydney Aerotropolis,
- Supplementary Guidance: Aerotropolis Technical Assurance Panel, and
- Governance and Probity Plan: Aerotropolis Technical Assurance Panel (this document).

1.3 Aerotropolis Technical Assurance Panel

Purpose of the TAP

The TAP is an independent advisory panel established by the Department to oversee and guide the preparation of any master plan within the Aerotropolis as identified in Clause 4.41 of Part 4.7 of the *State Environmental Planning Policy (Precincts – Western Parkland City) 2021* (WPC SEPP). The TAP involves a collaborative and co-design process to ensure any master plan aligns with the vision and intended outcomes for development in the Aerotropolis. Further, the TAP aims to involve state and local government authorities upfront in the planning process, to enable the holistic resolution of concerns and issues prior to statutory planning processes commencing.

Aerotropolis master planning process

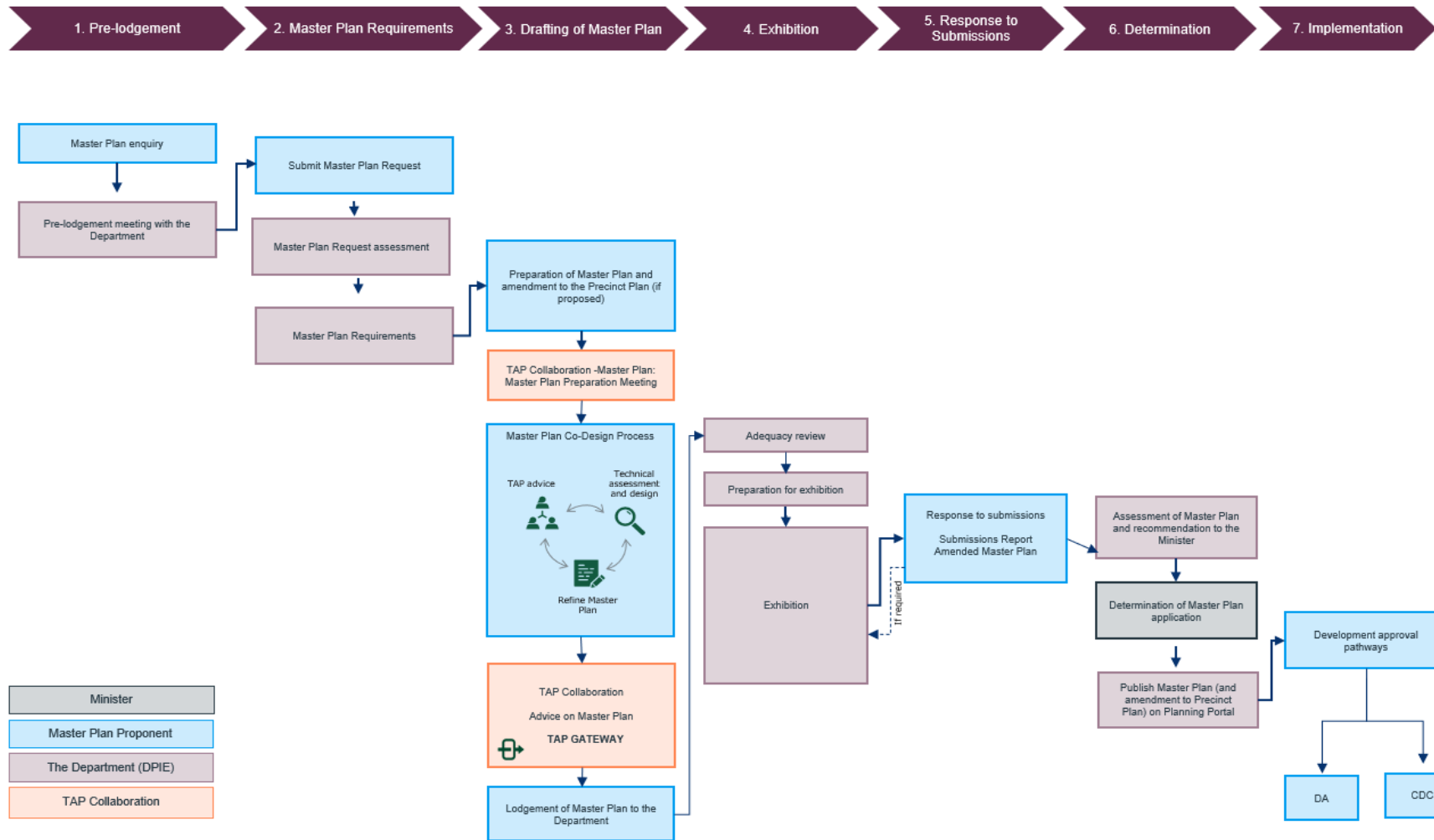


Figure 1 | Phases of the Master planning process for the Aerotropolis

Source: Master Plan Guidelines

The Technical Assurance Panel master planning process

Key involvement of the TAP is identified in four(4) key phases:

Phase 1 – Master plan request

During the preparation of the master plan requirements, by the Department, and prior to the formal TAP process commencing, the TAP may be requested to attend a site visit to understand the initial master plan request, context and the site. Agencies and councils will be requested to provide input into the master plan requirements.

Phase 2 – Master plan inception meeting

The master plan inception meeting (TAP Meeting 1) is the initial meeting with the TAP, which provides the proponent the opportunity to present a draft master plan (including a draft structure plan), that also identifies how the master plan requirements will be addressed. This meeting provides the opportunity for the proponent to raise any issues or questions that require TAP guidance or technical input. The TAP may be required to attend a site visit as part of this inception meeting to understand the draft master plan and site, in response to the master plan requirements.

This phase includes the preparation of a Milestone Agreement by the Chair and TAP, to be endorsed by the Chair (see Figure 2 for process). A Milestone Agreement is project specific, and identifies the number and frequency of TAP meetings. This agreement will be prepared with input from the Chair, TAP members and the proponent. The Milestone Agreement will be used as a basis for calculating fees payable by the proponent for each master plan.

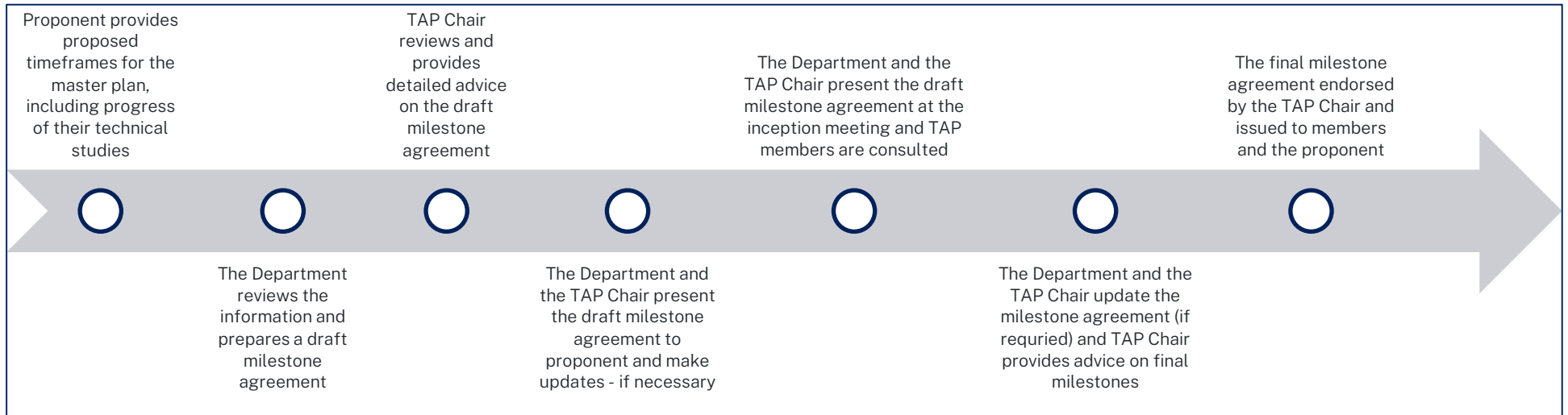


Figure 2 | Milestone agreement process

Phase 3 – Master plan co-design process

After the master plan inception meeting and issuing of a Milestone Agreement, the proponent will collaborate with the TAP to address the master plan requirements and other site-specific matters arising through the TAP. This will involve meetings and workshops to provide guidance and feedback on master plan elements to assist the proponent with producing a well resolved final master plan application.

The number of meetings and working groups within the co-design process is guided by the Milestone Agreement in addition to any issues that arise during preparation of the master plan, which may amend an issued milestone agreement.

The TAP will undertake a design review and advise if, in the opinion of the TAP, whether design excellence standards are likely to be met by part of, or all the future development subject to the master plan that would satisfy Division 2 of Part 4.7 of the WPC SEPP.

The proponent must consider all feedback from the TAP during the co-design process in preparing the draft master plan. The proponent can raise issues regarding the views or decisions of the TAP. This is to be justified to the Chair with a technical evidence base.

Phase 4 – Final TAP meeting and TAP advice

At the final TAP meeting, the draft master plan will be considered by the TAP.

Prior to the final TAP meeting the proponent must submit the draft master plan and any supporting technical studies to the TAP for formal review. This should include any proposed complying development controls.

If the draft master plan is deemed satisfactory for lodgement and exhibition by the TAP, written advice will be prepared by the Chair and all TAP members.

The TAP advice will:

- Include a recommendation confirming whether the draft master plan meets the expectations of the TAP,
- Whether the draft master plan satisfies Clause 4.41 of the State Environmental Planning Policy (Precincts – Western Parkland City),
- Whether the draft master plan has addressed and met the issued master plan requirements,
- List any key issues identified in the collaboration sessions and outline the TAP's position and recommendations,
- Document the proponent's participation with the TAP, and
- Include any conditions or requirements to be met prior to lodgement of the master plan.

This written advice from the TAP must be prepared and endorsed by the Chair, with a copy provided to both the proponent, the Secretary of the Department and relevant Department assessments teams, prior to the proposal progressing to *exhibition* stage (refer Error! Reference source not found.). The Secretariat is responsible for the distribution of this advice.

2 Probity in practice

To ensure the integrity of the TAP process, it is important that the roles of all involved are clearly understood and defined. TAP participants and proponents must familiarise themselves with the *Guidelines for Preparing a Master Plan, Supplementary Guidance* and this document, the ‘*Roles and Responsibilities*’ section. These documents outline the roles and responsibilities in relation to the TAP process.

2.1 Probity fundamentals

The operation of the TAP must be conducted in a manner that satisfies the “probity fundamentals” as stated in the NSW Independent Commission Against Corruption (ICAC) document *Probity and Probity Advising – Guidelines for Managing Public Sector Projects (2005)*. These guidelines and this Plan are intended to assist those involved in the TAP to observe and practice appropriate standards of probity.

These probity fundamentals are:

- Obtaining value for money,
- Maintain impartiality,
- Managing any actual or perceived conflicts of interest,
- Maintaining accountability and transparency, and
- Maintaining confidentiality.

All TAP participants’ respective organisations codes of conduct define conflict of interests, which govern how officials are to manage such conflicts. Nothing in this Plan overrides TAP members obligation to comply with their respective organisations code of conduct.

TAP participants are personally responsible for identifying, assessing, declaring and actively managing any conflicts of interest (including actual, reasonably perceived or potential conflicts) that arise in the course of their work. In addition, TAP participants must ensure that the Chair is aware of any declared conflicts of interest, who implements any necessary actions to manage the declared conflicts.

2.2 Key probity risks

Various probity risks may occur during the TAP process. Some of these are common probity risks that are inherent in any government project or transactions. Others are project-specific risks.

Examples of project specific probity risks include:

- Inconsistent consideration or treatment of information received from the proponent,
- Stakeholders unhappy with the process leading to claims of bias, lack of impartiality or unfair advantage,
- The Departments potentially conflicting roles as the core members of the TAP, Secretariat, strategic assessors and as the consent authority, and
- The WPCA's potentially conflicting roles as a core member of the TAP and a proponent for master planning for the Bradfield City Centre site.

The procedures section of this Plan provides detailed guidance and controls for addressing the probity risks above.

2.3 Maintaining accountability and transparency

The Department is committed to an open, transparent and accountable process that meets Government objectives to support economic and population growth, that is in the public interest. To achieve this, the following measures will be undertaken:

- TAP meetings will be documented and identify information that is confidential and/or to be communicated to the proponent,
- All interactions will be documented and recorded in the Department's record system,
- Minutes of TAP meetings will be published on the Planning Portal or the Department's website and made publicly accessible, and
- Any studies or supporting information required to accompany the proposal will be procured by the proponent.

The TAP participants have a responsibility to ensure that their personal behaviour does not adversely impact on the integrity of the assurance panel process. Each participant is to:

- Act in accordance with this Plan and other approved plans guiding the process and their role,
- Avoid and declare conflicts of interest,
- Maintain the confidentiality of confidential information,
- Always act in a professional manner,
- Not to offer, seek or accept any gifts, hospitality or other benefits that may or may be perceived to, affect the integrity of the process, and declare any offers,
- Not to make public comments without authorisation,
- Not discuss matters with the media if approached by the media (see separate *Media enquiries* section below),

- Behave impartially, honestly and fairly,
- Report immediately any breaches of this Plan or other probity concerns to the Chair and/or Probity Advisor immediately, and
- Maintain appropriate records of decision-making.

2.4 Monitoring and reporting probity issues

TAP participants and the Secretariat are responsible for the day-to-day management of any probity matters and obligations that arise during their work. TAP participants must refer any probity concerns to the Chair and/or Probity Advisor for review and resolution.

The Chair may also raise the matter with the Department's Corporate Governance branch, for advice.

In providing secretariat services, the Department will be responsible for maintaining a register of conflicts of interest declarations for each master plan, which will be a standing agenda item for TAP meetings and any other meetings held between the Department and proponents.

2.5 Amendment of this plan

The Chair can amend and/or approve any amendment to this Plan with the reasons for amendment clearly documented in the version control section of this Plan, published to the Planning Portal or Department's website, and provided to all TAP participants.

3 Governance

3.1 Roles and Responsibilities

Membership of the Technical Assurance Panel

The TAP is made up of core members with additional members, as required for technical input. The TAP will be led by a Chair appointed through a selection process by the Department.

The core membership of the TAP will consist of representatives from the following agencies and councils:

- Department of Planning, Housing and Infrastructure (including the Western Parkland City Authority),
- Transport for NSW (including Sydney Metro if within 1.2km of a Metro station),
- Sydney Water,
- Council/s (either Liverpool Council, Penrith Council, or both), and
- An accredited urban designer selected from the NSW State Design Review Panel.

Other representatives invited to attend the TAP, as required, include:

- Local Aboriginal community representative/s (including Traditional Custodians, knowledge holders and LALCs),
- Department of Planning, Housing and Infrastructure, including, but not limited to representatives in areas of:
 - Development Assessment
 - Transport Advisory,
 - Industry and Resources, and
 - Environment Protectional Authority.
- DCCEEW – including, but not limited to representatives in areas of:
 - Biodiversity and Conservation Strategy (formerly EHG)
 - Water Group (formerly DPE Water)
- Government Architect NSW,
- Jemena,
- Endeavour Energy,

- Heritage NSW,
- Western Sydney Airport,
- TransGrid,
- Department of Education,
- NSW Health, and
- Additional technical specialists, as deemed appropriate by the Independent Chair.

Additional Departmental, agency and council representatives may also be invited to the TAP as observers.

A probity advisor will form part of the TAP to ensure the integrity of the TAP and the master planning process. The probity advisor will attend each inception meeting for a master plan. In addition to the inception meeting, the probity advisor will attend other meetings as required by the Secretariat or Chair.

Secretariat support to the TAP will be provided by the Department. Depending on the complexity and number of the master plans, the Department may appoint a project manager to assist in the day-to-day management in addition to the reporting of each master plan to the Chair and Secretariat.

Role of the Technical Assurance Panel

The TAP guides the required technical studies (following on from consultation in the master plan requirements stage), milestones and deliverables for the development of a draft master plan. The key role of the TAP is to guide the delivery of a draft master plan that reflects the desired vision and objectives for development within the Western Sydney Aerotropolis. To achieve this, the TAP must work collaboratively with the proponent to:

- identify and resolve key technical matters of concern; and
- develop a complying development pathway (where requested by the proponent) for future development of each master plan site, that meets all necessary development criteria, standards, and risk mitigation solutions.

When required, the TAP will coordinate state agency requirements and responses through a co-design and collaborative process with the proponent. The co-design process supports iterative development of the master plan including assessment of the individual state agency requirements. The TAP will also provide guidance on urban and architectural design excellence and delivery of design principles of the Aerotropolis Precinct Plan.

The TAP will prepare formal advice and recommendations at each prescribed milestone (as per the Milestone Agreement). This will enable the master plan to progress and inform the review and assessment of the master plan by the Department.

Role of the Technical Assurance Panel Chair

The Chair is responsible for ensuring that the TAP performs its functions and leading the TAP process for each master plan. The key roles of the Chair include:

- Chairing TAP meetings and workshops,
- Reviewing and endorsing meeting minutes,
- Identification and development of key timeframes and milestones relating to master plans and ensuring the delivery of the master plan in accordance with the milestones,
- Preparation and endorsement of correspondence to the TAP, other stakeholders and the proponent, including feedback on the master plan and technical studies,
- Preparation and approval of independent advice to the proponent during the TAP process, as well as the preparation of final independent advice to the proponent and the Department at the completion of the TAP process,
- Liaising with TAP members and the Secretariat in relation to correspondence from the proponent,
- Authority to make changes to TAP membership,
- Ensuring governance and probity protocols are adhered to,
- Ensuring the resolution of completing agency priorities to provide guidance in the TAP process to the proponent.

Role of the proponent

The proponent is responsible for the preparation and management of their proposed master plan throughout the TAP process. This includes the following:

- Preparation of the draft master plan, supporting technical studies and other material as identified in the master plan requirements, milestone agreement and requested through the TAP,
- Review and address feedback provided by the TAP and other relevant agencies,
- Preparation of presentation material for TAP meetings and workshops,
- Timely submission of materials in line with the milestone agreement, procedures as outlined in this Plan and as agreed by the TAP,
- Project management of the master plan and technical studies in respect to the milestone agreement, including providing project status updates and timeframes for material completion and submission, and
- Payment of fees in accordance with an approved fee schedule.

The proponent, or person nominated by the proponent, will be the primary contact throughout the master planning process and will be required to present to the TAP and correspond with the Secretariat.

Role of the TAP Secretariat

The TAP Secretariat supports the functioning of the TAP. Secretariat support will be provided by the Department's Planning, Land Use Strategy and Housing Division. The key functions of the TAP Secretariat include:

- Organising TAP meetings and working group meetings, including the venue,
- Preparation and distribution of meeting agendas and minutes, for TAP meetings and workshops
- Distribution of any reference material for meetings and workshops
- Recording and tracking of actions, and report on outstanding actions at each TAP meeting,
- Maintaining and distributing the actions register for each master plan. This register is to be updated fortnightly and following the endorsement of meeting minutes,
- Monitoring and maintaining a register of conflicts of interest, and
- Ensuring that confidentiality is managed across the TAP and workshops.

It is noted that the TAP Secretariat has no decision making powers as part of the TAP co-design process.

Role of the Department

The Department has an established statutory role under the *Environment Planning and Assessment Act 1979* (EP&A Act) in relation to plan-making and the assessment of State Significant Development. The Department's role in relation to those functions remains independent to the TAP panel process.

Various teams within the Department will perform a number of roles associated with master planning, the TAP process, development assessment of the master plans and amendments to legislation. The Department will implement internal probity arrangements to ensure appropriate separation of the roles outlined below.

Planning, Land Use Strategy and Housing division

The Planning, Land Use Strategy and Housing division will be responsible for the following functions:

- TAP Secretariat support relating to the overall TAP process.

- Strategic assessment of a master plan request prior to issuing master plan requirements, including an adequacy review and assessment against the established strategic planning framework. This may include meetings with the proponent to understand the request and consultation with agencies and councils to assist with drafting the master plan requirements.
- Provision of planning advice and support to the Department's representative on the TAP, which could include review of technical studies and other material prepared by the proponent.
- Assistance with the preparation and finalisation of amendments to the Aerotropolis Precinct Plan and/or WPC SEPP (where needed).

Development Assessment division

The Development Assessment division of the Department will be responsible for:

- Undertaking the statutory assessment of the draft master plan and providing a recommendation for determination to the Minister (or delegate).
- Undertaking the assessment of an application/s in the Aerotropolis and providing a recommendation for determination to the Minister (or delegate) under Part 4 of the EP&A Act.
- Preparation and finalisation of amendments to the Aerotropolis Precinct Plan and/or WPC SEPP (where needed).

Western Parkland City Authority

The Western Parkland City Authority (WPCA) became part of the Department of Planning, Housing and Infrastructure on 1 July 2023. WPCA will be responsible for the following functions:

- Participating in the TAP process as a core member.
- Provision of planning advice and support to WPCA's representative on the TAP.

The existing probity arrangements, as per this Governance and Probity Plan that existed prior to 1 July 2023 will be maintained and include:

- WPCA not participating as a core member on the TAP for master plans where they are the proponent.
- Operating separately from the other teams within the Department, including different reporting lines with the teams involved in the TAP process in the Department.

Attendance at TAP meetings

Should attendance of any Department staff (other than the Secretariat) be required at a TAP meeting, the Department is to write to the Chair requesting approval for attendance. Any staff member required to attend a TAP meeting shall complete a Confidentiality Declaration, and Conflict of Interest Declaration form prior to any meeting. The purpose of attendance at any TAP meeting

shall be generally for observation purposes, with the ability to respond to questions raised by the TAP if considered appropriate by the Chair.

Role of the Project Manager

A project manager may be assigned to a master plan, who may be Department staff, or a consultant engaged by the Department. The Project Manager will not form part the TAP membership. The role of the project manager is to:

- Liaise with the TAP Secretariat and Department staff on the preparation of each milestone agreement,
- Maintain all relevant project management files, including spreadsheets and other project management tools that will track the status of each master plan against the endorsed milestone agreement,
- Present the milestone agreement at any TAP inception meeting,
- Maintenance and management of an action register per masterplan, including providing updates to the TAP.

A project manager is not authorised to make any decisions on behalf of the TAP Secretariat, TAP, TAP Chair or the Department. All requests from the project manager should be directed to the TAP Chair via aerotropolis.TAP@dpi.nsw.gov.au.

Role of Council

Nomination of Membership to the TAP

Council is required to acknowledge and accept this Plan as part of the TAP process and nominate an appropriate representative (usually an Executive Director or above) to sit as a member on the TAP. It is noted that the representative from Council must have the authority to provide in principle support, make key decisions or sign off on matters raised in the formal TAP process (specifically matters discussed within TAP meetings and resultant meeting minutes) to enable an effective and timely TAP process.

Circumstances may arise where Council may seek to change their nominated representative for the whole TAP process. This request shall be in writing to the Chair from the relevant CEO or General Manager from Council, including the reasons for changing the nominated representative.

(For protocols relating to nominating a delegate to attend TAP meetings and/or workshops, see section 4.3.2 below)

When the master plan request is received

Council is consulted from the beginning of the process, that is, when a master plan request is received. If the request is accepted by the Department and the proponent is granted permission to

be a master planner, Council is asked to provide feedback on the request and comment on the draft master plan requirements.

During the TAP process

It is the responsibility of the nominated Council representative to engage with- and brief, different parts of their organisation, which may include technical specialists and councillors. This is to capture and address any concerns or issues addressed within the TAP process prior to the lodgement of the master plan for assessment. The Council representative is responsible for raising these issues and providing comments on behalf of their organisation to the TAP in a consolidated manner.

Lodgement of a Draft master plan

Once a draft master plan is lodged with the Department's Assessments team, Council, may raise new issues within the formal consultation process of the master plan assessment, which were not captured in the TAP process. The proponent will be required to address these issues as part of the assessment process.

Role of Agencies

Nomination of Membership to the TAP

Agencies are required to acknowledge and accept this Plan as part of the TAP process and nominate an appropriate representative (usually an Executive Director or above) to sit as a member on the TAP. It is noted that the representative from an agency must have the authority to provide in principle support, make key decisions or sign off on matters raised during the formal TAP process (specifically matters discussed within TAP meetings and resultant meeting minutes) to enable an effective and timely TAP process.

Circumstances may arise where agencies may seek to change their nominated representative for the whole TAP process. This request shall be in writing to the Chair from the relevant Secretary or CEO from the agency, including the reasons for changing the nominated representative.

(For protocols relating to nominating a delegate to attend TAP meetings and/or workshops, see section 4.3.2 below)

When the master plan request is received

Agencies are consulted from the beginning of the process, that is, when a master plan request is received. If the request is accepted by the Department and the proponent is granted permission to be a master planner, agencies are asked to provide feedback on the request and comment on the draft master plan requirements.

During the TAP process

Agencies represented on the TAP have an opportunity to identify their key concerns upfront before the statutory process is commenced. This enables the proponent to accommodate and address agency concerns.

It is the responsibility of the nominated agency representative to engage with and brief different parts of their organisation. This is to capture and address any concerns or issues addressed within the TAP process prior to the lodgement of the draft master plan for assessment. The agency representative is responsible for raising these issues and providing comments on behalf of their organisation to the TAP in a consolidated manner.

Lodgement of a Draft master plan

Once a draft master plan is lodged with the Department's Assessments team, agencies may raise new issues within the consultation process of the master plan assessment which were not captured in the TAP process. The proponent will be required to address these issues as part of the assessment process.

Role of the Probity Advisor

A probity advisor will be a key observer of the TAP process for each master plan. The role of the Probity Advisor is to provide guidance and advice to the Chair and Secretariat on how probity issues should be addressed, particularly any conflicts of interests or breaches of probity. The Probity Advisor may also assist in anticipating problems and advising on courses of action to be taken.

The Probity Advisor will attend the inception meeting for each master plan, which may include a site visit. They may also attend other TAP meetings as required or agreed with the Chair. The Probity Advisor will have access to all TAP documentation and minutes. The Probity Advisor will provide a probity report to the Chair and the Department at the end of the TAP process for each draft master plan. The report will document the process followed and confirm compliance with the Governance and Probity Plan for each draft master plan

3.2 Costs to cover the TAP

The proponent will be required to pay a fee to cover the costs associated with the TAP. The Department will use the TAP fees to cover meeting attendance costs for councils, agencies, independent members (including the probity advisory and urban designer) and other expenses relating to the running of the TAP as per the approved fee schedule.

The TAP fees will be invoiced to the Proponent by the Department on a monthly basis and are to be paid throughout the TAP process. The TAP fees are part of the master plan assessment fees with the total amount invoiced through the TAP process being discounted from the total master plan assessment fees when lodged.

For further information on the TAP fees, master plan assessment fees and precinct plan amendment fees see the Departments [website](#).

3.3 Procedures

Meeting procedures

Meetings in the formal TAP process

- The TAP will be chaired by an Independent Chair, as appointed by the Department.
- Meetings will be scheduled in line with the endorsed milestone agreement for each individual master plan request. Meetings will be arranged by the Secretariat approximately one month prior to each meeting.
- Where possible, meetings will be held in-person at 4 Parramatta Square, Parramatta, or an alternative Department office location. There will also be an option for participants to join electronically using Microsoft Teams or other online meeting platform.
- Where in-person meetings cannot be accommodated, online meetings may be held, with permission from the Chair.
- The proponent is responsible for submitting all technical studies and other required information to the Department for distribution to TAP members at least- eleven (11) working days prior to a meeting, or as requested by the Chair or TAP Secretariat.
- The Secretariat will aim to distribute the agenda and any business papers at least ten (10) working days prior to a meeting.
- If a meeting needs to be cancelled or re-scheduled for any reason, the Secretariat will notify invitees and advise of the next meeting.
- Each TAP member or other meeting attendee will be required to submit a conflict-of-interest declaration form at least three (3) days prior to each meeting.
- The conflict-of-interest declarations will be reviewed by the Secretariat - where conflicts are identified they will be referred to the Chair and Probity Advisor prior to each meeting, and they may request a member to step down, for a nominated period of time. This request to step down must be in writing from the Chair to the Member, detailing any relevant timeframes associated with this request.
- Should a TAP member or other meeting attendee declare a conflict of interest on the day of the meeting, or during the meeting, the Chair will review this on the day of the meeting or time of declaration; and may request the member to step down for a nominated period of

time. If this is to occur, the minutes from that meeting shall reflect any declaration and associated decision.

Meetings outside the formal TAP process

- Meetings outside of the formal TAP process with TAP members or other stakeholders may be requested by the Chair, proponent, agency or Council.
- All meeting requests (excluding those from the Chair) are to be sent to aerotropolis.TAP@dpi.nsw.gov.au and are to include an agenda, reason for the meeting, and contact details (including email addresses of all attendees). The Chair and Secretariat are not required to be present at all meetings outside of the formal TAP process. It is at the discretion of the Chair on whether their attendance is required.
- Meetings are to be organised by the requesting party, and where possible, organised approximately fourteen (14) working days prior to the meeting.

Meeting minutes within / outside the formal TAP

- Minutes of all meetings inside and outside of the formal TAP process are to be taken.
- The minutes must include action items and timeframes for actions to be completed. The Chair will endorse the minutes for those meetings held identified in the milestone agreement.
- The Secretariat is responsible for taking, distributing, finalising and publishing the minutes, for meetings identified in the milestone agreement, and recording them in the Department's record keeping system.
- The endorsed meeting minutes must be distributed to all TAP members within seven (7) working days of the meeting.
- For meetings not identified in the milestone agreement, the requesting party for that meeting are responsible for taking the minutes and distributing the minutes. The minutes are to be distributed to the Independent Chair seven (7) working days following the meeting via aerotropolis.TAP@dpi.nsw.gov.au.
- The Department will publish the endorsed minutes on the NSW Planning Portal or on the Department website.

Meeting invitations

- Meeting invites for formal TAP meetings and workshops will be sent from the TAP Secretariat, to only the core members, and their identified Executive Assistants.
- Where delegates and observers have been requested to attend a meeting or workshop by a core member, it is the responsibility of the core member to notify the TAP Secretariat of

these attendees (see section 4.3.2 below). The TAP Secretariat will seek the approval of the TAP Chair for additional invitees.

- Meeting invites must not be forwarded on to any other person. It is the role of the Secretariat to send out all TAP meeting and workshop invites.
- If meeting invites are forwarded by any person other than the Secretariat, this will result in the removal of the non -authorised invitee from the invitation.

Meeting attendance

Where a TAP member cannot attend a formal TAP meeting and/or workshops

- A delegate can be sent in place of a TAP member in unforeseen circumstances where the TAP member cannot attend.
- Requests for delegates are to be in writing to the Chair and sent to aerotropolis.tap@dpi.nsw.gov.au at the latest seven (7) working days prior to the meeting. It is the responsibility of the core member agency to notify the TAP Secretariat of these delegates. The TAP Secretariat will forward any meeting invite to the delegate once the request has been formally approved by the TAP Chair.

Observers in a formal TAP meeting and/or workshops

- TAP members may request observers attend a formal TAP meeting or for all formal TAP meetings, (as outlined in the milestone agreement) from their agency and/or Council, in circumstances where it is essential.
- Requests for observers are to be sent at the latest seven (7) working days prior to the meeting to aerotropolis.TAP@dpi.nsw.gov.au and will be evaluated by the Independent Chair. The TAP Secretariat will seek the approval of the TAP Chair for additional invitees.
- Meeting invites must not be forwarded on to any other person. It is the role of the Secretariat to send out all TAP meeting and workshop invites
- Note: to ensure efficiency in the functioning of the TAP meetings, the TAP aims to be held with as minimal observers as possible.

Decision making

Decision making in the TAP process

- Decisions of the TAP will be made by consensus wherever possible.
- Any decision made by the TAP must be accompanied by written reasons for the decision from the Chair.

- No decisions can be made during meetings/discussions outside of the formal TAP meetings (including workshops)
- Where a preliminary agreement may occur from a meeting outside of the formal TAP milestone meetings, the Chair must provide written reasons for the agreement and provide this to the TAP at least seven (7) days prior to the next formal TAP meetings for discussion and endorsement. This can only occur in instances where the Chair is in attendance at the meeting.

Decision making where a consensus cannot be reached

- Where a consensus cannot be reached within the formal TAP meeting, the Chair will make the final decision.
- Where a consensus cannot be reached, the decision of each Panel member must be recorded and this must be included in the minutes.
- The Chair must consider the type and scale of the issue, supporting technical analysis and submissions from agencies and provide written reasons for the decision. The Chair may also seek additional technical analysis to be undertaken to support a decision or may hold meetings with agencies outside of the formal TAP process, in order to reach their decision. This may result in the delay or finalisation and publishing of meeting minutes.

Decision making where there is an outstanding agency/council objection or submission

- In the circumstance that an agency/agencies objects or a submission remains unresolved within the TAP process, the Chair must collaborate with the Department representative to consult with the proponent, agency and council/s.
- Advice may also be sought from technical experts (from the Department or external) if necessary, to negotiate an outcome with all parties.
- The Chair must also consider the role of the agency/agencies and council/s, the subject of their submission/objection, the technical weight behind the submission/objection and any established policy positions guiding their submission/objection.
- If negotiation with both parties is unsuccessful, the Chair is to provide an informed decision on whether the submission/objection is adopted or not within the master plan process.

Milestone agreement

Preparation of the milestone agreement

- The milestone agreement will be prepared by the Secretariat and Chair with collaboration with the TAP.

- Four weeks prior to the TAP inception meeting to the proponent is to submit a draft project plan or timeline for their master plan that includes:
 - identification topics of discussion and any areas of endorsement or support sought
 - detailed schedule of all technical studies that are to be submitted, including percentage completed, indicative dates for submission at 70 percent draft, final draft and completed

Note: all technical studies will need to be submitted in final format a minimum of six weeks prior to the scheduled endorsement of the master plan by the TAP.

- The Department and the proponent will meet at least once to discuss the draft milestone agreement prior to sending a draft milestone agreement to the TAP for comment.
- The draft milestone agreement will be sent to the TAP two (2) weeks prior to the TAP meeting 1 (Inception meeting) and presented in this meeting.
- The TAP will have two (2) weeks to provide comments on the draft milestone agreement following the presentation of the milestone agreement at TAP meeting 1.
- The TAP will endorse a milestone agreement by TAP meeting 2.
- A copy of this endorsed milestone agreement will be provided to the Proponent and the TAP, as well as a copy uploaded to the Digital Data Room and on the NSW Planning Portal or Department's website.
- The milestone agreement may be amended by the TAP Chair, in consultation with TAP Members and the Proponent, if it is considered by the TAP Chair that the milestone agreement is not being met.

Reporting and status updates

- The proponent is to provide a status update of the progress of the master plan at each TAP meeting and report on where established timeframes may not be met, including the submission of required technical documents

Document review and feedback

Documents for the TAP to review

- TAP member agencies may be requested to review and provide input into documents separate from the business papers for meetings. This may include the following documents:
 - Scopes and Agendas for workshops
 - Terms of Reference
 - Milestone Agreements

- Technical studies
- TAP policy documents
- The review period and feedback deadline will differ depending on the nature and complexity of the document. TAP member agencies are to provide coordinated responses, comments and/or feedback on these documents back to the Secretariat via aerotropolis.tap@dpi.nsw.gov.au by the date as outlined in the request.
- For the review of technical studies, the TAP will require a maximum of seven (7) weeks to provide, compile and endorse comments on technical studies. Once comments are endorsed, these will be provided to the proponent within seven (7) working days.

Note: technical studies are to be submitted in line with the endorsed milestone agreement and in tranches or to minimise the cumulative review period for technical studies.

Correspondence

- Any correspondence from the proponent to the Chair, TAP or individual TAP members is to copy the Secretariat into the correspondence via aerotropolis.tap@dpi.nsw.gov.au.
- Any correspondence from an individual TAP member, relating to the TAP process, to the proponent must copy the Secretariat into the correspondence via aerotropolis.tap@dpi.nsw.gov.au.
- Any correspondence to the proponent representing the views of the TAP must be endorsed by the Chair prior to being sent to the proponent.
- The TAP will aim to respond to any correspondence from the proponent within ten (10) working days of receipt.
- Each core member agency is to nominate two key email address to the TAP Secretariat for all correspondence (excluding meeting invites). It is the responsibility of the core member agency to manage any correspondence sent to the nominated email address from the TAP Secretariat.

Records and files

- It is the responsibility of the Department to ensure compliance with the *State Records Act 1988 (SR Act)* and the *Government Information (Public Access) Act 2009 (GIPA Act)*. If a GIPA request is received, this must be sent to the Independent Chair and the Department will collate a response to the Request.

Submission of files for the TAP co-design process

- The proponent is to submit any relevant documents and files to the Department for distribution to the Chair and TAP members via aerotropolis.tap@dpie.nsw.gov.au.

The proponent may choose to store and share these documents in a cloud-based server, for example Drop Box or OneDrive.

Storing of records and files

- The Department will store all correspondence and documentation related to each TAP process within HPE Content Manager.
- Any documentation relating to the TAP process will be sealed and only available for access by the Chair, Secretariat and relevant staff of the Planning and Land Use Strategy division.

Digital Data Room

- Documents relating to the individual master plans within the TAP, any formal meetings and workshops will be stored and distributed to TAP members and observers via SharePoint (the Digital Data Room).
- Access to the Digital Data Room will be granted to the Chair, TAP Members, Executive Assistants for TAP members, approved delegates, approved observers, the TAP Secretariat, and the core proponent team.
- TAP members may also request supporting staff members be granted full access to the Digital Data Room to support their agency's representation and function on the TAP. These requests should be in writing to the Chair to aerotropolis.tap@dpie.nsw.gov.au.
- Sub-consultants of the proponent team will not be provided access to the Digital Data Room. It is the responsibility of the proponent to distribute files from the Digital Data room for their team as appropriate and in line with their signed confidentiality and conflict of interest forms.
- Those with authorised access to the Digital Data Room are required to submit a signed confidentiality and conflict of interest form.

Conflicts of interest

- Conflicts of interest must be declared once at the beginning of the TAP process for each master plan and submitted three (3) working days prior to a TAP meeting via the conflict-of-interest form. Forms will be issued by the Secretariat prior to each meeting and available in electronic (PDF and online) and hard copy formats and will also be available on the day of a meeting
- If a conflict of interest is known prior to a meeting or should arise during the TAP process for each master plan, the representative shall advise the Chair through the Secretariat, and

where possible nominate another representative from that organisation to attend. Where a conflict arises, a new form shall be submitted to the TAP Secretariat.

- Any conflicts of interest which arise during the TAP process must be declared, and referred to the Probity Advisor for advice. The Probity Advisor will provide detailed advice to the Chair to ensure that the perceived or actual conflict of interest can be appropriately addressed or mitigated.
- If any conflicts of interest arise during a TAP meeting where the Probity Advisor is not present, the Chair is to note the conflict. It is at the discretion of the Chair as to whether the person declaring the conflict should still attend. Following the meeting, the declared conflict is to be referred to the Probity Advisor who will provide detailed advice to the Chair to ensure that the perceived or actual conflict of interest can be appropriately addressed or mitigated.
- Where a landowner or proponent for a master plan is a member of the TAP, they will be required to declare an interest, and they will not be able to sit on the TAP as part of that project, as determined by the Chair.

Maintaining confidentiality

- Maintaining confidentiality is fundamental to probity and is the responsibility of each TAP participant with access to confidential information.
- TAP participants must ensure the control and security of confidential documents in their possession. Where practicable, and for particularly sensitive information, hand delivery, registered post or couriers should be considered. Documents are to be securely packaged and marked “confidential”.
- All members of the TAP as well as other participants and invited experts will be requested to sign the confidentiality and conflict of interest agreement at Appendix B. The Department will record copies of signed agreements.
- A Confidentiality form is to be completed and submitted to the TAP Secretariat via aerotropolis.tap@dpie.nsw.gov.au. Confidentiality agreements must be submitted seven (7) working days prior to a TAP meeting. Forms will be issued by the Secretariat prior to each meeting and available in electronic (PDF and online) and hard copy formats available on the day of a meeting.
- A Confidentiality form is required to be submitted once per individual; this submission will apply to the whole TAP co-design process for all master plan sites.

Media enquiries

If any individual TAP member is contacted by the media regarding the process or proposal, they shall not make any comment. The member must notify (in writing) the Chair, the TAP Secretariat, and the respective organisation's staff responsible for responding to media queries.

The Chair and the respective organisation's staff responsible for responding to media queries must be consulted before any response is issued. The Department will maintain records of all responses to the media in relation to the process and proposal.

Glossary

Term	Definition
Co-design	Refers to a participatory approach to designing and resolving key issues in master plans, in which TAP member agencies and councils are treated as equal collaborators in the design process.
Development Application	An application for consent under Part 4 of the EP&A Act to carry out development (not including an application for complying development) such as change of use of land, subdivide land, or building, landscaping, and other work.
Development Assessment division	A division of the Planning Group of the Department of Planning, Housing and Infrastructure.
Draft master plan	A draft document prepared and submitted by a proponent as part of the TAP co-design process. This document will not be endorsed by the TAP, but may be supported for submission and exhibition to the Department of Planning, Housing and Infrastructure.
EP&A Act	The Environmental Planning and Assessment Act 1979.
Master Plan	A master plan approved by the Minister under clause 4.41 of the WPC SEPP.
Milestone Agreement	A program for the development and finalisation of a master plan in the form of a Milestone Agreement. Key milestones, number of additional collaboration workshops and associated deliverables will be agreed along with the scope of works for required technical studies. A Milestone Agreement will bind the proponent and the TAP to the agreed program.
Planning and Land Use Strategy division	A division of the Planning Group of the Department of Planning, Housing and Infrastructure.
Probity Advisor	Refers to the Probity Advisor appointed by the Department of Planning, Housing and Infrastructure to provide probity advice to the Independent Chair and Department.

Term	Definition
Secretariat	Staff from the Planning and Land Use Strategy division of the Department providing secretariat services to the Technical Assurance Panel and Aerotropolis master plan process.
TAP	Refers to the Technical Assurance Panel. The Technical Assurance Panel is a body convened by the Department of Planning, Housing and Infrastructure to provide technical advice on the preparation of a master plan with a Chair appointed and representatives from across State and local government.
The Council	Refers to Liverpool City Council and/or Penrith City Council.
The Department	Refers to the NSW Department of Planning, Housing and Infrastructure.
The Chair	Refers to the Independent Chair of the Technical Assurance Panel. The Chair has been appointment to act independent of the Department of Planning, Housing and Infrastructure.
TAP Members	Refers to the Independent Chair, core members of the panel and other representatives.
TAP Participants	Refers to TAP members, observers, the proponent, and the Secretariat.
The Proponent	Refers to the applicant of the master plan request subject to the Technical Assurance Panel process. They may be a government or non-government entity seeking to undertake a master plan.
The Proposal	Refers the request to undertake a master plan for a subject site.
WPC SEPP	Refers to the State Environmental Planning Policy (Precincts – Western Parkland City) 2021.